

BRUNSWICK CITY SAFETY & ENVIRONMENT COMMITTEE

Agenda

APRIL 22, 2024

5:55 PM

**or Immediately Following
Finance Committee**

1. Discussion Items
 - (a) **ORD. NO. 37-2024** - An ordinance establishing Section 642.29 of the City of Brunswick Codified Ordinances prohibiting camping upon public property. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Dennis Nevar*)
 - (b) **RES. NO. 43-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with the Sutphen Corporation for the purchase of a new Sutphen stock pumper for the Division of Fire in an amount not to exceed \$934,250.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)
2. General Discussion
3. Adjournment

PROPOSED LEGISLATION



DATE: 4/22/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Dennis Nevar

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 37-2024** - An ordinance establishing Section 642.29 of the City of Brunswick Codified Ordinances prohibiting camping upon public property. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Dennis Nevar*)

BACKGROUND: This ordinance is necessary to prohibit camping upon public property owned by the City, including, without limitation, streets, sidewalks, easements, parks, parking lots, public grounds or rights-of-way.

PURPOSE AND EXPLANATION: This ordinance will prohibit setting up, remaining in, or at public property for the purpose of, without limitation, sleeping, making preparation to sleep, storing personal property, and/or performing cooking activities for habitation purposes.

IMPLEMENTATION SCHEDULE: Three readings.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

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:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 37-2024

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

AN ORDINANCE ESTABLISHING SECTION 642.29 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES PROHIBITING CAMPING UPON PUBLIC PROPERTY.

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

SECTION 1: That Section 642.29 of the Codified Ordinances is hereby established to read as follows:

“ 642.29 PROHIBITING CAMPING UPON PUBLIC PROPERTY.

(A) Except as may be permitted within municipal parks by the Parks & Recreation Director or the Service Director, or his or her designee, or as otherwise provided in division (C) of this Section, it is unlawful to camp upon any public property owned by the City, including, without limitation, streets, sidewalks, easements, parks, parking lots, public grounds or rights-of-way.

(B) As used in this Section, “camp” means setting up, remaining in, or at the property for the purpose of, without limitation, sleeping, making preparation to sleep, storing personal property, and/or performing cooking activities for habitation purposes.

(C) This Section shall not apply to persons who meet all of the following criteria:

- (1) Have no alternative lodging available to them, and are otherwise homeless; and
- (2) Have insufficient resources to secure alternative lodging; and
- (3) Are unable to secure free services, such as shelters, within a reasonable proximity to the City, and/or hotel/motel vouchers which are or have been made available.

(D) Whoever violates this Section is guilty of illegal public camping. Except as otherwise provided, illegal public camping is a misdemeanor of the fourth degree. If the offender previously has been convicted of, or pleaded guilty to, illegal public camping, then the violation is a misdemeanor of the first degree.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____

AYES _____

NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 4/22/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Greg Glauner

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 43-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with the Sutphen Corporation for the purchase of a new Sutphen stock pumper for the Division of Fire in an amount not to exceed \$934,250.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)

BACKGROUND: NFPA 1911 is a standard that ensures in-service automotive fire apparatus are inspected, maintained, tested, and retired to keep them in a safe operating condition and ready for emergency response. This standard recommends retiring fire apparatus after 20 years of service. The Division of Fire is seeking a replacement for its 2007 Spartan-Toyne fire pumper, which has become unreliable due to multiple electrical issues. These issues have caused the pumper to break down twice while operating on emergency scenes. In addition, the pumper requires an estimated \$40,000 to \$50,000 in repairs to address recently diagnosed mechanical issues. The Division has included the replacement of this fire pumper in its 5-year capital plan in the year 2026. However, due to industry changes caused by the COVID-19 pandemic, ordering a new fire apparatus can take from 3 to 5 years. Fortunately, Sutphen Corporation has a stock fire pumper available for delivery by the end of May. This pumper is included in the Sourcewell cooperative purchasing program and is suitable for serving the citizens of Brunswick as a front-line fire pumper.

PURPOSE AND EXPLANATION: The Division of Fire needs to replace their 2007 Spartan-Toyne fire pumper due to rising repair costs and recent issues with its reliability. However, ordering a new fire apparatus may take from three to five years. To address this issue, the Division seeks the purchase of a stock pumper. This will allow them to replace the failing apparatus that is nearing its life expectancy. The stock pumper will serve as the front-line fire truck, helping the Division maintain a system of redundancy to ensure they always have a reliable pumper available to respond to emergencies.

IMPLEMENTATION SCHEDULE: On April 23, 2024, following the adoption of a resolution, the City of Brunswick Fire Division plans to purchase a Sutphen stock fire pumper with anticipation of taking delivery on or before May 31, 2024.

FINANCIAL INFORMATION:

**FINANCIAL
SUMMARY:**

A separate piece of legislation - Ordinance #38-2024 to amend the budget will also be presented to City Council on April 22nd. The legislation will be under consideration as an emergency with suspension of the rules to coincide with this piece of legislation. The budget amendment legislation includes an increase to the appropriations in the amount of \$934,250 to the Fire Fund capital subfund #952 - account#952-0510-56252. This purchase was not originally included in the original 2024 budget and therefore must be added in order for this purchase to be certified pursuant to ORC 5705.38 C & 5705.41D.

**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?
The Division of Fire needs to respond to emergencies and the current pumper's age has resulted in a need for costly repairs. Rather than wait for a delayed delivery for a new pumper, the Sutphen Corporation has one in stock that can be delivered by the end of May. The vendor is holding this fire pumper for the City of Brunswick for consideration until May 1, 2024. Therefore, I respectfully recommend an Emergency/Suspension of the rules.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 43-2024

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SUTPHEN CORPORATION FOR THE PURCHASE OF A NEW SUTPHEN STOCK PUMPER FOR THE DIVISION OF FIRE IN AN AMOUNT NOT TO EXCEED \$934,250.00.

WHEREAS: The City of Brunswick is a member of the Sourcewell joint purchasing program as authorized by this Council and Ohio Revised Code Section 9.48; and

WHEREAS: The proposed purchase of the new Sutphen Stock Pumper is through the Sourcewell joint purchasing program.

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

SECTION 1: That the City Manager, upon approval of the Director of Law, is hereby authorized and directed to enter into an Agreement with The Sutphen Corporation for the purchase a new Sutphen Stock Pumper for the Division of Fire through the Sourcewell joint purchasing program in an amount not to exceed \$934,250.00.

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 to guarantee delivery of necessary safety equipment. 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 Timura, CMC