

BRUNSWICK CITY PLANNING & ZONING COMMITTEE

Agenda

SEPTEMBER 11, 2023

5:35 PM

**or Immediately Following
Safety & Environment Committee**

1. Discussion Items

- (a) **RES. NO. 65-2023** - An emergency resolution approving the creation of a Designated Outdoor Refreshment Area (DORA). - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)
- (b) **ORD. NO. 66-2023** - An emergency ordinance amending Section 454.04 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)
- (c) **ORD. NO. 67-2023** - An emergency ordinance amending Chapter 612 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)
- (d) **RES. NO. 68-2023** - An emergency resolution authorizing the City Manager to reimburse the City of Medina an amount not to exceed \$43,131.46 from the City of Brunswick HOME Program income for an eligible private rehabilitation project as part of the PY 2022 CHIP Program. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

2. General Discussion

3. Adjournment

PROPOSED LEGISLATION



DATE: 9/11/2023

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. 65-2023** - An emergency resolution approving the creation of a Designated Outdoor Refreshment Area (DORA). - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Ohio Revised Code Section 4301.82 permits a municipal corporation with a population of less than 50,000 to create three (3) Designated Outdoor Refreshment Areas (DORA) if the proposed DORA will include at least two (2) qualified State of Ohio liquor permit holders and will be composed of 320 or fewer contiguous acres.

PURPOSE AND EXPLANATION: Per applicable Ohio Law, Exhibit "A" attached hereto and incorporated herein by reference, includes specific information that is to be included in the authorizing legislation, including, without limitation: (a) the specific boundaries and street addresses of properties to be located within the DORA; (b) the number, spacing and type of signage to be included in the DORA; (c) hours of operation; (d) personnel required to ensure public safety; (e) a sanitation plan; (f) personnel required to execute the sanitation plan; and (g) a requirement that all alcoholic beverages be served solely in plastic bottles or other non-glass containers.

IMPLEMENTATION SCHEDULE: Immediately.

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?

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 establish the DORA.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 65-2023

BY: Mr. Delsanter, Mr. Lambert, Mrs. Piper

AN EMERGENCY RESOLUTION APPROVING THE CREATION OF A
DESIGNATED OUTDOOR REFRESHMENT AREA (DORA).

- WHEREAS: Ohio Revised Code Section 4301.82 permits a municipal corporation with a population of less than 50,000 to create three (3) Designated Outdoor Refreshment Areas (DORA) if the proposed DORA will include at least two (2) qualified State of Ohio liquor permit holders and will be composed of 320 or fewer contiguous acres;
- WHEREAS: Ohio law requires that the legislative authority of a municipal corporation adopt legislation that establishes requirements for the proposed DORA to ensure public health and safety therein;
- WHEREAS: Per applicable Ohio Law, Exhibit "A" attached hereto and incorporated herein by reference, includes specific information that is to be included in the authorizing legislation, including, without limitation: (a) the specific boundaries and street addresses of properties to be located within the DORA; (b) the number, spacing and type of signage to be included in the DORA; (c) hours of operation; (d) personnel required to ensure public safety; (e) a sanitation plan; (f) personnel required to execute the sanitation plan; and (g) a requirement that all alcoholic beverages be served solely in plastic bottles or other non-glass containers; and
- WHEREAS: Per Ohio Revised Code Section 4301.82(I)(1), this Council shall, every five (5) years after the effective date of this Resolution, review the operation of the DORA and, by legislation, either approve the continued operation of the DORA or dissolve the DORA.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:
- SECTION 1: The Clerk of Council is hereby authorized to forward a certified copy of this Resolution to both the Ohio Division of Liquor Control and to the Investigative Unit of the Ohio Department of Public Safety, all in accordance with Ohio Revised Code Section 4301.82.
- SECTION 2: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to establish the DORA. 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

APPLICATION TO DESIGNATE PROPERTY WITHIN THE CITY OF BRUNSWICK AS AN OUTDOOR REFRESHMENT AREA

WHEREAS, Ohio Revised Code Section 4301.82 authorizes the executive officer of a municipal corporation to file an application with the legislative authority of the municipal corporation to have property within the municipal corporation designated as an outdoor refreshment area or to expand an existing outdoor refreshment area to include additional property within the municipal corporation.

WHEREAS, as of the 2020 Federal Decennial Census, the City of Brunswick had a population of 35,340.

WHEREAS, Ohio Revised Code Section 4301.82 authorizes the City of Brunswick to create not more than three (3) outdoor refreshment areas (each a "DORA"), each of which shall not exceed three hundred twenty (320) contiguous acres and include at least two (2) qualified liquor permit holders (i.e., the holder of an A-1, A-1-A, A-1c, A-2, A-2f or D class permit issued under Chapter 4303 of the Ohio Revised Code).

WHEREAS, in accordance with Ohio Revised Code Section 4301.82, the undersigned City Manager of the City of Brunswick hereby submits the following Application to Designate Property Within the City of Brunswick as an Outdoor Refreshment Area (the "Application") as follows:

- 1) The proposed DORA shall consist of all or portions of eight (8) parcels of real property (as presently configured) totaling approximately 32.79 acres with a perimeter of approximately 1.64 miles as depicted on the Map as attached hereto as Exhibit "A" and incorporated herein by reference.
- 2) Twenty-two (22) retail businesses are presently located within the proposed DORA, which includes six (6) retail businesses presently holding qualified liquor permits, which are detailed (along with street addresses) on Exhibits "B" and "C" as attached hereto and incorporated herein by reference.
- 3) Retail business establishments holding qualified liquor permits that wish to participate in the DORA shall be clearly marked with signage displayed in the front window. Retail business establishments holding qualified liquor permits that do not wish to participate in the DORA may display signage in the front window indicating non-participation in the DORA.

- 4) The instant Application is in compliance with Ohio Revised Code Section 4301.82(D)(2) as: (a) the City of Brunswick has a population of 50,000 or less; (b) the proposed DORA is the first DORA proposed in the City of Brunswick; and (c) the proposed DORA will include at least two (2) qualified liquor permit holders.
- 5) The proposed DORA is located in the Brunswick Town Center Special Planning District No. 2 (the "SPD-2"), wherein current uses of the land therein are in accordance with the requirements of the SPD-2, the Zoning Code and the Comprehensive Plan Update adopted by City Council on January 27, 2020.
- 6) The proposed number, spacing and type of signage designating the DORA is shown on Exhibit "A". Signage (12" x 18") will be spread throughout the DORA boundaries and mounted on metal posts at eye level with a QR Code for uploading applicable Rules and Regulations and a map of the boundaries of the DORA, which signage shall be as generally depicted on Exhibit "D" attached hereto and incorporated herein by reference.
- 7) The hours of operation of the DORA are from 12:00 noon to 10:00 p.m. on Thursday to Sunday.
- 8) The DORA will be patrolled by the Brunswick Division of Police, which is sufficient to ensure public safety in the DORA.
- 9) The DORA will be served by the Brunswick Division of Fire, including applicable mutual aid communities, which is sufficient to ensure public safety in the DORA.
- 10) Existing and/or additional trash receptacles located upon private property in the DORA will be emptied and maintained by the property owner and/or business operator. Existing and/or additional trash receptacles located upon public property in the DORA will be emptied and maintained by the Medina County Park District per agreement with the City of Brunswick. Existing personnel is sufficient to execute the sanitation plan.
- 11) All beer, wine and intoxicating liquor shall be served solely in one-time use clear 16 ounce plastic cups, to be purchased at the sole cost and expense of the participating qualified liquor permit holder, with "BRUNSWICK DORA" printed thereon. The participating qualified liquor permit may include the date on which such cup was issued.
- 12) Participants in the DORA, who shall be aged 21 years or older, may visit multiple participating retail business establishments holding qualified liquor permits in the DORA, but must dispose of one-time use BRUNSWICK DORA cups before entering another retail business located in the DORA.

- 13) Initial Rules and Regulations of the DORA are detailed on Exhibit "E" attached hereto and incorporated herein by reference. Upon establishment of the DORA, the Rules and Regulations may be revised and/or amended as needed.



Carl S. DeForest, City Manager

Date: 7/5/2023

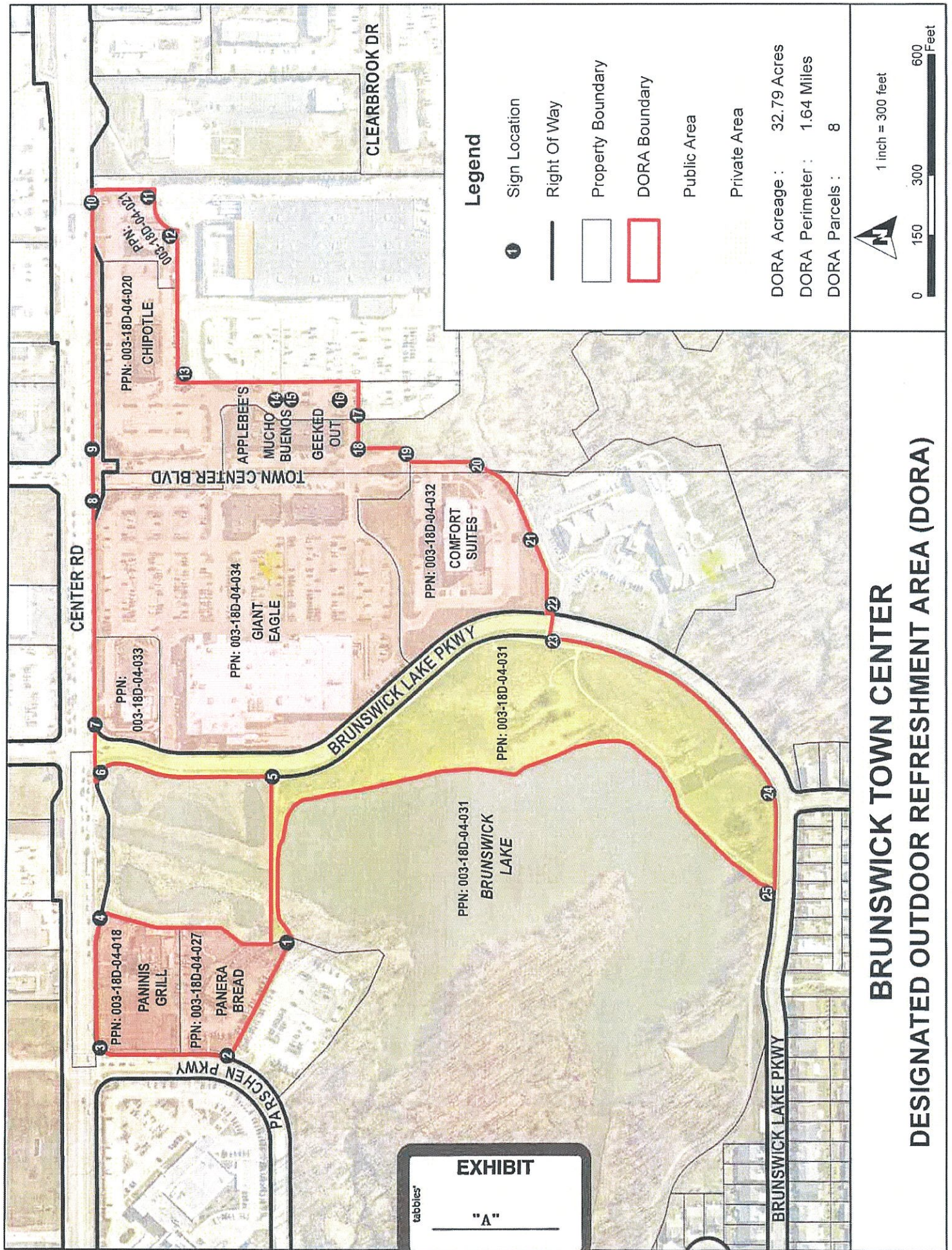
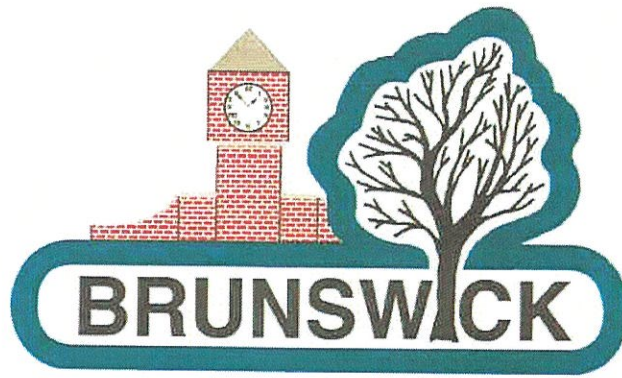


Exhibit "B" - Retail Businesses within Brunswick DORA

Address	Business Name	Property Owner	Industry	Parcel
1405 Parschen Rd+A3:E26, Brunswick, OH 44212	Panera Bread	DACOH HOLDINGS LLC	Restaurant	003-18D-04-027
1418 Town Center Blvd Ste. A-30, Brunswick, OH 44212	Pet Supplies Plus	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034
1418 Town Center Blvd, Brunswick, OH 44212	Pulp Juice ad Smoothie Bar	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034
1418 Town Center Blvd, Brunswick, OH 44212	Game Stop	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034
1421 Town Center Blvd B - 03, Brunswick, OH 44212	Rettig Music	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034
1421 Town Center Blvd B2, Brunswick, OH 44212	Mucho Buenos	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-034
1421 Town Center Blvd Suite B-10, Brunswick, OH 44212	Applebee's	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-034
1434 Town Center Blvd c20, Brunswick, OH 44212	Raw Vanity Nail Bar	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Service	003-18D-04-034
1434 Town Center Blvd Ste C10, Brunswick, OH 44212	Great Clips	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Service	003-18D-04-034
1434 Town Center Blvd, Brunswick, OH 44212	Brunswick Auto Title Office	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Office	003-18D-04-034
1439 Town Center Blvd D50, Brunswick, OH 44212	Vita Bella Salon and Spa	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Service	003-18D-04-034
1439 Town Center Blvd Space D-01, Brunswick, OH 44212	GNC	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034
1439 Town Center Blvd Space D-04, Brunswick, OH 44212	Heights Running Shop	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034
1439 Town Center Blvd, Brunswick, OH 44212	Geeked Out Pub and Grille	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-034
1464 Town Center Blvd, Brunswick, OH 44212	Comfort Suites	PINECRAFT LAND HOLDINGS LLC	Service	003-18D-04-032
3340 Center Rd, Brunswick, OH 44212	Steak-n-shake	CENTRO NP BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-021

3362 Center Rd Ste E10, Brunswick, OH 44212	Jersey Mike's Subs	CENTRO NP BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-020
3362 Center Rd Ste E20, Brunswick, OH 44212	Chipotle	CENTRO NP BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-020
3362 Center Rd Ste E30, Brunswick, OH 44212	Verizon	CENTRO NP BRUNSWICK TOWN CENTER LLC	Service	003-18D-04-020
3440 Center Rd, Brunswick, OH 44212	Giant Eagle	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034
3470 Center Rd, Brunswick, OH 44212	Chick-fil-A	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-033
3520 Center Rd, Brunswick, OH 44212	Paninis Grill	PARTNERS LLC	Restaurant	003-18D-04-018

Exhibit "C" - Retail Businesses (qualified liquor permit holders) within Brunswick DORA	Operator/Owner	Property Owner		
1439 Town Center Blvd, Brunswick, OH 44212	Lambert United Enterprises LLC DBA Geeked Out Pub and Grille 49964300005, D5	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-034
1421 Town Center Blvd Suite B-10, Brunswick, OH 44212	Apple Ohio LLC DBA Applebee's 2498600165, D5, D6	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-034
3520 Center Rd, Brunswick, OH 44212	Brunswick Paninis DBA Paninis Grill 1051012, D5, D6	PARTNERS LLC	Restaurant	003-18D-04-018
1421 Town Center Blvd B2, Brunswick, OH 44212	Buenos Inc. DBA Mucho Buenos 1087738, D5, D6	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Restaurant	003-18D-04-034
1464 Town Center Blvd, Brunswick, OH 44212	Brunswick Hospitality DBA Comfort Suites 1053162, D5A, D6	BRUNSWICK HOSPITALITY	Service	003-18D-04-032
3440 Center Road, Brunswick, OH 44212	Riser Foods Co. DBA Giant Eagle #229 73935330450, D1, D2, D6, D8	BRIXMOR/IA BRUNSWICK TOWN CENTER LLC	Retail	003-18D-04-034



DORA

DESIGNATED OUTDOOR REFRESHMENT AREA

DORA CUPS NOT
PERMITTED BEYOND THIS
POINT. NO OUTSIDE ALCOHOL
PERMITTED.

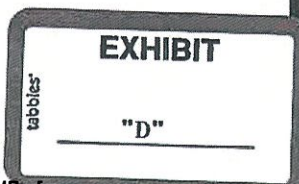
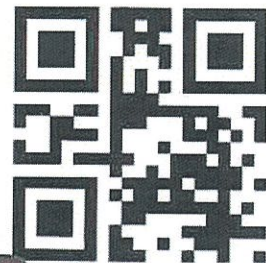


Exhibit “E”

BRUNSWICK DORA

Rules and Regulations

Designated Outdoor Refreshment Area
Thursday – Sunday 12:00 noon – 10:00 p.m.

What I CAN DO

- Participants aged 21+ can enjoy their favorite alcoholic beverage provided by a participating DORA establishment.
- Free to roam within the designated DORA boundaries with an alcoholic beverage in a designated DORA cup during operating hours.
- Visit establishments serving alcoholic beverages after discarding or finishing prior alcoholic beverage.
- Follow all rules, regulations, and laws, as same may be amended from time to time.

What I CANNOT DO

- Do Not bring your own alcoholic beverages.
- Do Not leave the designated DORA boundary with an alcoholic beverage.
- Do Not enter any retail establishment in the DORA with an alcoholic beverage.
- Do Not enter an establishment not marked with a DORA sign to purchase an alcoholic beverage for consumption outside such establishment (other than a patio).
- Do Not enter a vehicle with any alcoholic beverage.

PROPOSED LEGISLATION



DATE: 9/11/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 66-2023** - An emergency ordinance amending Section 454.04 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 454.04 shall be amended to read as follows: "No person shall consume alcoholic beverages upon any parking lot other than any parking lot located within the established boundaries and permitted hours of a Designated Outdoor Refreshment Area (DORA) as defined in Codified Ordinance Section 1242.02(31.1), and no person alone or with others, shall assemble or congregate on the public portion of the parking lot for the purpose of lingering or loitering in any manner."

PURPOSE AND EXPLANATION: An amendment to Section 454.04 of the Codified Ordinances is necessary to allow alcoholic beverages to be consumed in a parking lot within the established boundaries and permitted hours of a Designated Outdoor Refreshment Area (DORA).

IMPLEMENTATION SCHEDULE:

Immediately.

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?

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 for consistency with the establishment of a Designated Outdoor Refreshment Area.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 66-2023

BY: Mr. Delsanter, Mr. Lambert, Mrs. Piper

AN EMERGENCY ORDINANCE AMENDING SECTION 454.04 OF THE
CITY OF BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 454.04 of the Codified Ordinances is hereby amended to read as follows:

“No person shall consume alcoholic beverages upon any parking lot other than any parking lot located within the established boundaries and permitted hours of a Designated Outdoor Refreshment Area (DORA) as defined in Codified Ordinance Section 1242.02(31.1), and no person alone or with others, shall assemble or congregate on the public portion of the parking lot for the purpose of lingering or loitering in any manner.

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 for consistency with the establishment of a Designated Outdoor Refreshment Area. 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: 9/11/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 67-2023** - An emergency ordinance amending Chapter 612 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 612.01(v) of the Codified Ordinances is hereby established to read as follows:
“(v) “Designated Outdoor Refreshment Area (DORA)” or “outdoor refreshment area” as used in this Chapter shall have the meaning prescribed in Codified Ordinance Section 1242.02(31.1).”

Section 612.09(g) of the Codified Ordinances is hereby established to read as follows:
“(g) No beer, wine, mixed beverages or spirituous liquor shall be sold or delivered by the holder of an A-1, A-1-A, A-1c, A-2, A-2f or class D liquor permit for outdoor consumption (excluding outdoor patios that are included within the permit premises) in a Designated Outdoor Refreshment Area except between the hours of 12:00 noon and 10:00 p.m. on Thursday to Sunday.”

Section 612.10(a) of the Codified Ordinances is hereby amended to read as follows:
“(a) No person shall take or possess any beer or intoxicating liquor into or upon any City property, park, public building, dance hall, public school property or other place where the public is permitted to assemble in the City except at the Brunswick Community Recreation and Fitness Center in compliance with the City of Brunswick Alcohol Policy, as may be amended from time to time, and except within the established boundaries and permitted hours of a Designated Outdoor Refreshment Area.”

PURPOSE AND EXPLANATION: This will allow alcoholic beverages to be consumed, sold or delivered within a Designated Outdoor Refreshment Area (DORA).

IMPLEMENTATION SCHEDULE: Immediately.

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?
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 for consistency with the establishment of a Designated Outdoor Refreshment Area.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 67-2023

BY: Mr. Delsanter, Mr. Lambert, Mrs. Piper

AN EMERGENCY ORDINANCE AMENDING CHAPTER 612 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 612.01(v) of the Codified Ordinances is hereby established to read as follows:

“(v) “Designated Outdoor Refreshment Area (DORA)” or “outdoor refreshment area” as used in this Chapter shall have the meaning prescribed in Codified Ordinance Section 1242.02(31.1).”

SECTION 2: That Section 612.09(g) of the Codified Ordinances is hereby established to read as follows:

“(g) No beer, wine, mixed beverages or spirituous liquor shall be sold or delivered by the holder of an A-1, A-1-A, A-1c, A-2, A-2f or class D liquor permit for outdoor consumption (excluding outdoor patios that are included within the permit premises) in a Designated Outdoor Refreshment Area except between the hours of 12:00 noon and 10:00 p.m. on Thursday to Sunday.”

SECTION 3: That Section 612.10(a) of the Codified Ordinances is hereby amended to read as follows:

“(a) No person shall take or possess any beer or intoxicating liquor into or upon any City property, park, public building, dance hall, public school property or other place where the public is permitted to assemble in the City except at the Brunswick Community Recreation and Fitness Center in compliance with the City of Brunswick Alcohol Policy, as may be amended from time to time, and except within the established boundaries and permitted hours of a Designated Outdoor Refreshment Area.”

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 for consistency with the establishment of a Designated Outdoor Refreshment Area. 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: 9/11/2023

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. 68-2023** - An emergency resolution authorizing the City Manager to reimburse the City of Medina an amount not to exceed \$43,131.46 from the City of Brunswick HOME Program income for an eligible private rehabilitation project as part of the PY 2022 CHIP Program. - **1st Reading** (To be brought from Planning & Zoning Committee, Administration/Grant Aungst)

BACKGROUND: The total cost for an eligible private rehabilitation project at 1495 McKinley Avenue, Brunswick, Ohio (the "Project") is estimated at \$65,545.00, to be paid from \$43,131.00 of HOME Program income and \$22,414.00 of CHIP funds.

PURPOSE AND EXPLANATION: HOME Program funds not to exceed \$43,131.46 are included within the request for release of funds and certification form for federally funded state projects as executed by the City Manager on February 24, 2023 and approved by the Ohio Department of Development, Office of Community Development.

Subject to an approved invoice and supporting documentation of the total Project costs, proof of payment of such costs by the City of Medina and submission of a properly executed Purchase Order pursuant to Ohio Revised Code Section 5705.41(D), the City Manager is hereby authorized to reimburse the City of Medina an amount not to exceed \$43,131.46 from City of Brunswick HOME Program income.

IMPLEMENTATION SCHEDULE: Immediately.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

Reimbursement to City of Medina	\$43,131.46	Account #133-2022-
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54100

**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 the Project to commence.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 68-2023

BY: Mr. Delsanter, Mr. Lambert, Mrs. Piper

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO REIMBURSE THE CITY OF MEDINA AN AMOUNT NOT TO EXCEED \$43,131.46 FROM CITY OF BRUNSWICK HOME PROGRAM INCOME FOR AN ELIGIBLE PRIVATE REHABILITATION PROJECT AS PART OF THE PY 2022 CHIP PROGRAM.

WHEREAS: The total cost for an eligible private rehabilitation project at 1495 McKinley Avenue, Brunswick, Ohio (the "Project") is estimated at \$65,545.00, to be paid from \$43,131.00 of HOME Program income and \$22,414.00 of CHIP funds.

WHEREAS: The City of Medina will be paying the contractor for the Project directly.

WHEREAS: HOME Program funds not to exceed \$43,131.46 are included within the request for release of funds and certification form for federally funded state projects as executed by the City Manager on February 24, 2023 and approved by the Ohio Department of Development, Office of Community Development.

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

SECTION 1: Subject to an approved invoice and supporting documentation of the total Project costs, proof of payment of such costs by the City of Medina and submission of a properly executed Purchase Order pursuant to Ohio Revised Code Section 5705.41(D), the City Manager is hereby authorized to reimburse the City of Medina an amount not to exceed \$43,131.46 from City of Brunswick HOME Program income.

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 the Project to commence. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laure E. Timura