BRUNSWICK CITY
COMMITTEE-OF-THE-WHOLE

Agenda

JULY 10, 2023
6:25 PM
or Immediately Following
Services, Utilities, Technology & Cable Committee

1. Discussion Items

2. Motion Items

   (a) Request authorization to advertise for Request for Qualifications for Construction Manager at Risk for building of Fire Station at 1094 Hadcock Road

   (b) Motion authorizing the City Manager to advertise for public bids for the 2023 Storm Sewer Slip Lining Program.

3. Review Legislation

   RES. NO. 54-2023 An emergency resolution declaring it necessary to renew an existing 1.2-mill tax levy for the purpose of providing for the general construction, reconstruction, resurfacing, and repair of streets, roads and bridges in the City for a period of ten (10) years, pursuant to Sections 5705.03, 5705.19(G) and 5705.191 of the Revised Code. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration, Ken Fisher*)

4. General Discussion

5. Executive Session

   (a) Motion to go into Executive Session to discuss the subject of pending or imminent court action.

6. Adjournment

THE CITY OF BRUNSWICK

PROPOSED MOTION

DATE: 7/10/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

MOTION: Request authorization to advertise for Request for Qualifications for Construction Manager at Risk for building of Fire Station at 1094 Hadcock Road

BACKGROUND: Construction manager at risk (CMAR) is a project delivery method in which the construction manager acts as an agent of the property owner to consult on the development of a construction project and to complete it within a guarantee maximum price. Under a typical CMAR delivery method, a recipient or subrecipient hires a construction firm or construction manager early in the design and planning process to later oversee the project's construction. The construction manager advises the design firm during the project's design and planning phases and often acts as the general contractor during the construction phase to select, schedule, and sequence subcontractors to complete the required construction work.

PURPOSE AND EXPLANATION: The City Administration is currently working with consultants for underwriting services and is requesting to move to the next phase, which is requesting RFQs for the construction manager at risk.

IMPLEMENTATION SCHEDULE: It is planned to begin advertisement once authorized and proceed with the review process of the RFQs received.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

ADDITIONAL INFORMATION:

THE CITY OF BRUNSWICK

PROPOSED MOTION

DATE:	7/10/2023
TO:	Vice Mayor Nicholas Hanek and Members of City Council
FROM:	Carl S. DeForest, City Manager Matt Jones
COPY:	Mayor Ron Falconi
MOTION:	Motion authorizing the City Manager to advertise for public bids for the 2023 Storm Sewer Slip Lining Program.

BACKGROUND:

PURPOSE AND EXPLANATION:	The proposed project will seek to repair deteriorated sections of storm sewers citywide by slip lining, improving neighborhood accessibility and safety to the traveling public.
IMPLEMENTATION SCHEDULE:	Should authorization to bid be secured at the July 10, 2023 Committee-of-the-Whole meeting, the project will be advertised in late July. Construction is anticipated to begin in late September.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	The project is being funded with Stormwater Utility Fee dollars in Fund #224 account#224-0455-56881. Bid results will be analyzed and compared to the budget prior to recommending the lowest and best bidder.
RECOMMENDED ACTION:	Passage of a motion which authorizes the City Manager to advertise for and seek public bids for the 2023 Storm Sewer Slip Lining Program.
ADDITIONAL INFORMATION:	

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	7/10/2023
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. 54-2023** - An emergency resolution declaring it necessary to renew an existing 1.2-mill tax levy for the purpose of providing for the general construction, reconstruction, resurfacing, and repair of streets, roads and bridges in the City for a period of ten (10) years, pursuant to Sections 5705.03, 5705.19(G) and 5705.191 of the Revised Code. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration, Ken Fisher*)
BACKGROUND:	At an election held on May 6, 2014, the electors of the City of Brunswick approved a 1.2-mill tax levy pursuant to Sections 5705.19(G) and 5705.191 of the Revised Code for the purpose of providing for the general construction, reconstruction, resurfacing, and repair of streets, roads and bridges in the City, for a period of ten (10) years; and The authority to levy that 1.2-mill tax will expire with the levy on the 2023 duplicate for collection in the calendar year 2024.
PURPOSE AND EXPLANATION:	Council finds that the amount of taxes that may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City and that it is necessary to renew a 1.2-mill levy.
IMPLEMENTATION SCHEDULE:	One reading, emergency suspension of the rules.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	Per the May 19, 2023 Amended Official Certificate of Estimated Resources (latest available), the 1.2 mill road levy is estimated to generate $851,900 in 2023. The tax proceeds are used exclusively for neighborhood road improvements.
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 necessary that this resolution be in effect immediately in order to permit the City to obtain required certifications from the County Auditor and timely complete additional proceedings necessary for the submission of the question of this levy at the November 7, 2023 election.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 54-2023

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 1.2-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS AND BRIDGES IN THE CITY FOR A PERIOD OF TEN (10) YEARS, PURSUANT TO SECTIONS 5705.03, 5705.19(G) AND 5705.191 OF THE REVISED CODE.

WHEREAS, at an election held on May 6, 2014, the electors of the City of Brunswick approved a 1.2-mill tax levy pursuant to Sections 5705.19(G) and 5705.191 of the Revised Code for the purpose of providing for the general construction, reconstruction, resurfacing, and repair of streets, roads and bridges in the City, for a period of ten (10) years; and

WHEREAS, the authority to levy that 1.2-mill tax will expire with the levy on the 2023 duplicate for collection in calendar year 2024; and

WHEREAS, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City and that it is necessary to renew a 1.2-mill levy for the purpose stated in the first preamble above; and

WHEREAS, in accordance with Section 5705.03(B)(1), the resolution of this Council as described immediately above must state all of the following, as applicable to the levy: (a) the proposed rate of the tax, expressed in mills for each one dollar of taxable value, or the dollar amount of revenue to be generated by the proposed levy; (b) the purpose of the tax; (c) whether the tax is an additional levy, a renewal or a replacement of an existing tax, a renewal or replacement of an existing tax with an increase or a decrease, a reduction or decrease of an existing tax, or extension of an existing tax to additional territory; (d) the Section of the Revised Code authorizing the submission of the question of the tax; (e) the term of years of the tax or that it is for a continuing period of time; (f) that the tax is to be levied upon the entire territory of the City; (g) the date of the election at which the question of the tax shall appear on the ballot; (h) that the ballot measure shall be submitted to the entire territory of the City; (i) the tax year in which the tax will first be levied and the calendar year in which it will be first collected; and (j) each county in which the City has territory; and

WHEREAS, in accordance with Section 5705.03(B)(2), upon receipt of a certified copy of a resolution of this Council as described immediately above, the County Auditor is to certify each of the following, as applicable to the levy: (a) the total current tax valuation of the City; (b) the number of mills for each one dollar of taxable value that is required to generate a specified amount of revenue; (c) either of the following, calculated using the tax list for the current year, and if this is not determined, the estimated amount submitted by the County Auditor to the County Budget

Commission: (i) if the levy is to renew, renew and increase, renew and decrease, reduce or decrease, or extend to additional territory an existing levy that is subject to reduction under Section 319.01 of the Revised Code, the levy's estimated effective rate, calculated using the rate described in Section 5705.03(B)(2)(b) or (d), expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value, or (ii) for all other levies, the levy's rate, described in Section 5705.03(B)(2)(b) or (d), expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value; (d) the dollar amount of revenue, rounded to the nearest dollar, that would be generated by a specified number of mills for each one dollar of taxable value; and (e) an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the City remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the County Auditor to the County Budget Commission;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brunswick, County of Medina, State of Ohio, that:

Section 1. As used in this Resolution and in accordance with Section 5705.03(B)(1)(a) of the Revised Code, "mills" refers to mills for each one dollar of taxable value.

Section 2. This Council hereby finds, determines and declares that (i) the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City, (ii) it is necessary to renew, for ten (10) years, an existing 1.2-mill tax levy outside of the ten-mill limitation in excess of such limitation for the purpose of providing for the general construction, reconstruction, resurfacing, and repair of streets, roads and bridges in the City, (iii) it intends to submit the question of the renewal of that levy to its electors at an election on November 7, 2023, as authorized by Sections 5705.19(G) and 5705.191 of the Revised Code, and (iv) the City has territory only in the County of Medina. If approved, that tax will be levied upon the entire territory of the City for ten (10) years, commencing in tax year 2024, for first collection in calendar year 2025.

Section 3. This Council requests the Medina County Auditor to certify to it and the City the certifications set forth in Section 5705.03(B)(2), as applicable to the proposed renewal levy.

Section 4. The Clerk of Council of this City is authorized and directed to deliver promptly to the Medina County Auditor a certified copy of this Resolution.

Section 5. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were held, in meetings open to the public, in compliance with the law.

Section 6. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City and for the further reason that the immediate effectiveness of this Resolution is necessary in order to permit the City to obtain required certifications from the County Auditor and timely complete additional proceedings necessary for the submission of the question of this levy at an election on November 7, 2023; wherefore, this Resolution shall be in full force and effect from and immediately after its adoption by the required number of votes, otherwise, at the earliest time permitted by law.

PASSED: 1st Reading ____________________

Rules Suspended: AYES _____ NAYS _____

ADOPTED: ________________________________ AYES _____ NAYS _____

ATTEST: ________________________________
Clerk of Council
Laura Timura

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July 6, 2023

BY E-MAIL ONLY

Kenneth J. Fisher, Director of Law
City of Brunswick
4095 Center Road
Brunswick, Ohio 44212

Re: City of Brunswick, Ohio
Road Improvement Tax Levy (Renewal) — Election Proceedings

Dear Ken:

In accordance with your request and my recent e-mails with you, I have prepared and am enclosing the initial materials necessary to submit to the electors of the City at an election on November 7, 2023, the question of renewing the City's existing 1.2-mill tax levy for the purpose of general construction, reconstruction, resurfacing and repair of streets, roads and bridges in the City of Brunswick, Ohio, for a period of ten years, pursuant to Sections 5705.19(G) and 5705.191 of the Revised Code.

In order to place such an issue on the ballot at an election on November 7, Council will need to adopt two resolutions, obtain certain certifications from the County Auditor, and file all of the necessary documentation with the Board of Elections **before the close of business on Wednesday, August 9**. I understand the initial resolution (the enclosed "resolution of necessity") will be first considered by the Council at its regular meeting to be held on Monday, July 10.

Because the resolution of necessity needs to be effective immediately so that it can be delivered to the Medina County Auditor timely, it should be considered under separate suspension of the rules and adopted as an emergency measure at a duly called meeting of the Council not later than July 10. Following its adoption, the resolution should be posted in the usual manner and a certified copy should be promptly delivered to the Medina County Auditor.

Upon receipt of the resolution, the Medina County Auditor is to certify to the City the total current tax valuation of the City, the property tax revenue that will be produced by the proposed levy and other matters set forth in 5705.03(B)(2). The Medina County Auditor may wish to use the latest State Department of Taxation Form DTE 140R for that purpose.

After receiving the Medina County Auditor's certifications, and **before the close of business on Wednesday, August 9**, the Council must adopt a second resolution determining to proceed with the submission of the levy (the "resolution to proceed") and file a certified copy of that resolution, together with a certified copy of the enclosed resolution of necessity and the signed County Auditor's certificate, with the Medina County Board of Elections.

Please confirm to me the amounts certified by the County Auditor and the meeting at which the Council intends to consider the resolution to proceed. We will then prepare and forward the remaining materials required for the Council to consider and submit the levy. The adoption of the resolution to proceed will require the affirmative votes of 2/3 of the members of Council whether or not adopted as an emergency measure.

If you or any other City officials have any questions with regard to the steps to be taken, please let me know.

Very truly yours,

Catie Romanchek

Catherine Ziroli Romanchek/bw
Enclosures

Copy: Todd R. Fischer, Director of Finance (w/encl. via e-mail)
Laura Timura, Clerk of Council (w/encl. via e-mail)