

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda JANUARY 9, 2017 6:40 PM

1. Discussion Items
 - (a) ORD. NO. 6-17 - An ordinance establishing Section 1440.27 of the City of Brunswick Codified Ordinances by providing for Residential Rental Dwelling Unit Regulations (Proposed Ordinance for Discussion Only)
2. Review Legislation
 - (a) **RES. NO. 1-17** - An Emergency Resolution authorizing the Acting City Manager to enter into a one (1) year contract for property, automobile, inland marine, general liability, public officials liability, police liability, boiler and machines, crime coverage, cyber coverage, employment practice and umbrella insurance coverage - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Julie Murawski*)
 - (b) **RES. NO. 2-17** - A Resolution authorizing the City Manager to enter into agreements with approved contract administrators and suppliers for the provision of natural gas - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)
3. General Discussion
4. Executive Session
 - (a) Motion to go into an Executive Session for the purpose to discuss the appointment, employment, dismissal, discipline, demotion or compensation of a public employee.
5. Adjournment

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CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 6-17

BY: Mr. Capretta, Mr. Abella and Mr. Ousley

AN ORDINANCE ESTABLISHING SECTION 1440.27 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES BY PROVIDING FOR
RESIDENTIAL RENTAL DWELLING UNIT REGULATIONS.

WHEREAS: The Building & Building Code Committee of Council has recommended that rental property regulations be promulgated as provided herein.

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

SECTION 1: That Section 1440.27 of the Codified Ordinances titled "Residential Rental Dwelling Unit Regulations" is hereby established to read as follows:

(a) Residential Rental Dwelling Unit Certificate and Registration. After the effective date of this Section, it shall be unlawful for the owner, agent, or person in charge of any multi-family apartment structure or single, duplex, triplex or other residential rental dwelling unit to rent, lease, or permit any residential rental dwelling unit within said structure to be occupied, without a current and valid Rental Dwelling Unit Certificate issued by the Chief Building Official of the City for such residential rental dwelling unit.

The owners of real property containing any residential rental dwelling unit shall comply with the requirements of Ohio Revised Code Chapter 5323, as may be amended from time to time, and upon filing the required information with the Medina County Auditor, cause a time/date stamped copy of same to be filed with the Chief Building Official of the City.

(b) Application and Issuance of Rental Dwelling Unit Certificate. Application for a Rental Dwelling Unit Certificate shall be made every other year to the Chief Building Official on forms provided by the City for each residential rental dwelling unit. Said Application shall be accompanied by fees as set forth in this section.

Applications to renew a Rental Dwelling Unit Certificate shall be filed with the Chief Building Official not less than thirty calendar days prior to the expiration thereof.

Upon receipt of an Application for a Rental Dwelling Unit Certificate, the Chief Building Official shall coordinate with the applicant to schedule an inspection of the residential rental dwelling unit to determine compliance with the Building and Housing Code. If the residential rental dwelling unit is found to be in compliance with the Building and Housing Code, a Rental Dwelling Unit Certificate shall be issued for such residential rental dwelling unit for a period of two years.

If upon inspection of the residential rental dwelling unit it is determined that a violation of the Building and Housing Code exists, notice of such violation shall be made to applicant. The owner or agent shall obtain proper permits as required by the Building and Housing Code to correct the noted violations. No Rental Dwelling Unit Certificate shall issue until an inspection of the residential rental dwelling unit has been completed, noted violations have been corrected and the repairs have been inspected and approved by the Chief Building Official.

(c) Existing Occupancies. Within thirty days of the effective date of this Section, the owner or agent of any residential rental dwelling unit shall submit to the Chief Building Official an Application for a Rental Dwelling Unit Certificate for each residential rental dwelling unit. Residential rental dwelling units occupied at the time of the effective date of this Section may continue to be occupied until such time as an inspection has been made by the Chief Building Official, after which all residential rental dwelling units shall comply with all of the provisions of this Section.

(d) Fees.

(1) Apartments.

Inspection = \$20.00 per residential rental dwelling unit

Inspection = \$20.00 for building exterior and grounds

Reinspection = \$10.00 per residential rental dwelling unit

Reinspection = \$20.00 for building exterior and grounds

(2) All other residential rental dwelling units.

Inspection = \$50.00 per residential rental dwelling unit

Inspection = \$10.00 for building exterior and grounds

Reinspection = \$20.00 per residential rental dwelling unit

Reinspection - \$10.00 for building exterior and grounds

(e) Officer With Authority. It shall be the duty and responsibility of the Chief Building Official, or his/her duly designated representative, to enforce the provisions of this Section.

(f) Inspection. In order to safeguard the safety, health and welfare of the public, the Chief Building Official is authorized to gain consensual entry to any structure or premises, or any part thereof, in which an Application for a Rental Dwelling Unit Certificate has been received for a residential rental dwelling unit, at any reasonable time for the purpose of making the inspections required by this Section.

If any owner, agent, occupant, or other person in charge of a structure or premises subject to this Section refuses, impedes, inhibits, interferes with, restricts, or obstructs entry and free access to any part of the structure or premises where inspection authorized by this Section is sought, the Chief Building Official shall be permitted to seek a warrant for administrative

inspection in a court of competent jurisdiction. Such warrant for administrative inspection shall allow for the inspection of the subject structure or premises, and any parts thereof, and shall be so limited in scope.

Nothing herein shall be construed to limit the authority of the Chief Building Official to gain access to any structure or premises in emergency circumstances or as otherwise provided by applicable law.

Every occupant of a structure or premises containing residential rental dwelling units shall give the owner, agent or person in charge thereof, access to any part of such structure or premises at reasonable times for the purpose of making inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this Section.

(g) Notice of Violations. Where a violation of the Building and Housing Code or this Section is found to exist, the owner shall be provided with written notice specifying the nature of such violation, what must be done to correct such violation and a reasonable time period to correct or abate such violation. Notice shall be provided to the owner by certified mail, return receipt requested, at the tax mailing address contained in the records of the Medina County Auditor. In the event notice cannot be delivered, notice shall be considered served upon publication in a newspaper of general circulation in the City once a week for two consecutive weeks.

(h) Correction of Violations. The correction of any violation as required by the Building and Housing Code or this Section shall be completed in accordance with the applicable procedures and provisions of the Building and Housing Code.

(i) Failure to Comply. Whenever the owner of a residential rental dwelling unit fails, neglects, or refuses to comply with any notice of the Chief Building Official within the time period reasonably specified therein, said owner shall be considered in violation of this Section and the Chief Building Official shall proceed at law to compel compliance and to prosecute such violation.

(j) Penalty. Any person or entity who violates any provision of this Section shall be guilty of a misdemeanor of the third degree.

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

PASSED: 1st Reading _____
 2nd Reading _____
 3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Barb Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/09/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 1-17** - An Emergency Resolution authorizing the Acting City Manager to enter into a one (1) year contract for property, automobile, inland marine, general liability, public officials liability, police liability, boiler and machines, crime coverage, cyber coverage, employment practice and umbrella insurance coverage - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Julie Murawski*)

BACKGROUND: The City utilized the professional services of Love Insurance Agency to obtain a proposal for property, automobile, inland marine, general liability, public officials liability, police liability, boiler and machines, crime coverage, cyber coverage, employment practice and umbrella insurance coverage.

PURPOSE AND EXPLANATION: The City utilized the professional services of Love Insurance Agency to obtain a proposal for property, automobile, inland marine, general liability, public officials liability, police liability, boiler and machines, crime coverage, cyber coverage, employment practice and umbrella insurance coverage.

IMPLEMENTATION SCHEDULE:

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Policy is from February 1, 2017 through January 31, 2018 at an annual premium of \$242,558 including crime coverage annual premium of \$2,286, and cyber coverage annual premium of \$10,500. We are also requesting an additional premium amount not to exceed \$15,000 for prorated premium adjustments for City property removed from and/or added to coverage under this policy year, which would result in additional premium amounts due from the City. Total annual premium expenditures described above are not to exceed \$257,558. In order to be paid, expenditures must be covered by sufficient Council appropriations. Expenditures will be posted to the respective fund and department based on the items or persons being insured.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?

This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the additional reason that the previous policy and liability insurance coverage expires on January 31, 2017.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT FOR PROPERTY, AUTOMOBILE, INLAND MARINE, GENERAL LIABILITY, PUBLIC OFFICIALS LIABILITY, POLICE LIABILITY, BOILER AND MACHINES, CRIME COVERAGE, CYBER COVERAGE, EMPLOYMENT PRACTICE AND UMBRELLA INSURANCE COVERAGE.

WHEREAS: The City utilized the professional services of Love Insurance Agency to obtain proposals for property, automobile, inland marine, general liability public officials liability, police liability, boiler and machines, crime coverage, cyber coverage, employment practice and umbrella insurance coverage;

WHEREAS: The annual premium for the lowest and best policy is \$242,558.00 for the package, which amount includes crime coverage premium in the amount of \$2,286.00 and cyber coverage premium in the amount of \$10,500.00; and

WHEREAS: An additional premium not to exceed \$15,000.00 is necessary to account for potential prorated premium adjustments for City property removed from and/or added to the policy.

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

SECTION 1: That the City Manager is hereby authorized to enter into a one (1) year contract from February 1, 2017 through January 31, 2018 at an annual premium in an amount of \$242,558.00 for the package, which amount includes crime coverage premium in the amount of \$2,286.00 and cyber coverage premium in the amount of \$10,500.00, effective February 1, 2017 for the following insurance: property, automobile, inland marine, general liability, public officials liability, police liability, boiler and machines, crime coverage, cyber coverage, employment practice and umbrella coverage.

SECTION 2: An additional premium not to exceed \$15,000.00 is hereby authorized to account for potential prorated premium adjustments for City property removed from and/or added to the policy.

SECTION 3: The Finance Director is authorized to issue a warrant for payment of the insurance coverages upon receipt of a proper invoice from the City Manager.

SECTION 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare,

and for the additional reason that the previous policy and liability insurance coverage expires on January 31, 2017. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 1-17

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT FOR PROPERTY, AUTOMOBILE, INLAND MARINE, GENERAL LIABILITY, PUBLIC OFFICIALS LIABILITY, POLICE LIABILITY, BOILER AND MACHINES, CRIME COVERAGE, CYBER COVERAGE, EMPLOYMENT PRACTICE AND UMBRELLA INSURANCE COVERAGE.

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and for the additional reason that the previous policy and liability insurance coverage expires on January 31, 2017. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/09/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 2-17** - A Resolution authorizing the City Manager to enter into agreements with approved contract administrators and suppliers for the provision of natural gas - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

BACKGROUND: This is a continuation of the aggregation program we have been utilizing for many years. The last legislation passed for this was Resolution 168-04.

PURPOSE AND EXPLANATION: This legislation allows for the purchase of natural gas at the lowest possible cost to the City of Brunswick. This is only for high use facilities like the City's Recreation Center.

IMPLEMENTATION SCHEDULE: January 1, 2017

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The expenditures associated with this legislation would be based on the competitive bid results of the Ohio Department of Administrative Services agreement for natural gas aggregation . Sufficient Council adopted appropriations are required in order to pay the associated expenditures.

Expenditures are based on the departments and funds using the natural gas.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH APPROVED CONTRACT ADMINISTRATORS AND SUPPLIERS FOR THE PROVISION OF NATURAL GAS.

WHEREAS: The City belongs to the State Procurement Program under the direction of the Department of Administrative Services, under which contracts for natural gas administration and supply have been awarded.

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

SECTION 1: That the City Manager is hereby authorized to enter into agreements with necessary administrators and suppliers for the provision of natural gas as awarded/approved from time to time under the State Procurement Program.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 2-17

BY: Committee-of-the-Whole

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
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PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC