

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

NOVEMBER 27, 2023

6:30 PM

**or Immediately Following
Finance Committee**

1. Discussion Items
 - (a) NOACA (Commissioner Harrison)
2. Motion Items
 - (a) A motion authorizing the City Manager to amend the FY 2023 Opioid Settlement Fund Disbursement Agreement with Cathy's House, Inc. to include an additional \$10,970.52 in opioid settlement funds received after the original agreement was executed.
3. Review Legislation
 - (a) **RES. NO. 102-2023** - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2024. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)
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

PROPOSED MOTION



DATE: 11/27/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

MOTION: A motion authorizing the City Manager to amend the FY 2023 Opioid Settlement Fund Disbursement Agreement with Cathy's House, Inc. to include an additional \$10,970.52 in opioid settlement funds received after the original agreement was executed.

BACKGROUND: The City of Brunswick is one of approximately 2,000 local governments to receive opioid settlement funds to prevent, treat and support recovery from addiction from opioids and/or other co-occurring substance abuse and/or mental health conditions.

During FY 2022, the City received \$10,348.58 in opioid settlement funds.

On October 10th, 2022, the Committee-Of-The-Whole approved a motion 7-0 to authorize the City Manager to enter into an agreement with Cathy's House and to direct the Ohio Opioid Settlement funds received by the City of Brunswick in 2022 to Cathy's House to assist in rehabilitation efforts.

The Executive Director of Cathy's House has provided an annual report as to how the FY 2022 funds were spent and has attended a couple of Committee of the Whole meetings to discuss their services in the City of Brunswick and answer questions from City Council.

In July of 2023, the Committee of the Whole also authorized the City Manager to enter into a disbursement agreement that would remit \$32,634.08 in opioid settlement funds received from January 1, 2023 - July 25, 2023 to Cathy's House Inc., to prevent, treat and support recovery from on-going addiction from opioids and/or other co-occurring substance abuse and/or mental health conditions. This agreement was executed on July 25, 2023.

The Committee-of-the-Whole also stated that they did not want to include any other future FY 2023 opioid settlement receipts in the agreement at the time without the Administration coming back to discuss it. The City has since received \$10,970.52 in opioid settlement funds as of November 3, 2023 and is desirous of amending the existing agreement and remitting those funds to Cathy's House to prevent, treat and support recovery from addiction from opioids and/or other co-occurring substance abuse and/or mental health conditions. These monies must be used in accordance with the settlement terms and OneOhio Memorandum of

Understanding and therefore are restricted to those purposes. Cathy's House provides services consistent with those requirements.

**PURPOSE AND
EXPLANATION:**

See background above.

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

Upon execution of an amended agreement, a purchase order in the amount of \$10,970.52 would also be executed. Council appropriations already exist and therefore no additional budgetary authority or legislation would be required.

After the original FY 2023 agreement was executed and up until November 3, 2023, the City received an additional \$10,970.52 in opioid settlement funds.

All opioid settlement receipts and disbursements are accounted for in the City's Opioid Settlement Fund #141.

**RECOMMENDED
ACTION:**

**ADDITIONAL
INFORMATION:**

PROPOSED LEGISLATION



DATE: 11/27/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Gia D'Amico

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 102-2023** - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2024. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: City Council is required to adopt an annual resolution permitting the City to utilize the internet auction provisions of O.R.C. Section 721.15

PURPOSE AND EXPLANATION: In order to allow the City Administration to see, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal offices and departments, and road machinery, equipment, tools or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, legislation must be adopted by City Council annually.

IMPLEMENTATION SCHEDULE:

As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Emergency after third reading to be effective January 1, 2024.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 102-2023

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, FOR THE YEAR 2024.

WHEREAS: Ohio Revised Code Section 721.15 permits municipalities to sell obsolete/unfit items by internet auction; and

WHEREAS: An annual Resolution adopted by City Council is required to permit the City to utilize the internet auction provision of ORC Section 721.15.

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

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2024.

SECTION 2: That the Clerk of Council shall cause notice of the adoption of this resolution to be published, in a newspaper of general circulation in the City, of the City's intent to sell unneeded, obsolete or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least two (2) times. The second and any subsequent notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice.

SECTION 3: That the Clerk of Council shall cause a notice to be posted continually throughout the calendar year in a conspicuous place in the offices of the Clerk of Council and the City Council and shall cause said notice to be posted continuously throughout the year on the City website.

SECTION 4: That the City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the auction site. Minimum price or reserve may be set, but is not required by law.

SECTION 5: That bidding shall continue for no less than fifteen (15) days, including Saturdays, Sundays, and legal holidays, and shall be set for each item as noted on the internet auction site.

SECTION 6: That all terms and conditions of sale, including but not limited to pick-up and delivery, method of payment, sales tax, complete descriptions and/or pictures of the items, shall be specified for each item on the internet auction site.

SECTION 7: That the highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice. Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

SECTION 8: That all communication with the successful bidder shall occur in writing. Arrangements and costs associated with delivery to the successful bidder shall be the sole responsibility of the successful bidder. Risk of loss will be transferred to the successful bidder upon the tendering of the goods to the shipping company chosen by the successful bidder.

SECTION 9: That all items shall be sold without warranty in "AS IS" condition. All advertisements, listings, and notices shall be subject to the following language:

"The City of Brunswick, its officers, employers and agents offer this item for sale "AS IS" without any warranty or condition, express, implied or statutory. The City of Brunswick, its officers, employers and agents, specifically disclaim any implied warranties of title, merchantability, fitness for a particular purpose and non-infringement."

SECTION 10: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 11: That this 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 allow for sales of personal property by internet auction effective as of January 1, 2024. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____

AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

