



# BRUNSWICK CITY COUNCIL AGENDA

|                           |                          |                       |                              |                                  |                      |                                  |                          |                              |                              |                        |
|---------------------------|--------------------------|-----------------------|------------------------------|----------------------------------|----------------------|----------------------------------|--------------------------|------------------------------|------------------------------|------------------------|
| Brandon Lambert<br>Ward 3 | Kristy Piper<br>At-Large | Tim Smith<br>At-Large | Dennis Nevar<br>Law Director | Carl S. DeForest<br>City Manager | Ron Falconi<br>Mayor | Laura Timura<br>Clerk of Council | Nicholas Hanek<br>Ward 2 | Michael Abella Jr.<br>Ward 1 | Joseph Delsanter<br>At-Large | Keith Kuczma<br>Ward 4 |
|---------------------------|--------------------------|-----------------------|------------------------------|----------------------------------|----------------------|----------------------------------|--------------------------|------------------------------|------------------------------|------------------------|

Administration Representatives

**APRIL 22, 2024**

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes dated April 8, 2024.
5. Mayor's Report:
  - (a) Proclamation in recognition of the Fire Medic of the Year
  - (b) Certificate of Achievement for St. Ambrose 4th Grade Boys Basketball Team
  - (c) Proclamation in recognition of Apraxia Awareness Day
  - (d) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:
 

Economic Development Committee.....Mr. Lambert  
     Economic Development Committee Minutes dated April 8, 2024

Services, Utilities, Technology & Cable Committee.....Mr. Smith  
     Services, Utilities, Technology & Cable Committee Minutes dated April 8, 2024

Finance Committee.....Mr. Hanek

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

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

Parks, Recreation & Community Committee.....Mrs. Piper  
     Parks, Recreation & Community Committee Minutes dated April 9, 2024

Building & Building Code Committee.....Mr. Abella
8. Other Committees, Boards and Commissions

- (a) Committee-of-the-Whole Minutes dated April 8, 2024
9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

**RES. NO. 27-2024** - An emergency resolution authorizing the City Manager to enter into a three (3) year agreement with Total Performance Service Inc. for the provision of vehicle maintenance for the Division of Police per submitted bid prices. - **3rd Reading** (Safety & Environment Committee, *Administration/Robert Safran*)

**RES. NO. 29-2024** - 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 \$30,000.00. - **3rd Reading** (Safety & Environment Committee, *Administration/Robert Safran*)

b. 2nd Reading(s)

c. 1st Reading(s)

**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*)

**ORD. NO. 38-2024** - An emergency ordinance amending Ordinances #98-2023 and #16-2024 to include amendments to the Appropriation Budget for the year ending December 31, 2024, as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*)

**RES. NO. 39-2024** - An emergency resolution amending Resolution No. 1-2024 by authorizing the City Manager to purchase liquid asphalt emulsion for the Service Department from Northcoast Products in an amount not to exceed \$35,215.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

**RES. NO. 40-2024** - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2024-2025 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

**RES. NO. 41-2024** - A resolution to provide for the allocation of permissive motor vehicle registration license tax receipts - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*).

**RES. NO. 42-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with SCW for the purchase of a one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,677.50. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

**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*)

**RES. NO. 44-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with A&J Cement Contractors, Inc. for the 2024 Concrete Repair Program in an amount not to exceed \$254,600.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

**RES. NO. 45-2024** - An emergency resolution amending Resolution No. 47-18 by increasing the city's local cost share for the North Carpenter Road Project to an amount not to exceed \$3,556,733.05. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Todd Fischer and Matt Jones*)

11. City Manager's Report
12. Open Forum
13. Unfinished Business
14. New Business
15. Adjournment

## ECONOMIC DEVELOPMENT COMMITTEE

April 8, 2024

**IN ATTENDANCE:** Chairman Brandon Lambert, Committee Member Tim Smith, Committee Member Nicholas Hanek, Keith Kuczma, Michael Abella Jr., Kristy Piper, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Service Director Paul Magovac, Cable Manager Tom Keppler, Clerk of Council Laura Timura, News Media.

The meeting convened at 5:46 p.m.

### DISCUSSION ITEMS:

- a) **ORD. NO. 32-2024** - An emergency ordinance adopting the recommendation of the Brunswick Community Reinvestment Area Housing Council to continue all active agreements in 2024 and accepting the 2023 CRA Status Report. - **1st Reading** (To be brought from Economic Development Committee, *Administration/Grant Aungst*)

Mr. Nevar reminded that this is legislation that is passed every year and required by law. The CRA Housing Council recommended accepting the 2023 CRA Status Report and continuing all active agreements in 2024.

Mr. Nevar mentioned that this is an emergency with a suspension of the rules so the City can send this to the State of Ohio as soon as possible.

Mr. Smith asked if the CRA tax abatement is working well and has attracted people to the City.

Mr. DeForest replied that it has been working well and is very beneficial.

Mr. Smith disclosed that he has heard that certain businesses donate their tax abatements to the City schools.

Mr. DeForest stated that he does not know of any instance of this.

Mr. Nevar offered that many businesses in the City do not take advantage of the CRA tax abatement and pay one hundred percent of their property taxes. The property taxes primarily go towards the school system.

Mr. Hanek moved Ordinance Number 32-2024 to tonight's Council Agenda of April 8, 2024, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

### GENERAL DISCUSSION:

There was none.

### ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 5:50 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Brandon Lambert  
Chairman

## **SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE**

April 8, 2024

**IN ATTENDANCE:** Chairman Tim Smith, Committee Member Kristy Piper, Committee Member Michael Abella Jr., Nicholas Hanek, Keith Kuczma, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Service Director Paul Magovac, City Engineer Jenny Zoldak, Clerk of Council Laura Timura, News Media.

The meeting convened at 5:50 p.m.

### **DISCUSSION ITEMS:**

#### **a) BAT Update**

Mr. Keppler stated that BAT has a better relationship with Brunswick residents now more than ever before, primarily due to the staff being welcoming and willing to take the extra step to ensure that productions go out as intended.

Mr. Keppler divulged that the Cable Office has recently emphasized podcasts, offering both government and public podcasts. Brunswick and Brunswick Hills residents can be trained to use the equipment and create a show. BAT averages about one podcast per week.

Mr. Keppler announced that three of BAT's local producers is up for a national award. BAT entirely produces the government channel. The Cable Office has gone from a four-person staff to a three-person staff. The staff maintains three TV channels, the website, podcasts, and more. The public channel is one hundred percent volunteer-based. BAT staff are currently undergoing training on how to manage the City's website.

Mr. Smith thanked Mr. Keppler for the update. He mentioned that he goes to the website often to check on what is happening. He also views Avon Lake and Strongsville's shows to see what they are putting out.

Mr. Smith asked how long it would take someone to train at BAT and start a show.

Mr. Keppler replied that it depends on what people are looking for. BAT can be used to supplement social media and more modern platforms. Some residents, however, are still looking to produce weekly programs, which BAT trains people to do.

Mr. Smith inquired about the sound issues with some of the channels.

Mr. Keppler responded that this may be due to all channels being fed by the same service. There may be some formatting issues that are causing the audio problems. He requested that Mr. Smith notify him whenever there seems to be an issue.

Mr. Smith questioned how many people watch BAT programs.

Mr. Keppler answered that the cable operators cannot give any figures because they do not run those analytics. As far as the podcasts, the numbers vary across different streaming platforms.

Mr. Hanek commended Mr. Keppler for his work with the Cable Office. He stated that Mr. Keppler does an excellent job of communicating with the public and engaging anyone who would like to participate in the Cable Office.

Mr. Lambert inquired about what it would take for the Cable Office to start airing committee meetings from the Caucus Room.

Mr. Keppler responded that more cameras and a data port for internet access would be needed. He disclosed that the Cable Office has a cart with four cameras that can turn any room into a studio. He concluded that he would look into the possibility of airing the committee meetings.

**b) Road Update**

Mr. Magovac updated that the City has been updating driveway pipes upon resident requests due to good weather. Various roads in the City have been ditched to aid in water flow. Lots of pothole patching has been going on. The Service Department just ordered emulsion, which will start shortly with the DuraPatcher and the crack sealing machine. The problem with crack sealing is that there needs to be a period of about three days where there is dry weather.

Mr. Magovac continued that the Service Department has been cleaning up many of the tops of the catch basins throughout the City, especially with the recent rain the City has been experiencing, to ensure that the City has positive drainage. The department is establishing the concrete replacement paths for Wards 1 and 2.

Mr. Magovac revealed that the bids for the 2024 Concrete Program have been advertised and will be opening this Thursday. This contract will be before Council at the next meeting.

Mr. Magovac highlighted that the Magnolia Drive contract is ready but cannot start until June 3rd, which is when the funds will be available.

Mr. Magovac added that the permits for Phase III of the Plum Creek Trail Project are completed. This project will likely be done within the next year.

Mr. Smith asked where Phase III of the project is located.

Mr. Magovac replied that Phase III will go from Laurel Road to Brunswick Lake. The bridge will be coming in within the next couple of months. The bridge will be delivered in two pieces and set as one piece to make it stable enough for people to walk on.

Mr. Lambert questioned if there has been any thought to revisiting the City's Pavement Condition Indexes (PCI).

Mr. Magovac answered that he would look into possibly updating the City's PCI. He added that crack sealing the roads will make a big difference in the PCI.

- c) **RES. NO. 33-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Air Force One to implement energy efficiency improvements in the Service Garage in an amount not to exceed \$49,921.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

Mr. Magovac explained that this resolution is to put a vent system in the garage. The current system sucks the air out of the garage without letting clean air come in, which causes the door to get stuck. This contract will also include seal monitors, which will automatically trigger the vent system when needed.

Mr. Abella moved Resolution Number 33-2024 to tonight's Council Agenda of April 8, 2024, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

- d) **RES. NO. 34-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Air Force One to install a new energy efficient generator in the Service Garage in an amount not to exceed \$27,753.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

Mr. Magovac disclosed that this generator will replace one that is thirty years old. The generator will be purchased through the NOPEC Grant the City received.

Mrs. Piper moved Resolution Number 34-2024 to tonight's Council Agenda of April 8, 2024, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

- e) **RES. NO. 35-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King Inc. for the 2024 Asphalt Road Program in an amount not to exceed \$1,297,400.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

Mr. Hanek noted that there was a typo on the agenda and that the legislation number should be "35-2024" instead of "35-2023."

Ms. Zoldak revealed that this resolution is an emergency so the project can be completed this year. Konstruction King, Inc. was the low bidder for the project. The company also did the City's 2023 Concrete Program successfully with no issues.

Mr. Abella moved to amend the Resolution Number from “35-2023” to “35-2024” and move Resolution Number 35-2024 to tonight’s Council Agenda of April 8, 2024, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

**GENERAL DISCUSSION:**

There was none.

**ADJOURNMENT:**

Being no further business, Mrs. Piper moved to adjourn at 6:17 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Tim Smith", is written over a horizontal line.

Tim Smith  
Chairman

## **PARKS, RECREATION & COMMUNITY COMMITTEE**

April 9, 2024

**IN ATTENDANCE:** Chairwoman Kristy Piper, Committee Member Keith Kuczma, Committee Member Tim Smith, Parks & Recreation Director Taylor Petkovsek, Bryan Keller.

The meeting convened at 6:02 p.m.

Mr. Kuczma moved to excuse Mr. Smith for just cause. Vote – 2 Ayes, 0 Nays.

Mr. Smith arrived at 6:03 p.m.

### **DISCUSSION ITEMS:**

#### **a) Parks Clean Up – April 20<sup>th</sup>**

Mrs. Piper commended the Parks Department for providing an educational experience as they took time to talk to the participants about how to plant trees properly.

Mrs. Petkovsek indicated that the Parks Department selected trees earlier in the day.

Mr. Kuczma asked if the event was advertised through the Cable Office.

Mrs. Petkovsek replied that the event was advertised through the Cable Office, on the electronic sign at the corner of Route 303 and Pearl Road, and in the City Manager's newsletter.

#### **b) City Flag**

The committee reviewed several designs created by resident Seth Bender. The committee's design choice will be brought to the rest of Council.

#### **c) Fishing Derby**

Mr. Smith updated that everything is going well with the derby. Optimist International needs to provide a certificate that they are providing insurance. The competition is for those aged 16 and under. There will be \$250 worth of prizes.

#### **d) Freedom Celebration**

Mrs. Petkovsek reported that Rick Smith Jr. will be presenting a card-throwing show on July 6th from 1-2 p.m. at the Recreation Center with light refreshments served.

Mrs. Petkovsek outlined the events for the week of the Freedom Celebration: Fireworks and the Funkology Concert on July 3rd, Family Movie Night on July 5th, Rick Smith Jr. Family Event on July 6th, and the parade at 2:00 p.m. on July 7th.

**e) Summer Music Concert Series**

Mrs. Petkovsek revealed that she looked into two Brunswick-based construction companies that could build a roof-like structure over the outdoor stage. She noted that she should hear back from the companies soon with estimates.

Mrs. Piper inquired if there was funding available for a roof.

Mrs. Petkovsek answered that this would be a Capital Improvement Project and that she would have to ask Council to amend the budget.

Mr. Kuczma mentioned that he would look for sponsorships for the bands.

Mr. Keller asked if local restaurants could offer concert attendees a discount.

Mr. Smith recommended contacting Debbie Boehmke from the Northern Medina County Chamber Alliance to see if she could coordinate with restaurants and local businesses.

Mrs. Piper offered that she would contact Ms. Boehmke.

**f) Barbeque**

Mrs. Petkovsek disclosed that she spoke with City Manager Carl DeForest to coordinate with safety forces to have the barbeque event on July 19-20, 2025.

Mr. Keller recommended three bands who could perform at the event.

Mrs. Piper questioned if Mr. Keller could contact the bands.

Mr. Keller replied that he would look into booking the bands in October 2024. He mentioned that \$4,000 would be an appropriate amount to consider for the music budget for the event.

**g) Recreation Center Memberships**

Mrs. Petkovsek divulged that the Recreation Center is offering proposals to groups where youth under 16 can attend programming. Children aged 12-15 have limited access to the Recreation Center facilities, such as the pool, gym, and track. An adult must accompany children under the age of 12. Another factor that could be promoted is family memberships so parents could use the facility while their children are in practice.

Mr. Kuczma inquired if any membership discounts were available to families participating in Recreation Center programs.

Mrs. Petkovsek answered that there were no such discounts available.

Mr. Kuczma advised that this may be something worth considering.

**GENERAL DISCUSSION:**

Mrs. Piper announced that the next Parks, Recreation & Community Committee Meeting would be on June 11th at 6:00 p.m. at the Recreation Center.

**ADJOURNMENT:**

Being no further business, Mr. Smith moved to adjourn at 6:43 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Kristy Piper  
Chairwoman



## **COMMITTEE OF THE WHOLE**

**April 8, 2024**

**IN ATTENDANCE:** Nicholas Hanek, Keith Kuczma, Michael Abella Jr., Kristy Piper, Tim Smith, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, City Engineer Jenny Zoldak, Mayor Ron Falconi, Clerk of Council Laura Timura, App Architecture Principal Architect Tim Bement, News Media.

The meeting convened at 6:17 p.m.

Mr. Lambert moved to excuse Mr. Delsanter for just cause. Vote – 6 Ayes, 0 Nays.

Mr. Lambert moved to add Ordinance Number 36-2024 to tonight's Committee-of-the-Whole agenda of April 8, 2024. Vote – 6 Ayes, 0 Nays.

### **DISCUSSION ITEMS:**

#### **a) Fire Station update from App Architecture (Tim Bement)**

Mr. Bement went through a presentation detailing the layout and site plan for the new fire station.

Mr. Bement recounted that App Architecture and the City went through the zoning process for the new station in the summer of 2023 and got all the necessary approvals. The site plan reflects all of the agreements in accordance with the zoning resolutions.

Mr. Bement commented that the short side of the building will be facing Hadcock Road to keep the scale of the building smaller since the station will be in a residential district. The garages will be located on the north side of the building.

Mr. Bement revealed that an essential factor of the station for both the Zoning Board and residents was that the north and south lines of the property should be lined with an evergreen screening, as shown in this plan.

Mr. Bement highlighted several features of the new fire station, such as a fallen firefighter memorial, training room, turnout gear room that would keep carcinogens out of the living spaces in the station, dorm spaces, six apparatus bays, and more.

Mr. Smith inquired if the sleeping areas would be private.

Mr. Bement replied that they would be.

Mayor Falconi asked how many individual rooms there are.

Mr. Bement answered that there are ten total individual rooms.

Mayor Falconi commented that the fire trucks do not come directly onto Hadcock Road.

Mr. Bement responded that this is correct. When the engines leave the property, they will have to make a 90-degree turn to come out to Hadcock Road.

Mayor Falconi questioned if there was a reason for this design. He noted that it may be quicker if fire trucks could directly pull out onto Hadcock Road.

Mr. Bement answered that the neighborhood scale and the site's width factored into designing the station this way.

Mr. Kuczma asked about the greenery in the front of the building and wondered if the building would be visible from the street.

Mr. Bement stated that it was vital to design the station so that there would be a clear view of the street.

Mr. Kuczma inquired about the evergreen lining of the property.

Mr. Bement replied that the design prioritized the evergreen lining as it was necessary for residents and the Administration. There will be evergreen lining on the lot's north and south property lines.

Mr. Smith expressed his appreciation that the garage doors were not facing the street. He stated that this site plan is more aesthetically pleasing.

Mr. Lambert commended Mr. Bement for all of the work that has gone into the design of the station and expressed his support and admiration of the design.

Mr. Hanek thanked Mr. Bement for his time and presentation.

#### **MOTION ITEMS:**

- a) Motion authorizing the City Manager to advertise for public bids for the Plum Creek Greenway Phase 3 project.

Ms. Zoldak explained that the Administration hopes to start advertising for bids next week for the project.

Mr. Hanek stated that he liked the Eisenhower alternate bid and thanked Ms. Zoldak for her work on the project.

Mr. Smith moved to authorize the City Manager to advertise for public bids for the Plum Creek Greenway Phase 3 project. Vote – 6 Ayes, 0 Nays.

#### **REVIEW LEGISLATION:**

- a) **RES. NO. 30-2024** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to an 18.9780± acre property (consisting of PPNs 001-02A-21-008 and 001-02A-21-009) located on Pearl Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

Mr. Nevar disclosed that the City received notice from Medina County that the property owner had filed an annexation petition. According to law, the City must declare whether it intends to provide services if the annexation is approved. The annexation petition is set for hearing on May 21st. This resolution must

be submitted to the Medina County Commissioners twenty days before the hearing, which is why an emergency with a suspension of the rules is needed.

Mr. Abella moved Resolution Number 30-2024 to tonight's Council Agenda of April 8, 2024, as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays.

- b) **RES. NO. 31-2024** - An emergency resolution approving the 9-1-1 Medina County Final Plan.  
- **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

Mr. DeForest stated that the Ohio Revised Code was updated for 2024, which reconstituted the 9-1-1 Committee. The committee had to develop a plan and submit it to the State by April 1, 2024. Municipal corporations must adopt the plan within 60 days. The plan has been submitted, so an emergency with a suspension of the rules is needed to adopt the plan on time.

Mr. Lambert moved Resolution Number 31-2024 to tonight's Council Agenda of April 8, 2024, as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays.

- c) **ORD. NO. 36-2024** - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for specified uses in all zoning and Special Planning Districts of the City and the issuance of such approvals. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

Mr. Hanek explained that the City is in the process of awarding a bid to update the City's Zoning Code in the coming weeks. This project will look at the City's Zoning Code and may include a possible change in zoning districts. This moratorium will cover different types of zoning districts that could be affected by the revisions and updates to the Zoning Code. The moratorium also includes various kinds of establishments. It will allow the Administration to get the Zoning Code revisions in place.

Mrs. Piper moved Ordinance Number 36-2024 to tonight's Council Agenda of April 8, 2024, as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays.

#### **GENERAL DISCUSSION:**

Mr. DeForest informed that an emergency vehicle purchase for the Division of Fire will be before Council at the next meeting. This purchase is included in the five-year Capital Plan. However, a budget amendment through the Finance Department will be needed to make this purchase.

Mr. DeForest continued that this purchase is predicated on recent events when a Division of Fire vehicle went down. The Administration believes that the vehicle is not worth repairing at this point. The Administration has found a vehicle that is available, which would typically take 2-3 years. However, the turnaround time on this vehicle is 4-6 weeks because it is ready to be delivered. The Administration will be looking at this vehicle in person on Friday. The vehicle will cost about \$943,000.

#### **EXECUTIVE SESSION:**

Mr. Lambert moved to go into Executive Session to discuss the subject of pending or imminent court action, seconded by Mr. Abella. Roll Call – Ayes – 6, Mr. Hanek, Mr. Abella, Mr. Smith, Mr. Kuczma, Mrs. Piper, Mr. Lambert. Nays – 0

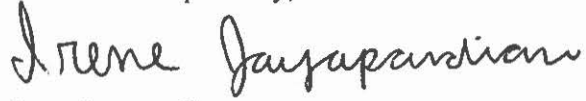
Mr. Smith moved to adjourn from Executive Session. Vote – 6 Ayes, 0 Nays.

The Committee-of-the-Whole reconvened.

**ADJOURNMENT:**

Being no further business, Mr. Smith moved to adjourn the Committee-of-the-Whole Meeting at 7:00 p.m. Vote – 6 Ayes, 0 Nays.

Submitted Respectfully,

A handwritten signature in cursive script that reads "Irene Jayapandian". The signature is written in dark ink and is positioned above the printed name and title.

Irene Jayapandian  
Assistant Clerk of Council

# PROPOSED LEGISLATION



**DATE:** 4/22/2024

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Robert Safran

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 27-2024** - An emergency resolution authorizing the City Manager to enter into a three (3) year agreement with Total Performance Service Inc. for the provision of vehicle maintenance for the Division of Police per submitted bid prices. - **3rd Reading** (Safety & Environment Committee, *Administration/Robert Safran*)

**BACKGROUND:** An emergency resolution authorizing the City Manager to enter into a (3) three-year agreement with Total Performance Services Inc. for the provision of vehicle maintenance for the Division of Police.

**PURPOSE AND EXPLANATION:** Following a public bidding process for police vehicle repair and maintenance, the lowest and most cost effective bidder was Total Performance Service Inc. We are seeking approval to enter into a new (3) three-year contract for this service.

**IMPLEMENTATION SCHEDULE:** After three (3) readings and Council approval, we are requesting this as an emergency so that the maintenance contract will continue after the current contract expires on June 8, 2024.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** The cost of this contract will be variable and will be based on the amount of and type of service provided. Cost for services are limited to sufficient council appropriations and future certified purchase order amounts pursuant to O.R.C. 5705.41 D. Authorized expenses are expected to be posted to the Police Fund #114 - Account#114-0520-54243.

**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?

After three (3) readings and Council approval, we are requesting this as an emergency so that the maintenance contract will continue after the current contract expires on June 8, 2024.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 27-2024

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR AGREEMENT WITH TOTAL PERFORMANCE SERVICE INC. FOR THE PROVISION OF VEHICLE MAINTENANCE FOR THE DIVISION OF POLICE PER SUBMITTED BID PRICES.

WHEREAS: The City of Brunswick received two (2) bids for the provision of vehicle maintenance for the Division of Police in accordance with public bidding requirements; and

WHEREAS: The two (2) public bids were opened on March 12, 2024, with Total Performance Service Inc. determined to be the lowest and best bidder.

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 three (3) year Agreement with Total Performance Service Inc. for the provision of vehicle maintenance for the Division of Police per submitted bid prices and subject to annual appropriations from City Council as required by law.

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 as the existing vehicle maintenance agreement expires on June 8, 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.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> 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  
Robert Safran

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 29-2024** - 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 \$30,000.00. - **3rd Reading** (Safety & Environment Committee, Administration/Robert Safran)

**BACKGROUND:** The Division of Police requests to enter into an agreement with Flock Safety regarding the services of (10) ten 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 missing and wanted persons, as well as stolen vehicles.

**IMPLEMENTATION SCHEDULE:** As soon as possible.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** The cost of the contracted services of \$30,000 for the period of July 1, 2024, through June 30, 2025, will be charged to Acct#114-0520-54253. Since this agreement will extend 6 months into 2025 along with a \$5,000 price increase from the initial contract, the City and the Division of Police will plan to approach City Council to increase the appropriations for acct#114-0520-54253 by an additional \$17,500. This is because the original 2024 budget for this account# did not take into account any carryover expenses for 2025 for this contract nor did it include a price increase for this contract. Account#114-0520-54253 currently has enough funds to cover because various other contracts budgeted are not expected to be executed until later in the year. As a result, it is not an emergency to present a separate piece of legislation to amend the budget at this time. However, this request is expected to be included in the upcoming 2nd quarter budget amendment legislation to maintain the operations and contracts of the Division of Police without interruption.

**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.

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 29-2024

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

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 \$30,000.00.

WHEREAS: 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 \$30,000.00.

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

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_

AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_

Clerk of Council  
Laura E. Timura, CMC

# flock safety

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## **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

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- 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

## 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.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> 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  
Todd Fischer

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 38-2024** - An emergency ordinance amending Ordinances #98-2023 and #16-2024 to include amendments to the Appropriation Budget for the year ending December 31, 2024, as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*)

**BACKGROUND:** In order to comply with the Ohio Revised Code Section 5705, any and all activity of the City must be included in the budget. As actual information is obtained and compared to estimates or new items are requested to be added or deleted by the respective departments, it is necessary and required to present the proposed budget amendments to Council for approval. This process is required by law and audited under the direction of the Auditor of State for compliance every year.

**PURPOSE AND EXPLANATION:** See the fiscal section and related attachments for additional information.

**IMPLEMENTATION SCHEDULE:** Discuss at the April 22, 2024, Finance Committee meeting and move to the April 22, 2024, Council agenda as an emergency with the suspension of the rules.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** The total financial impact of this legislation is a net increase to the overall City appropriation budget by \$3,046,978.46. The largest components of the net increase, in no particular order, relate to:

- 1) \$934,250 increase in appropriations to purchase 1 Sutphen Stock Pumper 557 & chassis with certain modifications to replace our existing pumper. This new pumper is only on hold for the City until the end of April which is one of the reasons for the budget legislation emergency in April.
- 2) \$1,500,000 increase in appropriations for the United States Environmental Protection Agency. Purchase orders for this grant cannot be submitted until after the grant agreement is executed.

3) \$677,900 increase in capital set-aside funds for the 3 largest departments (Police, Fire, Service) as listed in Exhibit B. Set aside funds are not expenditures but rather moving cash from one purpose to another to plan for a future event. The movement of these funds is budgeted and will be offset by a corresponding transfer-in receipt included on the City's Certificate of Estimated Resources Form. These capital set-asides will help departments with their financial planning and be an added tool in helping them achieve their 5-year goals/planned capital purchases. Please note: set aside funds for the Division of Police and Division of Fire originate only from fines and forfeitures and emergency billing revenues, respectively. Division of Fire's potential purchase of the pumper and the new station will certainly reduce their capital reserves significantly in the next couple of years. It will be very important to replenish some of these reserves and continue to plan for the foreseeable future, since operational equipment is essential to their needs.

4) Reduction of \$193,533.10 in total appropriations in the G.O. Fire Station Bond Retirement Sub Fund as a result of the Fire Station Bonds closing on March 21, 2024, and the completion of future debt service amortization schedules.

5) \$80,000 increased appropriation to conduct a Park Master Plan. This item was prioritized and came from City Council's 2024 goal-setting session. The Administration is currently working on compiling a request for proposal.

All other items below \$25,000 are not specifically listed in this summary, but are detailed with a description of the listed amounts in the attached Exhibit B.

Exhibit A is the legal document required to be reviewed and adopted by Council pursuant to Ohio Revised Code Section 5705 for these budget amendments to be adopted.

Exhibit B is provided for informational and review purposes only.

It's important to note that this legislation only has a budgetary impact and actual expenditures are still subject to state and local laws.

**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?

Recommended approval as an emergency with the suspension of the rules. The emergency clause is necessary in order to remain in compliance with the Ohio Revised

Code, allow for the daily operations of the City of Brunswick to continue without interruptions, meet grant deadlines and keep the budget as up-to-date as possible in order to provide accurate accountability to the City's financial readers and interested parties.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 38-2024

By: Mr. Hanek, Mr. Abella, and Mr. Lambert

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #98-2023 AND #16-2024 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2024 AS INCORPORATED IN EXHIBIT “A” ATTACHED HERETO.

WHEREAS: Ordinance #98-2023 adopted appropriations for 2024; and Ordinance #16-2024 regarding amendments to the 2024 appropriation budget, were previously adopted by Council; and

WHEREAS: “Exhibit A” reflects the appropriations as required by the Ohio Revised Code Section 5705.38(C); and

WHEREAS: The amendments are described in detail and attached hereto as “Exhibit B” for informational purposes only; and

WHEREAS: In order to properly budget in accordance with State law for expenditures presently anticipated it is necessary to amend Ordinances #98-2023 and #16-2024.

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

SECTION 1: Ordinances #98-2023 and #16-2024 are hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit “A.”

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the usual daily operation of a municipal government and for the additional reason that Council wishes to maintain accurate appropriations. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

RULES SUSPENDED: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Laura E. Timura, CMC

**EXHIBIT A**

April 22, 2024

| Fund Number                       |  | Fund Name / Department                   | Personal Service | Other            | Total            |
|-----------------------------------|--|------------------------------------------|------------------|------------------|------------------|
| <b>General Fund</b>               |  |                                          |                  |                  |                  |
| 001                               |  | General Fund                             |                  |                  |                  |
|                                   |  | City Council                             | 192,919.00       | 90,359.00        | \$ 283,278.00    |
|                                   |  | Mayor                                    | 108,846.00       | 98,280.00        | \$ 207,126.00    |
|                                   |  | City Manager                             | 201,060.00       | 135,695.00       | \$ 336,755.00    |
|                                   |  | Information Technologies                 | 185,620.00       | 355,385.00       | \$ 541,005.00    |
|                                   |  | Engineering                              | 25,723.00        | 669,247.00       | \$ 694,970.00    |
|                                   |  | Building Department                      | 364,746.00       | 304,531.00       | \$ 669,277.00    |
|                                   |  | Cemetery Maintenance                     | -                | 24,500.00        | \$ 24,500.00     |
|                                   |  | Janitorial Contract                      | -                | 23,100.00        | \$ 23,100.00     |
|                                   |  | City Hall Building & Grounds             | 5,843.00         | 49,704.00        | \$ 55,547.00     |
|                                   |  | Administrative Services                  | 100,989.00       | 59,730.00        | \$ 160,719.00    |
|                                   |  | Economic Development                     | 120,517.00       | 259,847.00       | \$ 380,364.00    |
|                                   |  | Animal Control                           | 81,109.00        | 73,012.00        | \$ 154,121.00    |
|                                   |  | Law Department                           | 191,671.00       | 349,585.00       | \$ 541,256.00    |
|                                   |  | Finance Department                       | 274,410.00       | 243,483.00       | \$ 517,893.00    |
|                                   |  | Income Tax Department                    | 216,279.00       | 265,719.09       | \$ 481,998.09    |
|                                   |  | Parks & Recreation Director              | 81,299.00        | 64,056.00        | \$ 145,355.00    |
|                                   |  | General Fund Administration              | -                | 1,353,247.25     | \$ 1,353,247.25  |
|                                   |  | Planning Division/Community Development  | 77,096.00        | 224,157.00       | \$ 301,253.00    |
|                                   |  | Board of Building Appeals                | 516.00           | 1,222.00         | \$ 1,738.00      |
|                                   |  | Board of Zoning Appeals                  | 1,281.00         | 4,613.00         | \$ 5,894.00      |
|                                   |  | Board of Civil Service                   | 11,849.00        | 49,092.00        | \$ 60,941.00     |
|                                   |  | Board of Ethics                          | 4,080.00         | 4,650.00         | \$ 8,730.00      |
|                                   |  | Board of Charter Review                  | -                | -                | \$ -             |
|                                   |  | Board of Commemorative Affairs           | -                | 36,650.00        | \$ 36,650.00     |
|                                   |  | General Fund Transfers / Advances        | -                | 29,959,346.36    | \$ 29,959,346.36 |
| 001                               |  | Total General Fund                       | \$ 2,245,853.00  | \$ 34,699,210.70 | \$ 36,945,063.70 |
| <b>Special Revenue Funds:</b>     |  |                                          |                  |                  |                  |
| 110                               |  | Court Computerization Fund               | 5,705.00         | 16,396.00        | \$ 22,101.00     |
| 111                               |  | FEMA Grant Fund                          | -                | -                | \$ -             |
| 114                               |  | Police Fund                              | 4,891,325.00     | 5,290,437.70     | \$ 10,181,762.70 |
| 115                               |  | Fire Fund                                | 2,737,861.00     | 6,408,315.83     | \$ 9,146,176.83  |
| 117                               |  | Street Repair & Maintenance Fund         | 1,293,714.00     | 2,892,971.60     | \$ 4,186,685.60  |
| 118                               |  | State Highway Fund                       | -                | 165,960.00       | \$ 165,960.00    |
| 119                               |  | Law Enforcement Fund                     | -                | 10,615.00        | \$ 10,615.00     |
| 120                               |  | Brunswick Transit Alternative (BTA) Fund | -                | 45,000.00        | \$ 45,000.00     |
| 123                               |  | Brunswick Area Television (BAT) Fund     | 158,246.32       | 277,483.00       | \$ 435,729.32    |
| 127                               |  | Parks Fund                               | 212,807.00       | 534,018.00       | \$ 746,825.00    |
| 129                               |  | Department of Justice Federal Grant Fund | -                | 112,117.69       | \$ 112,117.69    |
| 130                               |  | DUI Enforcement & Education Fund         | -                | 9,700.00         | \$ 9,700.00      |
| 131                               |  | Recreation Center Fund                   | 413,973.00       | 642,396.00       | \$ 1,056,369.00  |
| 133                               |  | Home Improvement Grant Fund (CDBG)       | -                | -                | \$ -             |
| 140                               |  | Local Fiscal Recovery Fund               | -                | -                | \$ -             |
| 141                               |  | Opioid Settlement Fund                   | -                | 6,629.03         | \$ 6,629.03      |
| <b>Enterprise Funds:</b>          |  |                                          |                  |                  |                  |
| 223                               |  | Refuse Fund                              | 74,701.00        | 3,118,543.00     | \$ 3,193,244.00  |
| 224                               |  | Storm Water Management Fund              | 37,672.00        | 1,366,331.25     | \$ 1,404,003.25  |
| <b>Capital Improvement Funds:</b> |  |                                          |                  |                  |                  |
| 300                               |  | General Permanent Improvement Fund       | -                | 3,460,733.99     | \$ 3,460,733.99  |
| 332                               |  | Road Levy Fund                           | -                | 2,629,373.00     | \$ 2,629,373.00  |
| 333                               |  | Road Improvement Fund                    | -                | 6,536,322.81     | \$ 6,536,322.81  |
| 334                               |  | Traffic Control Fund                     | -                | 3,125.00         | \$ 3,125.00      |

|                             |                                                      |   |               |           |                       |
|-----------------------------|------------------------------------------------------|---|---------------|-----------|-----------------------|
| 335                         | Public Square Fund                                   | - | 12,297.56     | \$        | 12,297.56             |
| 336                         | City Building Improvement Fund                       | - | 344,215.00    | \$        | 344,215.00            |
| 337                         | EPA Grant Fund                                       | - | 3,000,000.00  | \$        | 3,000,000.00          |
| 339                         | Fire Improvement Fund                                | - | 79,618.16     | \$        | 79,618.16             |
| 341                         | Park Improvement Fund                                | - | 500,000.00    | \$        | 500,000.00            |
| 345                         | U.S. Army Corp of Engineer's Grant Fund              | - | 2,255,000.00  | \$        | 2,255,000.00          |
| 347                         | North Carpenter Road Improvement Fund                | - | 1,736,328.34  | \$        | 1,736,328.34          |
| 348                         | Boston Road Improvement Fund                         | - | -             | \$        | -                     |
| 353                         | I-71 / Rt. 303 Enhancement Fund                      | - | 3,895.03      | \$        | 3,895.03              |
| 359                         | Fire Station Construction Fund                       | - | 12,000,000.00 | \$        | 12,000,000.00         |
| 360                         | Brunswick Lake Improvement Fund                      | - | 602,572.55    | \$        | 602,572.55            |
| 373                         | OPWC Skyview Drive Improvement Fund                  | - | 912,030.90    | \$        | 912,030.90            |
| 374                         | OPWC Magnolia Drive Improvement Fund                 | - | 1,582,139.25  | \$        | 1,582,139.25          |
| 375                         | OPWC Pepperwood Drive Improvement Fund               | - | 1,317,000.00  | \$        | 1,317,000.00          |
| <b>Self Insurance Fund:</b> |                                                      |   |               |           |                       |
| 600                         | Self Insurance Fund                                  | - | 3,799,560.00  | \$        | 3,799,560.00          |
| <b>Debt Service Funds:</b>  |                                                      |   |               |           |                       |
| 771                         | General Obligation Bond Retirement Fund              | - | -             | \$        | -                     |
| 772                         | General Obligation Fire Station Bond Retirement Fund | - | 959,966.90    | \$        | 959,966.90            |
| 782                         | Special Assessment BRF: Laurel Road (2006)           | - | 35,462.50     | \$        | 35,462.50             |
| 783                         | Special Assessment BRF: Brunswick Lake - Dam         | - | 18,948.80     | \$        | 18,948.80             |
| 784                         | Special Assessment BRF: Brunswick Lake - Dredging    | - | 11,826.18     | \$        | 11,826.18             |
| <b>Agency Funds:</b>        |                                                      |   |               |           |                       |
| 881                         | General Trust Agency Fund                            | - | 750,000.00    | \$        | 750,000.00            |
| 882                         | Unclaimed Money Agency Fund                          | - | 20,000.00     | \$        | 20,000.00             |
| 885                         | Flexible Spending Agency Fund                        | - | 140,000.00    | \$        | 140,000.00            |
| 886                         | Non-Residential 3% Building Permit Agency Fund       | - | 35,000.00     | \$        | 35,000.00             |
| 887                         | Residential 1% Building Permit Agency Fund           | - | 10,000.00     | \$        | 10,000.00             |
| <b>Grand Total</b>          |                                                      |   |               | <b>\$</b> | <b>110,423,398.09</b> |

**City of Brunswick, Finance Office**

**"Exhibit B" : Schedule of Amendments to the Permanent Budget #2 - For informational purposes only**

For the Budget Year Ending December 31, 2024

4/22/2024

| Fund Name /<br>Account Name             | Account<br>Number  | Appropriation<br>Adjustment<br>Amount | Description                                                                                                                                           |
|-----------------------------------------|--------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>General (#001)</b>                   |                    |                                       |                                                                                                                                                       |
| CLERK OF COURTS PT PS                   | 001-0200-51170     | (2,495.00)                            | Reduce appropriations as part-time hours have been below budget for first 14 weeks. Remaining 28 weeks to remain as originally budgeted.              |
| PERS                                    | 001-0200-52223     | (349.00)                              | Reduce appropriations as part-time hours have been below budget for first 14 weeks. Remaining 28 weeks to remain as originally budgeted.              |
| MEDITAX                                 | 001-0200-52226     | (36.00)                               | Reduce appropriations as part-time hours have been below budget for first 14 weeks. Remaining 28 weeks to remain as originally budgeted.              |
| WORKER'S COMP - MAYOR                   | 001-0200-52274     | (74.00)                               | Reduce appropriations as part-time hours have been below budget for first 14 weeks. Remaining 28 weeks to remain as originally budgeted.              |
| ASSOC, CONF & TRAINING                  | 001-0200-53258     | 600.00                                | Sealing of criminal records and the Non-terminal leads access - for Mayor's Court.                                                                    |
| <br>CAPITAL OUTLAY                      | <br>903-0300-56252 | <br>550.00                            | <br>Adobe Professional software updates required in order to work with Microsoft 11. Info Tech plans to make Microsoft 11 updates in the near future. |
| PLUMBING/ELECTRICAL PT INSPECTOR        | 001-0430-51110     | 3,746.00                              | 5 week overlap plan to train a pt inspector in anticipation of a pt inspector resigning.                                                              |
| PERS                                    | 001-0430-52223     | 525.00                                | 5 week overlap plan to train a pt inspector in anticipation of a pt inspector resigning.                                                              |
| MEDITAX                                 | 001-0430-52226     | 55.00                                 | 5 week overlap plan to train a pt inspector in anticipation of a pt inspector resigning.                                                              |
| WORKER'S COMP - BUILDING                | 001-0430-52274     | 113.00                                | 5 week overlap plan to train a pt inspector in anticipation of a pt inspector resigning.                                                              |
| <br>CAPITAL OUTLAY - FINANCE            | <br>914-0700-56252 | <br>2,600.00                          | <br>Adobe Professional & Crystal Report software updates required in order to work with Microsoft 11.                                                 |
| <br>CAPITAL OUTLAY - TAX                | <br>915-0720-56252 | <br>550.00                            | <br>Adobe Professional software updates required in order to work with Microsoft 11. Info Tech plans to make Microsoft 11 updates in the near future. |
| <br>STREET LIGHTS                       | <br>001-0880-54271 | <br>7,500.00                          | <br>Due to increased street light & pole repairs in early 2024.                                                                                       |
| <br>FIREWORKS                           | <br>001-0970-55217 | <br>2,150.00                          | <br>Orig budget did not include a budget for any potential postponement date for fireworks. Contract includes a remobilization 10% fee if postponed.  |
| <b>General Fund Total</b>               |                    | <b>15,435.00</b>                      |                                                                                                                                                       |
| <br><b>Police Fund (#114)</b>           |                    |                                       |                                                                                                                                                       |
| EQUIPMENT SERVICE CONTRACT              | 114-0520-54253     | 17,500.00                             | Flock safety camera maintenance service agreement through June 30, 2025. Original budget assumed contract period would expire on Dec 31, 2024.        |
| TRANSFER TO CAPITAL                     | 114-0520-99999     | 107,000.00                            | Increase capital set aside based on fines & forfeitures revenue for 1st quarter of 2024.                                                              |
| <b>Police Fund Total</b>                |                    | <b>124,500.00</b>                     |                                                                                                                                                       |
| <br><b>Fire Fund (#115/952)</b>         |                    |                                       |                                                                                                                                                       |
| TRANSFER OUT TO CAPITAL SUBFUND #952    | 115-0510-99999     | 450,000.00                            | Increase capital set aside by approximately double due to EMS billing collections remaining on track through the 1st quarter of 2024                  |
| CAPITAL OUTLAY                          | 952-0510-56252     | 934,250.00                            | Purchase of 1 Sutphen Stock Pumper 557 & chassis with certain modifications, not to exceed a total of \$934,250. Proposal dated 04/05/2024.           |
| <b>Fire Fund Total</b>                  |                    | <b>1,384,250.00</b>                   |                                                                                                                                                       |
| <br><b>Street R &amp; M Fund (#117)</b> |                    |                                       |                                                                                                                                                       |
| STREET SUPERINTENDENT PS                | 117-0420-51080     | (2,000.00)                            | Amend budget to reflect hiring of a new Street Supt. Hiring of Street Supt occurred after the original budget was compiled.                           |
| OPERS                                   | 117-0420-52223     | (480.00)                              | Amend budget to reflect hiring of a new Street Supt. Hiring of Street Supt occurred after the original budget was compiled.                           |
| MEDITAX                                 | 117-0420-52226     | (29.00)                               | Amend budget to reflect hiring of a new Street Supt. Hiring of Street Supt occurred after the original budget was compiled.                           |
| WORKER'S COMP                           | 117-0420-52274     | (60.00)                               | Amend budget to reflect hiring of a new Street Supt. Hiring of Street Supt occurred after the original budget was compiled.                           |
| TRANSFER OUT TO CAP #953                | 117-0420-99999     | 120,900.00                            | Increase capital set aside for Division of Streets to a total of \$250,000.                                                                           |
| CAPITAL OUTLAY                          | 953-0420-56252     | 1,800.00                              | Per Service Director an estimated \$1,800 in local capital funds needed to fully utilize NOPEC grant award of \$80,991.                               |
| <b>Street R &amp; M Fund Total</b>      |                    | <b>120,131.00</b>                     |                                                                                                                                                       |
| <br><b>Cable TV Fund (#123/#956)</b>    |                    |                                       |                                                                                                                                                       |
| PRODUCTION ASSISTANT PT PS              | 123-0460-51193     | (1,070.68)                            | Reduce budget as Ted's last day for part-time production asst was Feb 16, 2024. Reduce remaining budget according to financial plan.                  |
| PERS                                    | 123-0460-52223     | (149.00)                              | Reduce budget as Ted's last day for part-time production asst was Feb 16, 2024. Reduce remaining budget according to financial plan.                  |
| MEDITAX                                 | 123-0460-52226     | (15.00)                               | Reduce budget as Ted's last day for part-time production asst was Feb 16, 2024. Reduce remaining budget according to financial plan.                  |
| WORKER'S COMP                           | 123-0460-52274     | (32.00)                               | Reduce budget as Ted's last day for part-time production asst was Feb 16, 2024. Reduce remaining budget according to financial plan.                  |
| <b>Cable TV Fund Total</b>              |                    | <b>(1,266.68)</b>                     |                                                                                                                                                       |
| <br><b>Parks Fund (#127/960)</b>        |                    |                                       |                                                                                                                                                       |
| REPAIR & MAINTENANCE                    | 127-0810-54243     | 12,500.00                             | Increased expenses in 1st quarter 2024 for removal of trees for parks and trail improvements.                                                         |
| PARK MASTER PLAN - RFP                  | 127-0810-54349     | 80,000.00                             | Park Master Plan estimated costs. The Park Master Plan came out of Council's 2024 goal setting session.                                               |
| <b>Parks Fund Total</b>                 |                    | <b>92,500.00</b>                      |                                                                                                                                                       |

**City of Brunswick, Finance Office**

**"Exhibit B" : Schedule of Amendments to the Permanent Budget #2 - For informational purposes only**

For the Budget Year Ending December 31, 2024

4/22/2024

| Fund Name /<br>Account Name                        | Account<br>Number | Appropriation<br>Adjustment<br>Amount | Description                                                                                                                                                  |
|----------------------------------------------------|-------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Opioid Settlement Fund (#141)</b>               |                   |                                       |                                                                                                                                                              |
| ONEOHIO OPIOID SETTLEMENT PURCH SERV               | 141-0439-54253    | 2,061.24                              | Opioid Settlement recently received not included in the original budget.                                                                                     |
| <b>Total Opioid Settlement Fund</b>                |                   | <b><u>2,061.24</u></b>                |                                                                                                                                                              |
| <b>Stormwater Management Fund (#224)</b>           |                   |                                       |                                                                                                                                                              |
| ADMINISTRATION - BILLING                           | 224-0420-51005    | 2,448.00                              | 4 additional hours/week for 19 remaining payrolls to aid in training time. A full-time Clerk II anticipates resigning sometime in 2024 for personal reasons. |
| OPERS                                              | 224-0420-52223    | 343.00                                | 4 additional hours/week for 19 remaining payrolls to aid in training time. A full-time Clerk II anticipates resigning sometime in 2024 for personal reasons. |
| MEDITAX                                            | 224-0420-52226    | 36.00                                 | 4 additional hours/week for 19 remaining payrolls to aid in training time. A full-time Clerk II anticipates resigning sometime in 2024 for personal reasons. |
| WORKER'S COMP                                      | 224-0420-52274    | 74.00                                 | 4 additional hours/week for 19 remaining payrolls to aid in training time. A full-time Clerk II anticipates resigning sometime in 2024 for personal reasons. |
| <b>Stormwater Management Enterprise Fund Total</b> |                   | <b><u>2,901.00</u></b>                |                                                                                                                                                              |
| <b>EPA Grant Fund (#337)</b>                       |                   |                                       |                                                                                                                                                              |
| U.S. EPA GRANT                                     | 337-2024-56800    | 1,500,000.00                          | Anticipated EPA Submitted Grant Application & Executed Grant Agreement within the next couple of months for \$1.5 EPA Grant Award.                           |
| <b>Total EPA Grant Fund</b>                        |                   | <b><u>1,500,000.00</u></b>            |                                                                                                                                                              |
| <b>G.O. Fire Station Bond Ret Sub Fund (#772)</b>  |                   |                                       |                                                                                                                                                              |
| ISSUANCE COSTS                                     | 772-0001-54239    | (15,199.77)                           | Reduce issuance costs due to savings and reallocate \$15K to auditor treasurer fees for property tax collections                                             |
| AUDITOR TREASURER FEES                             | 772-0001-54278    | 15,000.00                             | Estimated property tax collection costs from County Auditor. Reallocate \$15K of savings from issuance costs for this purpose.                               |
| BOND PRINCIPAL                                     | 772-0001-58000    | (60,000.00)                           | Bonds closed on March 21, 2024. Update estimated 2024 principal and interest costs based on final pricing & related amortization schedule.                   |
| BOND INTEREST                                      | 772-0001-58001    | (133,333.33)                          | Bonds closed on March 21, 2024. Update estimated 2024 principal and interest costs based on final pricing & related amortization schedule.                   |
| <b>G.O. Fire Station Bond Ret Sub Fund Total</b>   |                   | <b><u>(193,533.10)</u></b>            |                                                                                                                                                              |

## PROPOSED LEGISLATION



**DATE:** 4/22/2024

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Paul Magovac

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 39-2024** - An emergency resolution amending Resolution No. 1-2024 by authorizing the City Manager to purchase liquid asphalt emulsion for the Service Department from Northcoast Products in an amount not to exceed \$35,215.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, Administration/Paul Magovac)

**BACKGROUND:** The owner of Leader is retiring and no longer keeping the doors open. Leader is a sister company to Northcoast Products and has the proprietary product that is specified for our Durapatch machine. We were able to purchase some products from Leader for the amount of \$4,785.00 out of the \$40,000.00.

**PURPOSE AND EXPLANATION:** The Service Department has a Durapatcher which is a trailer mounted spray injection machine that will allow for the mixing of asphalt emulsion and stone to create an asphalt patch at the site of the pothole. This legislation will allow for the purchase of hot liquid asphalt emulsion which is delivered in bulk and stored in a heated tank that will be stationary at the Streets Department at the West 130th Street yard.

**IMPLEMENTATION SCHEDULE:** Spring of 2024.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** PO#202458097 - The costs for this purchase are split between Streets R&M Fund #117 account #117-0420-55303 & the Road Capital Improvement Fund #333 account#333-0474-56870. If approved, the expectation is that the remaining amounts on these purchase orders would remain available and the same.

**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?

**ADDITIONAL  
INFORMATION:**

This was done earlier in the year with no emergencies and no suspension of the rules, but unfortunately, now is the busy season. Ordering products is timely, and the product is used quickly with frequent filling of our tank.

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 39-2024

BY: Mr. Smith, Mr. Abella, and Mrs. Piper

AN EMERGENCY RESOLUTION AMENDING RESOLUTION NO. 1-2024  
BY AUTHORIZING THE CITY MANAGER TO PURCHASE LIQUID  
ASPHALT EMULSION FOR THE SERVICE DEPARTMENT FROM  
NORTHCOAST PRODUCTS IN AN AMOUNT NOT TO EXCEED \$35,215.00.

WHEREAS: On February 12, 2024, City Council adopted Resolution No. 1-2024 authorizing the City Manager to purchase liquid asphalt emulsion for the Service Department from Leader Machinery Equipment in an amount not to exceed \$40,000.00.

WHEREAS: The liquid asphalt emulsion is component used by the Service Department in its Durapatch Machine to patch potholes on roads within the City.

WHEREAS: The liquid asphalt emulsion is a proprietary product that is specified for use in the Service Department's Durapatch Machine.

WHEREAS: The City has been advised that the purchase of the proprietary liquid asphalt emulsion will be from Northcoast Products, an affiliate of Leader Machinery Equipment.

WHEREAS: To date, the City has purchased proprietary liquid asphalt emulsion from Leader Machinery Equipment in the total amount of \$4,785.00.

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

SECTION 1: That Resolution No. 1-2024 is hereby amended to authorize the City Manager to purchase proprietary liquid asphalt emulsion from Northcoast Products in an amount not to exceed \$35,215.00.

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 to maintain a continuous supply of the proprietary liquid asphalt emulsion as required for the 2024 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: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

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  
Paul Magovac

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 40-2024** - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2024-2025 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

**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, 2024.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** 2860 tons Salt & Cinders 117-0420-55300

**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, 2024 deadline.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 40-2024

BY: Mr. Smith, Mr. Abella, and Mrs. Piper

AN EMERGENCY RESOLUTION AUTHORIZING PARTICIPATION IN THE  
OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT FOR  
ROAD SALT FOR THE 2024-2025 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 2024-2025 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 Friday, May 3, 2024 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](mailto: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, 2024 to allow for participation in the Contract for the 2024-2025 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.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Laura E. Timura, CMC

**RESOLUTION AUTHORIZING PARTICIPATION  
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2024**

**WHEREAS**, the City of Brunswick, Medina County (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 that each party hereto shall be responsible for liability associated with that party’s own errors, actions, and failures to act.
- 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 Friday, May 3rd, **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](mailto: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 3rd, 2024.**

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.

## PROPOSED LEGISLATION



**DATE:** 4/22/2024

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Todd Fischer

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 41-2024** - A resolution to provide for the allocation of permissive motor vehicle registration license tax receipts - **1st Reading** (To be brought from Finance Committee, Administration/Todd Fischer).

**BACKGROUND:** The City of Brunswick receives a monthly distribution of the additional levied annual motor vehicle registration license tax receipts, also referred to as permissive license tax receipts, as authorized by law.

Distribution reports are available from the State of Ohio Department of Public Safety Bureau of Motor Vehicles detailing out the monthly amounts received for each specific Ohio Revised Code Section authorizing levy.

On August 5, 1987, City Council adopted Ordinance #77-87 levying an additional tax to supplement revenue already available for such purpose, as authorized by Ohio Revised Code Section 4504.172.

The City currently receives three (3) different permissive license tax receipts as authorized by Ohio Revised Code Sections 4504.06, 4504.15 and 4504.172.

Funds received from such levies authorized by Ohio Revised Code Sections 4504.06 and 4504.15 may be utilized for, without limitation: (a) paying the costs and expenses of enforcing and administering the tax; (b) planning, construction, improving, maintaining, and repairing public roads, highways and streets; (c) maintaining and repairing bridges and viaducts; (d) paying the City's portion of the costs and expenses or cooperating with ODOT in the planning, improvement, and construction of state highways; (e) paying the City's portion of the compensation, damages, cost and expenses of planning, constructing, reconstructing, improving, maintaining, and repairing roads and streets; (f) paying debt service charges on notes or bonds issued by the City for such purposes; (g) purchasing, erecting, and maintaining street and traffic signs and markets; and (h) purchasing, erecting and maintaining traffic lights and signals.

Funds received from the supplemental levy authorized by Ohio Revised Code Section 4504.172 and Ordinance #77-87 may be utilized for: (a) paying the costs and expenses of

enforcing and administering the tax; and (b) to supplement revenue already available under ORC Section 4504.06.

The City has recorded and utilized these permissive license tax receipts in a similar and consistent manner based on accounting records going back over twenty (20) years. However, the City’s Finance Department has been unable to locate or obtain any formalized allocation authority to date as to that allocation.

Presently, 92.5% of the funds received from the levy authorized by Ohio Revised Code Section 4504.06 are allocated to the Streets R&M Fund #117 with the remaining 7.5% allocated to the State Highway Fund #118.

Presently, 100% of the funds received from the levy authorized by Ohio Revised Code Section 4504.15 are allocated to the Road Capital Projects Fund #333.

Presently, 100% of the funds received from the supplemental levy authorized by Ohio Revised Code Section 4504.172 and Ordinance #77-87 are allocated 100% to the Road Capital Projects Fund #333; and

Permissive tax receipts have been spent in accordance with the purposes of the law, regardless of the allocation utilized to date.

**PURPOSE AND  
EXPLANATION:**

Same as background

**IMPLEMENTATION  
SCHEDULE:**

Three Readings.

**FINANCIAL  
INFORMATION:**

**FINANCIAL  
SUMMARY:**

Adopting the same allocation of permissive tax receipts that has been used for 20+ years, would not change any current or projected financial plans or funding.

**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?  
Three Readings

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 41-2024

BY: Mr. Hanek, Mr. Abella, and Mr. Lambert

A RESOLUTION TO PROVIDE FOR THE ALLOCATION OF PERMISSIVE  
MOTOR VEHICLE REGISTRATION LICENSE TAX RECEIPTS.

- WHEREAS: The City of Brunswick receives a monthly distribution of the additional levied annual motor vehicle registration license tax receipts, also referred to as permissive license tax receipts, as authorized by law;
- WHEREAS: Distribution reports are available from the State of Ohio Department of Public Safety Bureau of Motor Vehicles detailing out the monthly amounts received for each specific Ohio Revised Code Section authorizing levy;
- WHEREAS: On August 5, 1987, City Council adopted Ordinance #77-87 levying an additional tax to supplement revenue already available for such purpose, as authorized by Ohio Revised Code Section 4504.172;
- WHEREAS: The City currently receives three (3) different permissive license tax receipts as authorized by Ohio Revised Code Sections 4504.06, 4504.15 and 4504.172;
- WHEREAS: Funds received from such levies authorized by Ohio Revised Code Sections 4504.06 and 4504.15 may be utilized for, without limitation: (a) paying the costs and expenses of enforcing and administering the tax; (b) planning, construction, improving, maintaining, and repairing public roads, highways and streets; (c) maintaining and repairing bridges and viaducts; (d) paying the City's portion of the costs and expenses or cooperating with ODOT in the planning, improvement, and construction of state highways; (e) paying the City's portion of the compensation, damages, cost and expenses of planning, constructing, reconstructing, improving, maintaining, and repairing roads and streets; (f) paying debt service charges on notes or bonds issued by the City for such purposes; (g) purchasing, erecting, and maintaining street and traffic signs and markets; and (h) purchasing, erecting and maintaining traffic lights and signals;
- WHEREAS: Funds received from the supplemental levy authorized by Ohio Revised Code Section 4504.172 and Ordinance #77-87 may be utilized for: (a) paying the costs and expenses of enforcing and administering the tax; and (b) to supplement revenue already available under ORC Section 4504.06;
- WHEREAS: The City has recorded and utilized these permissive license tax receipts in a similar and consistent manner based on accounting records going back over twenty (20) years. However, the City's Finance Department has been unable to locate or obtain any formalized allocation authority to date as to that allocation;

WHEREAS: Presently, 92.5% of the funds received from the levy authorized by Ohio Revised Code Section 4504.06 are allocated to the Streets R&M Fund #117 with the remaining 7.5% allocated to the State Highway Fund #118;

WHEREAS: Presently, 100% of the funds received from the levy authorized by Ohio Revised Code Section 4504.15 are allocated to the Road Capital Projects Fund #333;

WHEREAS: Presently, 100% of the funds received from the supplemental levy authorized by Ohio Revised Code Section 4504.172 and Ordinance #77-87 are allocated 100% to the Road Capital Projects Fund #333; and

WHEREAS: Permissive tax receipts have been spent in accordance with the purposes of the law regardless of the allocation utilized to date.

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

SECTION 1: That the permissive license tax receipts as authorized by Ohio Revised Code Sections 4504.06, 4504.15, 4054.172 and Ordinance #77-87 shall be allocated monthly by % to the following funds as follows:

| <b>Permissive Tax Levy</b> | <b>% Amount</b> | <b>Fund</b>                     |
|----------------------------|-----------------|---------------------------------|
| ORC 4504.06                | 92.5%           | Streets R&M Fund #117           |
| ORC 4504.06                | 7.5%            | State Highway Fund #118         |
| ORC 4504.15                | 100%            | Road Capital Projects Fund #333 |
| ORC 4504.172 & Ord#77-87   | 100%            | Road Capital Projects Fund #333 |

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

---

PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> 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  
Robert Marok

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 42-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with SCW for the purchase of a one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,677.50. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

**BACKGROUND:** The City of Brunswick uses Office 365 for Microsoft email services. This is a contracted service that is renewed yearly.

**PURPOSE AND EXPLANATION:** To maintain subscription email services for all city departments.

**IMPLEMENTATION SCHEDULE:** When passed

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** The cost will be broken down and allocated to each department based upon each department's total users. Each department included an estimated cost for this line item in the original budget. It is possible if user counts change from one year to the next that a budget amendment could become necessary. At this time, a budget amendment is not expected for this item.

**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?

Quotes for the licensing were obtained due to the suspected renewal amount budgeted to be greater than \$25000. The quote from SCW is \$643 dollars less than Sourcewell pricing and \$783 below the State contract price. Due to current market conditions, quotes and prices are only valid for 30 days. To continue email services for all city departments requesting the resolution to be adopted as an emergency with suspension of the rules

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 42-2024

BY: Mr. Smith, Mr. Abella, and Mrs. Piper

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SCW FOR THE PURCHASE OF A ONE (1) YEAR MICROSOFT OFFICE 365 G1 SUBSCRIPTION IN AN AMOUNT NOT TO EXCEED \$25,677.50.

WHEREAS: The City of Brunswick belongs to the Ohio Cooperative Purchasing Program under the direction of the Ohio Department of Administrative Services;

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;

WHEREAS: Ohio Revised Code Section 125.04(C) permits the City to purchase supplies or services from another party without competitive bidding and outside the State Cooperative Purchasing Program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the State Cooperative Purchasing Program; and

WHEREAS: The proposed purchase of the one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,677.50 is upon equivalent terms, conditions and specifications and at a lower price than through the State Cooperative Purchasing Program and Sourcewell Joint Purchasing Program.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is hereby authorized to enter into an Agreement with SCW for the purchase of a one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,677.50.

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 to secure pricing. 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.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended:

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

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.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Laura Timura, CMC

## PROPOSED LEGISLATION



**DATE:** 4/22/2024

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Paul Magovac

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 44-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with A&J Cement Contractors, Inc. for the 2024 Concrete Repair Program in an amount not to exceed \$254,600.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

**BACKGROUND:** Authorization for public bid granted by City Council motion of February 26, 2024. Bids were opened on April 11, 2024. Eight bids were received.

**PURPOSE AND EXPLANATION:** The proposed project will remove and replace deteriorated concrete pavement joints/slabs/curbs on residential streets in Wards 1 and 2. Residential street repairs in Wards 3 and 4 are being addressed in a separate concurrent project. This project is being partially funded by the City's road levy.

**IMPLEMENTATION SCHEDULE:** The project is anticipated to commence in June and be completed in August.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** The bid construction costs of \$254,600 are to be charged off to the following funds and accounts to remain consistent with the allocation of the engineer expenses for this project:

- 1) 43.7% - \$111,260.20 to Road Levy Improvement Fund #332 - account #332-0473-56881
- 2) 25.7% - \$65,432.20 to the Street R& M Fund #117 - account#117-0420-56881
- 3) 30.6% - \$77,907.60 to the Road Capital Projects Fund #333 - account #333-0474-56870

Total of \$254,600

**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 the 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 2024 construction season.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 44-2024

BY: Mr. Smith, Mr. Abella, and Mrs. Piper

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH A&J CEMENT CONTRACTORS, INC. FOR THE 2024 CONCRETE REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$254,600.00.

WHEREAS: The City of Brunswick received eight (8) bids for the 2024 Concrete Repair Program (the “Project”), in accordance with public bidding requirements, for concrete repairs in Wards 1 and 2; and

WHEREAS: The eight (8) received public bids were opened on April 11, 2024, with A&J Cement Contractors, Inc. determined to be the lowest and best bidder.

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 A&J Cement Contractors, Inc., the lowest and best bidder, for the 2024 Concrete Repair Program in an amount not to exceed \$254,600.00.

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 completion of the Project during the 2024 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.

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PASSED: 1st Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_

Clerk of Council  
Laura E. Timura, CMC

# MEMO

Engineering Department



TO: City Council  
FROM: Matthew M. Jones, P.E.  
DATE: April 22, 2024  
RE: 2024 Concrete Repair Program

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On April 11, 2024, public bids were opened for the 2024 Concrete Repair Program. A tabulation of the bid results is attached for your reference. Eight companies submitted bids for the project. The low bidder for the project was A&J Cement Contractors, Inc. at \$254,600.00. The Engineer's estimate was \$325,000.00. Set In Stone Contracting, LLC was the second low bidder with a bid of \$289,775.00.

This project will remove and replace deteriorated concrete pavement joints/slabs on various residential streets in Wards 1 and 2.

This project is being partially funded by the City's Road Levy.

CVE staff has contacted a sampling of municipal references provided by A&J Cement. The reference check did not find any reoccurring issues with A&J. Three municipalities were contacted regarding three separate projects, 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 A&J Cement 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 \$254,600.00 to A&J Cement Contractors, Inc. to complete the 2024 Concrete Repair Program.

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

Attachments

C: Carl DeForest, City Manager  
Paul Magovac, Service Director  
Todd Fischer, Finance Director  
Dennis Nevar, Law Director

## PROPOSED LEGISLATION



**DATE:** 4/22/2024

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Todd Fischer, Paul Magovac

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 45-2024** - An emergency resolution amending Resolution No. 47-18 by increasing the city's local cost share for the North Carpenter Road Project to an amount not to exceed \$3,556,733.05. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Todd Fischer and Matt Jones*)

**BACKGROUND:** Resolution 22-18 was approved by the City Council on March 26, 2018. A prior resolution pledging cooperation with ODOT was approved by the City Council on February 13, 2017. Bids for the design-build project were opened on May 3, 2018. The low bidder was Shelley and Sands at \$10,495,250.01 for the base bid and \$924,651.01 for the additive alternate (Grafton Road turn lanes). Various costs associated with this project are borne by the State of Ohio, the City of Brunswick and Medina County. At the time Resolution #22-18 was passed, the local estimated costs for this project equaled \$3,165,886.37. After the bids were received, including both the base bid and the alternate bid, the local estimated costs were revised to a new total of \$3,256,827.09 via Res #39-18 and then changed again to \$3,256,830.51 via Res#47-18.

This project included an additive alternate bid to reconstruct Grafton Road approaching North Carpenter Road, including the addition of left turn lanes in both directions. The project reconstructed 2.06 miles of North Carpenter Road from 0.54 miles north of Center Road (SR 303) to Boston Road in the City of Brunswick and Brunswick Hills Township. The project was a total reconstruction of North Carpenter Road, including new pavement, curbs, sidewalks, storm sewers, and adjustments to vertical alignment. The project was also a design-build, which means the contractor was given the scope of work and prepared detailed design plans as part of the construction project after the contract was awarded.

Now that the project has been completed, ODOT has calculated the final local cost share to be \$3,556,733.05. This is an additional \$299,902.54. As of April 9, 2024, the City has been invoiced for this additional amount. The \$299,902.54 is also in addition to the total amount authorized in Resolution #47-18 and thus Res #47-18 requires further amendment to pay this additional amount. Res #47-18 should be amended to increase the local cost share to an amount not to exceed \$3,556,733.05.

**PURPOSE AND EXPLANATION:** The purpose of the amendment to the prior resolution is to increase City Council's local cost share from \$3,256,830.51 to \$3,556,733.05, an increase of \$299,902.54.

**IMPLEMENTATION SCHEDULE:** For the Council's consideration as an emergency and suspension of the rules for the April 22, 2024, Council meeting. Emergency and suspension of the rules is requested to pay the ODOT invoice within 30 days of receipt. The invoice is dated April 9, 2024.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** Upon final reconciliation and invoicing by ODOT, the total local cost share for the North Carpenter Improvement Project has been revised to a new total of \$3,556,733.05. This is a total increase of \$299,902.54 from that previously paid and as authorized in City Council Res #47-18.

The **base bid** for this project is funded as follows: 80% from a State Infrastructure Bank (SIB) Loan with 100% of the principal to be repaid over 10 years by the Northeast Ohio Areawide Coordinating Agency (NOACA). Interest on the loan will be split 80% to Northeast Ohio Areawide Coordinating Agency and 20% City of Brunswick, with the City of Brunswick's share of the interest not to exceed \$300,000.

The additive alternate (Grafton turn lanes) is being funded with 100% local dollars.

Inspection and preliminary engineering costs are allocated by ODOT based upon the % of construction and detail design costs between the base bid and the alternate bid. ODOT has assigned a project code 1 for the base bid costs, project code 2 was assigned to the alternate.

Local costs are to be split between the City of Brunswick and Medina County based on where the work is done in the project area. In general, local costs are expected to be split approximately 79.8% between the City of Brunswick and 20.2% between Medina County.

**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, health, safety, or welfare, and so that the legislation will be enacted and payment can be made to the Treasurer of

State of Ohio within 30 days of the receipt of the final invoice. The invoice is dated April 9, 2024.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 45-2024

BY: Mr. Smith, Mr. Abella, and Mrs. Piper

AN EMERGENCY RESOLUTION AMENDING RESOLUTION NO. 47-18 BY INCREASING THE CITY'S LOCAL COST SHARE FOR THE NORTH CARPENTER ROAD PROJECT TO AN AMOUNT NOT TO EXCEED \$3,556,733.05.

WHEREAS: The Ohio Department of Transportation ("ODOT") has completed the reconstruction of a 2.06 mile portion of North Carpenter Road from 0.54 miles north of State Route 303 to Boston Road located in the City of Brunswick and Brunswick Hills Township, including, without limitation, new pavement, curbs, sidewalks, storm sewers and adjustments to vertical alignment (the "Project").

WHEREAS: On February 13, 2017, City Council adopted Resolution No. 12-17 authorizing the Project and providing cooperation as provided therein.

WHEREAS: On March 26, 2018, City Council adopted Resolution No. 22-18 authorizing the City's local cost share in a total estimated amount not to exceed \$3,165,886.37.

WHEREAS: On May 22, 2018, City Council adopted Resolution No. 39-18 authorizing the City's local cost share in a total estimated amount not to exceed \$3,256,827.09.

WHEREAS: On June 25, 2018, City Council adopted Resolution No. 47-18 authorizing the City's local cost share in a total estimated amount not to exceed \$3,256,830.51

WHEREAS: Upon completion of the Project, the City's local cost share has increased by the amount of \$299,902.54 to a total amount of \$3,556,733.05 per ODOT invoice dated April 9, 2024.

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

SECTION 1: That Resolution No. 47-18 is hereby amended to increase the City's local cost share for the Project to an amount not to exceed \$3,556,733.05.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, health, safety and welfare and for the additional reason to allow final payment to be made to the Treasurer of the State of Ohio within thirty (30) days of receipt of the April 9, 2024 invoice. 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.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Laura E. Timura, CMC



# Accounts Receivable

The Ohio Department of Transportation

In Account With

City of Brunswick  
4095 Center Road  
Brunswick, Ohio  
44212

Address questions concerning this invoice to:  
Dan Balsley  
Ohio Department of Transportation  
Division of Finance  
Phone: 614-387-7950

| Invoice Number | FAP Number | PID   | Project # | Project Description | County | District |
|----------------|------------|-------|-----------|---------------------|--------|----------|
| 24002          | F964-049   | 14821 | 183004    | N Carpenter Road    | Medina | D3       |

## Description of Work Done:

The project consists of reconstruct 2.06 miles of North Carpenter Road from 0.54 miles north of State Route 303 to Boston Road, lying within the City of Brunswick.

The City of Brunswick agrees to assume and bear 100% of the entire cost of the improvement, less the amount of Federal-aid and State funds set aside by the Director of Transportation of the State of Ohio and the financing of this project.

|                                 |                               |                     |
|---------------------------------|-------------------------------|---------------------|
| Costs to the City of Brunswick: | Construction Contract Costs   | \$3,074,012.21      |
|                                 | Less Deposit                  | -\$3,052,954.79     |
|                                 | Construction Inspection Costs | \$273,831.52        |
|                                 | Less Deposit                  | -\$203,875.72       |
|                                 | Preliminary Engineering Costs | \$48,746.06         |
|                                 | Detail Design Costs           | \$160,143.26        |
|                                 | <b>Balance</b>                | <b>\$299,902.54</b> |

|                                 |                     |
|---------------------------------|---------------------|
| <b>Amount Due State of Ohio</b> | <b>\$299,902.54</b> |
|---------------------------------|---------------------|

Please Return Bottom Portion of Invoice with Payment

Make Check Payable To:

The Treasurer of the State of Ohio  
C/O The Ohio Department of Transportation

|                 |              |
|-----------------|--------------|
| Invoice Number: | 24002        |
| Amount Due:     | \$299,902.54 |

Remit To:

Division of Finance - Accounts Receivable  
1980 West Broad Street  
Columbus, Ohio 43223

Manager, Project Accounting

4/9/2024

Date

| Project Breakdown                   |               |              |                |  |
|-------------------------------------|---------------|--------------|----------------|--|
|                                     | Part Code 1   | Part Code 2  | Total          |  |
| Actual Amount                       | 8,854,903.41  | 1,000,317.87 | 9,855,221.28   |  |
| Actual Percentage                   | 89.850%       | 10.150%      | 100.000%       |  |
| Actual Incidental Amount            | 1,478,928.84  | 167,071.16   | 1,646,000.00   |  |
| Actual Incidental Percentage        | 89.850%       | 10.150%      | 100.000%       |  |
| Total Costs by Type                 |               |              |                |  |
| Total Construction Contract Costs   | 10,333,832.25 | 1,167,389.03 | 11,501,221.28  |  |
| Total Construction Inspection Costs | 874,951.44    | 98,841.23    | 973,792.67     |  |
| Total Prel. Eng. Costs (Local)      | 243,730.29    | -            | 243,730.29     |  |
| Total Project Costs                 | 11,452,513.98 | 1,266,230.26 | 12,718,744.24  |  |
| Totals by Share                     |               |              |                |  |
| Total Federal Share                 | 9,162,011.19  | -            | 9,162,011.19   |  |
| Total State Share                   | -             | -            | -              |  |
| Total Local Share                   | 2,290,502.80  | 1,266,230.26 | 3,556,733.05   |  |
|                                     |               |              |                |  |
| Total Local Costs                   | 2,290,502.80  | 1,266,230.26 | 3,556,733.05   |  |
| Less Deposit                        |               |              | (3,256,830.51) |  |
| Amount Owed by City of Brunswick    |               |              | \$ 299,902.54  |  |