



BRUNSWICK CITY COUNCIL AGENDA

Brandon Lambert Ward 3	Kristy Piper At-Large	Tim Smith At-Large	Dennis Nevar Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Laura Timura Clerk of Council	Nicholas Hanek Ward 2	Michael Abella Jr. Ward 1	Joseph Delsanter At-Large	Keith Kuczma Ward 4
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DECEMBER 9, 2024

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes
 - (a) Regular Council Meeting Minutes dated November 25, 2024
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending November 2024 will be posted on the website and added to the minutes for the record.
 - (b) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Lambert

Services, Utilities, Technology & Cable Committee.....Mr. Smith

Services, Utilities, Technology & Cable Committee Minutes dated November 25, 2024

Finance Committee.....Mr. Hanek

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

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

Parks, Recreation & Community Committee.....Mrs. Piper

Building & Building Code Committee.....Mr. Abella
8. Other Committees, Boards and Commissions
 - (a) Committee-of-the-Whole Meeting Minutes dated November 25, 2024
9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

RES. NO. 99-2024 - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2025. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

ORD. NO. 100-2024- An emergency ordinance extending a temporary moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

RES. NO. 101-2024 - A resolution authorizing the City Manager to enter into a five (5) year agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices. – **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

c. 1st Reading(s)

RES. NO. 102-2024 - An emergency resolution authorizing the City Manager to enter into an agreement with TAC Computers Inc. for maintenance of various software in the Divisions of Police and Fire in an amount not to exceed \$35,944.71. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

RES. NO. 103-2024 - An emergency resolution supporting the Ohio Commission for the United States Semiquincentennial (America 250-OH) and authorizing the City Manager to submit a grant application and execute necessary documents to accept such grant. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

ORD. NO. 104-2024 - An emergency ordinance adopting the Annual Appropriation Budget for Expenditures of the City of Brunswick for the year beginning January 1, 2025 and ending December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

ORD. NO. 105-2024 - An emergency ordinance amending Section 1 of Ordinance No. 99-2023 to provide for a Revised Allocation of Municipal Income Tax receipts during

the period from January 1, 2025 through December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

ORD. NO. 106-2024 - An emergency ordinance amending Ordinance No. 100-2023 and the City's Fund Balance Reserve Policy. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

ORD. NO. 107-2024- An emergency ordinance creating an OPWC Laurel/Maxwell Intersection Improvement Fund (#371). - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

RES. NO. 108-2024 - An emergency resolution authorizing the City Manager to enter into an agreement with Brunswick Hills Township for the provision of dispatch services. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, November 25, 2024

Prayer and Pledge of Allegiance The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:00 p.m. at the Municipal Complex.

Roll Call of Members showed the following Council Members present: Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper.

Others Present: Mayor Ron Falconi, Acting City Manager/Safety Director Todd Fischer, Law Director Dennis Nevar, Clerk of Council Laura Timura.

Correspondence There was none.

Approval of Regular Council Meeting Minutes

Regular Council Meeting Minutes dated November 11, 2024:

Nicholas Hanek moved to approve the Regular Council Meeting Minutes dated November 11, 2024, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Mayor's Report:

Proclamation to recognize Small Business Saturday:

Mayor Falconi proclaimed Saturday, November 30 as Small Business Saturday in the City of Brunswick. He recognized the contribution small businesses make to the City.

Presentation of the Meritorious Service Award to Officers for their involvement in an Amber Alert incident on November 11, 2024.:

Chief Safran presented the Meritorious Service Award to commend the officers involved in an Amber Alert incident. This entailed locating and chasing a vehicle, slowing it down with spike strips, and ultimately cornering the suspect until the situation could be resolved.

Clerk of Council's Report Mrs. Timura wished everyone a Happy Thanksgiving.

Council Committee Reports:

Economic Development Committee.....Mr. Lambert:

Mr. Lambert had no formal report this evening.

Services, Utilities, Technology & Cable Committee.....Mr. Smith:

Services, Utilities, Technology & Cable Committee Minutes dated November 11, 2024:

Tim Smith moved to approve the Services, Utilities, Technology & Cable Committee Minutes dated November 11, 2024, as written, seconded by Michael Abella Jr. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Finance Committee.....Mr. Hanek:

Mr. Hanek had no formal reports this evening.

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

Mr. Kuczma had no formal reports this evening.

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

Mr. Delsanter had no formal reports this evening.

Parks, Recreation & Community Committee.....Mrs. Piper:

Parks, Recreation & Community Meeting Minutes dated November 12, 2024:

Kristy Piper moved to approve the Parks, Recreation & Community Meeting Minutes dated November 12, 2024, as written, seconded by Keith Kuczma. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Building & Building Code Committee.....Mr. Abella:

Building & Building Code Minutes dated November 11, 2024:

Michael Abella Jr. moved to approve the Building & Building Code Committee Minutes dated November 11, 2024, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Other Committees, Boards and Commissions

Committee-of-the-Whole Meeting Minutes dated November 11, 2024:

Nicholas Hanek moved to approve the Committee-of-the-Whole Meeting Minutes dated November 11, 2024, as written, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Petitions from the Public on Legislation Keri Russell Westfall (3706 Rushland Avenue, Toledo, Ohio) spoke regarding Ordinance Number 100-2024. Ms. Russell announced that she was a former Brunswick resident. She felt that Council needed to be cognizant of the demographics of their ward. She felt that community members who are under the age of 40 find social rights and issues to be just as important as economic issues. Ms. Russell felt that by extending the moratorium, Council was placing its own beliefs before the needs of the community. She believed that the City could benefit from tax revenue and job opportunities. Ms. Russell questioned why the legislation was being passed as an emergency. She concluded that Council should not take into consideration their own beliefs and be the voice of the people in their entirety.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

2nd Reading(s)

1st Reading(s)

RES. NO. 98-2024 - An emergency resolution authorizing the City Manager to enter into a revised Municipal Engineering Consulting Services Agreement with Chagrin Valley Engineering, Ltd. for the provision of professional Municipal Engineering Consulting Services and designating Jennifer R. Zoldak, P.E., as Consulting Municipal Engineer and designating Matthew M. Jones, P.E. as Assistant Consulting Municipal Engineer. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*):

Nicholas Hanek moved to suspend the rules, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Nicholas Hanek moved to adopt Resolution Number 98-2024, seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 99-2024 - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*):

Mr. Hanek moved this resolution to second reading.

ORD. NO. 100-2024- An emergency ordinance extending a temporary moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*):

Mr. Hanek moved this ordinance to second reading.

RES. NO. 101-2024 - A resolution authorizing the City Manager to enter into a five (5) year agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*):

Mr. Smith moved this resolution to second reading.

City Manager's Report Mr. Fischer wished everyone a Happy Thanksgiving and reminded that City Hall will be closed on Thanksgiving and on the following Friday. The Recreation Center will be holding its Christmas Party on Sunday, December 8, from 1 p.m. to 3 p.m.

Open Forum Sue Mazzola (3440 Boston Road) personally thanked everyone for their dedication and support in fighting the interchange. She noted that her house had been saved, due to the efforts of everyone. She went on to thank Mr. Hanek for being a fighter in the opposition of the interchange.

Nancy Frognowski (465 Pembroke Circle) thanked everyone for their support, encouragement, and guidance. Ms. Frognowski attended the Veteran's Breakfast at St. Ambrose and the ceremony at City Hall. She was moved by the veterans' messages.

Unfinished Business Mr. Delsanter gave a shout-out to the Strongsville and Brunswick residents who came together as *Homes not Highways*. They were the inspiration and motivation that gave Council and the Administration cause to do the very best they could. He noted that some residents did not realize the impact the interchange would have including the loss of homes. Mr. Delsanter offered his gratitude for all they had done.

New Business Mr. Lambert commented on Ordinance Number 100-2024. He explained that he and Council are actively working to reduce the length of the moratorium from 6 months to 3 months. He has been actively working on legislation to bring a potential dispensary to Brunswick. Mr. Lambert explained that the process is complex, detailed, and nuanced. It is required to be done in compliance with the state. He plans to continue moving forward in the way that he sees best for the City.

Mayor Falconi wished everyone in the City a very Happy Thanksgiving on behalf of his wife Jenny and his family.

Mr. Hanek also wished everyone a Happy Thanksgiving.

Adjournment Nicholas Hanek moved to adjourn seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:25 p.m.

Respectfully submitted,



Laura Timura, CMC
Clerk of Council

Mayor Ron Falconi

Adopted

December 2, 2024

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF NOVEMBER 2024

WAIVERS/COURT/BONDS

DEPOSITS (November) 13,476.84
DEBITS (November) (14,398.87)

Checks to be written in November:

Treasurer State of Ohio	\$ 1,650.00
City of Medina MIATF	\$ 25.00
City of Medina IDATF	\$ 33.00
City of Brunswick Finance Dept/Police Fund *	\$11,428.84
Misc.Checks (bond refunds & transfers/restitution)	<u>\$ 1,262.03</u>
TOTAL for the month	\$14,398.87

*Check includes amounts to: Court Computer Fund and Education & Enforcement Fund

Service Charges/Fees for prior month	\$333.19
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MAYOR RONALD FALCONI


TERESA BENO, CLERK OF COURTS

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

November 25, 2024

IN ATTENDANCE Chairman Tim Smith, Committee Member Kristy Piper, Committee Member Michael Abella Jr., Nick Hanek, Brandon Lambert, Keith Kuczma, Kristy Piper, Acting City Manager/Safety Director Todd Fischer, Law Director Dennis Nevar, Information Technology & Security Officer Rob Marok, Community & Economic Development Director Grant Aungst, City Engineer Matt Jones, Assistant Consulting Municipal Engineer Jennifer Zoldak, Parks & Recreation Director Taylor Petkovsek, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:25 p.m.

DISCUSSION ITEMS:

- (a) **RES. NO. 101-2024** – A resolution authorizing the City Manager to enter into a five (5) year agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

Mr. Marok explained that the City has two internet lines that feed the various administrative buildings. One line is supplied by Medina County, and the other line by Breezeline.

Mr. Marok disclosed that the contract with Breezeline had ended, and it was time to renegotiate. He claimed Time Warner Cable was also contacted because it is contracted with the state.

Mr. Marok contributed that Breezeline proposed a \$1.00 monthly increase with three times the internet speed. He reported that one gigabit would enter the building and one gigabit would exit.

Mr. Delsanter inquired if this new internet contract meant the City was removing fiber optic.

Mr. Marok clarified that the City would still utilize fiber optics but maintain two lines. He added that the Medina County line entered on one side of the building, and the Breezeline entered on the other, stating that the two lines entered on different paths into the server room for redundancy.

Mr. Marok shared that internally, it was structured so that the Medina County line would feed the Wi-Fi in the buildings and the outer buildings and that Breezeline was initially designed for the Department of Police.

Mr. Smith repeated that the county line has its own redundancies due to the two different internet providers.

Mr. Marok confirmed that to be true. He reasoned that the two lines were necessary, as half the City's programs were moving to cloud essentials.

Mrs. Piper moved Resolution 101-2024 to tonight's Council Agenda of November 25, 2024, with three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Abella Jr. moved to adjourn at 6:29 p.m. Vote – 3 Ayes, 0 Nays.

Submitted Respectfully,

A handwritten signature in blue ink, appearing to read "Tim Smith", with a stylized flourish at the end.

Tim Smith
Chairman



COMMITTEE OF THE WHOLE

November 25, 2024

IN ATTENDANCE: Nicholas Hanek, Joseph Delsanter, Keith Kuczma, Tim Smith, Kristy Piper, Brandon Lambert, Mike Abella Jr., Acting City Manager/Safety Director Todd Fischer, Law Director Dennis Nevar, Community & Economic Development Director Grant Aungst, City Engineer Matt Jones, Assistant Consulting Municipal Engineer Jennifer Zoldak, Parks & Recreation Director Taylor Petkovsek, Mayor Ron Falconi, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:29 p.m.

DISCUSSION ITEMS:

There was none.

MOTION ITEMS:

- (a) Motion to enter into an agreement with the Medina County Office for Older Adults (MCOOA) to organize senior services within the City of Brunswick at the Brunswick Community Recreation and Fitness Center.

Mrs. Petkovsek shared that this would be the ninth year working with the MCOOA. She disclosed that the MCOOA has a part-time staff member at the Recreation Center five days a week, and the programs and services have been great for the community.

Mrs. Petkovsek reported that the contract price for the next three years would be \$23,000.00, \$24,000.00, and \$25,000.00.

Mr. Delsanter questioned if Mrs. Petkovsek felt the program had adequately served the community at a better cost than what could be offered internally.

Mrs. Petkovsek assured Council that MCOOA offers valuable resources and a level of support to its employees that the Recreation Center would not be able to provide.

Mr. Nevar disclosed that the proposed three-year agreement would automatically terminate at the end of 2027 if it were not renewed again.

Mr. Smith moved to enter into an agreement with the Medina County Office for Older Adults (MCOOA) to organize senior services within the City of Brunswick at the Brunswick Community Recreation and Fitness Center. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

- (a) **RES. NO. 98-2024** – An emergency resolution authorizing the City Manager to enter into a revised Municipal Engineering Consulting Services Agreement with Chagrin Valley Engineering, Ltd. for the provision of professional Municipal Engineering Consulting Services and designating Jennifer R. Zoldak, P.E., as Consulting Municipal Engineer and designating Matthew M. Jones, P.E. as Assistant Consulting Municipal Engineer. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

Mr. Fischer reported that the terms of the agreement remain the same as the original, with the only change being the shift of Consulting Engineer and Assistant Consulting Engineer.

Mr. Hanek shared that he felt Jennifer would be an excellent fit for the position and praised her work with residents and at Plum Creek.

Mr. Delsanter moved Ordinance 98-2024 to tonight's Council Agenda of November 25, 2024, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

- (b) **RES. NO. 99-2024** – An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

Mr. Fischer explained that utilizing online sales to resell city property had been fruitful.

Mr. Nevar clarified that this is an annual permit required by the law.

Mr. Delsanter moved Resolution 99-2024 to tonight's Council Agenda of November 25, 2024, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

The Clerk informed Council that this legislation was an emergency with three readings.

Mr. Hanek advised that the error would be corrected during the Council Meeting.

- (c) **ORD. NO. 100-2024** – An emergency ordinance extending a temporary moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

Mr. Hanek stated that this is a continuation of prior moratoriums and that it could be lifted at any time.

Mr. Hanek declared that he had assigned the discussion and Mr. Lambert's proposed legislation to the Planning and Zoning Committee.

Mr. Nevar contributed that the current moratorium expired on December 18, 2024.

Mr. Aungst claimed that between August 6, 2024, and October 5, 2024, there were approximately 130 dispensaries across Ohio. He pointed out that, from an economic point of view, the state has not made a decision about what to do with the funds.

Mr. Aungst reported that the funds will be split between the Adult Use Tax Fund, the Cannabis Social Equity and Jobs Fund, the Host Community and Cannabis Fund, the Substance Abuse and Addiction Fund, and the Division of Cannabis Control and Tax Division Fund. He reiterated that the money would not go directly to any city or organization. He further detailed that the state has not given a directive as to when or if the funds will go out.

Mr. Aungst continued that the state legislators are now discussing using the funds for police, fire, and EMS infrastructure.

Mr. Aungst stated that he did not believe a cannabis dispensary would provide a long-term financial benefit for the City. He remarked that this opinion is based on Ohio's Economic Development Arm, Jobs Ohio, which is funded by owning the rights to all liquor in the state.

Mr. Aungst concluded that one singular dispensary would not benefit the City financially. He reminded that there have not been conclusive numbers to substantiate the financial benefits of a cannabis dispensary.

Mr. Aungst advised deferring the decision to ensure it suited the community and economy. He further instructed that if it were to be approved, the building location should be decided upon based on what would be most beneficial for the City, not what is best for the corporation that owned it.

Mr. Aungst claimed that the dispensary would have to be in a location that the police and fire favor and would not infringe upon people's residential rights.

Mr. Aungst declared that if Council approved the legislation, it should also dictate and decide the details of the building regarding size and location rather than follow the state-mandated standard.

Mr. Hanek reminded that the City did allow the processing of medical cannabis. He reiterated that the City did not allow cultivation.

Mr. Hanek cautioned that this is a three-part discussion that must be vetted.

Mayor Falconi questioned the length of the moratorium.

Mr. Hanek responded that the moratorium would be in effect for six months. He reminded Council that moratoriums can be lifted at any time.

Mr. Nevar relayed that if legislation were presented that prohibited or allowed the cannabis activities, that legislation would be adopted, and the moratorium would be lifted immediately following. He noted the official expiration date for the moratorium as June 18, 2025.

Mr. Nevar did not recommend lifting the moratorium until something else was in place, such as prohibition or some permissive use legislation.

Mr. Kuczma inquired whether someone could apply for a cannabis license through the City while the moratorium was in place.

Mr. Nevar clarified that until the Council decides the path for the cannabis legislation, no discussion or licenses would be presented to the Planning Commission.

Mr. Delsanter reasoned that the moratorium applies only to the permission to establish a new business and does not restrict the mechanical discussion and processes built into the conclusion. He continued that there would be no building code with the moratorium.

Mr. Lambert shared that he felt this legislation had an optics issue. He questioned why it was being read as an emergency instead of three readings. He inquired why this issue was not tackled head-on to allow sufficient time to decide on the legislation properly.

Mr. Lambert expressed that he and Mr. Hanek have received complaints regarding the amount of emergency with suspension of the rules legislation Council had passed recently. He claimed residents felt there had not been adequate notice to the public of impending legislation.

Mr. Nevar remarked that the law office was directed to check all moratoriums, and this particular moratorium was up for renewal.

Mr. Lambert requested that this legislation be conducted under three readings instead of emergency with suspension of the rules.

Mr. Lambert noted that he believed the moratorium should be amended to three months instead of six months, claiming that Council had sent mixed signals to the community.

Mr. Hanek declared that doing another reading of the legislation would be possible.

Mr. Abella Jr. clarified that six months is a standard moratorium process, but it was not a requirement.

Mr. Lambert concluded that he is attempting to listen to the community and keep Council cohesive in its decisions. He cited the importance of the residents understanding that Council had been actively working on the legislation.

Mr. Delsanter moved Ordinance 100-2024 to tonight's Council Agenda of November 25, 2024, as an emergency with three readings. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Abella Jr. moved to go into Executive Session to discuss the appointment, employment, dismissal, discipline, demotion, or compensation of a public employee and to discuss the subject of pending or imminent court action, seconded by Mr. Delsanter Roll Call - Ayes – 7, Mr. Hanek, Mrs. Piper, Mr. Delsanter, Mr. Lambert, Mr. Smith, Mr. Kuczma, Mr. Abella Jr. Nays – 0

Mr. Abella Jr. moved to adjourn the Executive Session. Vote – 7 Ayes, 0 Nays.

The Committee-of-the-Whole reconvened.

ADJOURNMENT:

Being no further business, Mr. Abella Jr. moved to adjourn the Committee-of-the-Whole Meeting at 6:59 p.m. Vote – 7 Ayes, 0 Nays

Submitted Respectfully,

A handwritten signature in black ink, appearing to read 'Kristin Gambaccini', written in a cursive style.

Kristin Gambaccini
Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 12/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

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

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 99-2024** - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2025. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

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

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

IMPLEMENTATION SCHEDULE: As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

Three readings on 11/25, 12/9 and 12/16. Third reading as emergency to be effective on 01/01/2025

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 99-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, FOR THE YEAR 2025.

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

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

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

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2025.

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

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

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

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

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

SECTION 7: That the highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice.

Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

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

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

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

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

SECTION 11: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to allow for sales of personal property by internet auction effective as of January 1, 2025. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____

AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 12/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 100-2024-** An emergency ordinance extending a temporary moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: On May 13, 2024, City Council adopted Ordinance No. 46-2024 extending the temporary moratorium established by Ordinance No. 113-2024 for an additional period of six (6) months up to and including December 18, 2024. The temporary moratorium shall be extended for an additional period of six (6) months up to and including June 18, 2025, wherein the City shall not issue building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana.

PURPOSE AND EXPLANATION: No building permits, certificates of occupancy or any other permits shall be granted to any person or entity who intends to open, use any land or devote any floor area of the business for the purposes of the cultivation, processing or retail sale of recreational marijuana for the period of this moratorium. No valid existing business in the City may expand in any way that would establish cultivation, processing or retail sale of recreational marijuana for the duration of this moratorium.

IMPLEMENTATION SCHEDULE: November 25, 2024.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 100-2024

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING OR RETAIL SALE OF RECREATIONAL MARIJUANA TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND PLANNING COMMISSION AN OPPORTUNITY TO REVIEW APPLICABLE LAW AND TO CONSIDER POSSIBLE AMENDMENTS TO THE BRUNSWICK ZONING CODE.

WHEREAS: On November 7, 2023, the electorate of the State of Ohio adopted Issue 2 enacting Ohio Revised Code Chapter 3780 wherein the cultivation, processing, sale, purchase, possession, home grow and use of recreational marijuana by adults over the age of 21 is permitted;

WHEREAS: Issue 2, which remains subject to potential revision and/or repealment by the Ohio General Assembly, permits, among other things, the cultivation, processing, sale, purchase, possession, home grow and use of recreational marijuana by adults over the age of 21; creates state regulatory and licensing oversight thereover; and authorizes the legislative authorities of municipal corporations to, by ordinance, prohibit or limit the number of Adult Use Cannabis Operators, which include cultivators, processors and dispensaries, permitted within the municipal corporation;

WHEREAS: On December 18, 2023, City Council adopted Ordinance No. 113-2023 establishing a six (6) month moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana;

WHEREAS: On May 13, 2024, City Council adopted Ordinance No. 46-2024 extending the temporary moratorium established by Ordinance No. 113-2024 for an additional period of six (6) months up to and including December 18, 2024;

WHEREAS: The City Administration, Council and Planning Commission require additional time to undertake a review of applicable law and to consider possible amendment to the Brunswick Zoning Code; and

WHEREAS: Pursuant to the Ohio Constitution and Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality, including restricting areas

used for businesses and trades.

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

SECTION 1: That the temporary moratorium established by Ordinance No. 113-2023, as extended by Ordinance No. 46-2024, shall be extended for an additional period of six (6) months up to and including June 18, 2025 wherein the City shall not issue building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana.

SECTION 2: No building permits, certificates of occupancy or any other permits shall be granted to any person or entity who intends to open, use any land or devote any floor area of the business for the purposes of the cultivation, processing or retail sale of recreational marijuana for the period of this moratorium. No valid existing business in the City may expand in any way that would establish cultivation, processing or retail sale of recreational marijuana for the duration of this moratorium.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all such deliberations of this Council and any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 12/9/2024

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. 101-2024** - A resolution authorizing the City Manager to enter into a five (5) year agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices. – **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

BACKGROUND: The City of Brunswick currently utilizes Breezeline for one of its internet service lines. This contract will replace an existing contract with a small additional cost and will increase the speed of service being delivered.

PURPOSE AND EXPLANATION: To replace existing contract

IMPLEMENTATION SCHEDULE: Upon passage

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Monthly charge of \$906 plus non-exempt taxes and fees. Monthly charges are broken down by activity in the City Hall Building by activity based on calculations by the Information Technology Department. Currently, 1/3 of costs are charged to General Fund 001-0880-54270 and 2/3 to the Division of Police 114-0520-54270.

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:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 101-2024

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE (5) YEAR AGREEMENT WITH BREEZELINE FOR THE PROVISION OF INTERNET SERVICES IN AN AMOUNT NOT TO EXCEED SUBMITTED QUOTE PRICES.

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

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 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 Procurement Program; and

WHEREAS: The proposed purchase of internet services from Breezeline per submitted bid prices, is upon equivalent terms, conditions and specifications and at a lower price than through the State 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 a five (5) year Agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices, which shall be subject to annual appropriations by City Council as required by law.

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
Laura E. Timura, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 12/9/2024

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. 102-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with TAC Computers Inc. for maintenance of various software in the Divisions of Police and Fire in an amount not to exceed \$35,944.71. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

BACKGROUND: This is the yearly support cost for the Division of Police and Division of Fire software maintenance on dispatch and records management for the police department.

PURPOSE AND EXPLANATION: Enter into contract for the support of the Division of Police and Fire software.

IMPLEMENTATION SCHEDULE: January 1, 2025

FINANCIAL INFORMATION: Budget Police - 01/01/2025 - 114 - 0520-54253 - - \$34,873.51
Budget Fire - 01/01/2025 - 115 - 0510-54253 - - \$1,071.20

FINANCIAL SUMMARY: The City Manager's 2025 budget proposal includes sufficient appropriations for this contract, but does require adoption of the budget by the City Council to become effective.

Budget Police	1/1/2025	114	114-0520-54253	\$34,873.51
Budget Fire	1/1/2025	115	115-0510-54253	\$1,071.20
				\$35,944.71

**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 contract is for the 2025 year and will maintain the Divisions software components involved in dispatching for both police and fire.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 102-2024

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TAC COMPUTERS INC. FOR MAINTENANCE OF VARIOUS SOFTWARE IN THE DIVISIONS OF POLICE AND FIRE IN AN AMOUNT NOT TO EXCEED \$35,944.71.

WHEREAS: The Division of Police and Division of Fire utilize various software from TAC Computers Inc., which software requires annual maintenance.

WHEREAS: The maintenance of the software provided by TAC Computers Inc. is proprietary in nature and unique to TAC Computers Inc. 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 an Agreement with TAC Computers Inc. for maintenance of various software in the Divisions of Police and Fire in an amount not to exceed \$35,944.71.

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 maintain various software in the Divisions of Police and Fire for 2025. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 12/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 103-2024** - An emergency resolution supporting the Ohio Commission for the United States Semiquincentennial (America 250-OH) and authorizing the City Manager to submit a grant application and execute necessary documents to accept such grant. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: In preparation for the United States of America's 250th anniversary which culminates on July 4, 2026, the state of Ohio is asking local communities to be designated as an official AM250-OH community to create exciting opportunities to celebrate and commemorate the 250th anniversary of the U.S. in 2026. Ohio is seeking communities in all 88 counties to spotlight the impact made on our nation's story.

PURPOSE AND EXPLANATION: The Ohio Commission for the United States Semiquincentennial (America 250-Ohio) has offered a round of grants specifically for locally designated "America 250-Ohio Communities." These grants will assist with activities being planned at the county, city, village and township levels. Every application must include a letter of support from the local government entity.

IMPLEMENTATION SCHEDULE: To be eligible for grant selection, the community must be designated prior to December 31, 2024.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No

Emergency	Yes
Suspension of Rules	Yes

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

To ensure timely compliance with the application process submittal timeline of December 31, 2024.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 103-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION SUPPORTING THE OHIO COMMISSION FOR THE UNITED STATES SEMIQUINCENTENNIAL (AMERICA250-OH) AND AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION AND EXECUTE NECESSARY DOCUMENTS TO ACCEPT SUCH GRANT.

WHEREAS: The Ohio Legislature and the Governor created the Ohio Commission for the United States Semiquincentennial (AMERICA250-OH) to plan, encourage, develop and coordinate the commemoration of the 250th anniversary of the United States of America and the State of Ohio's integral role in that event and the role of its people on the nation's past, present and future.

WHEREAS: AMERICA250-OH hopes to engage all Ohioans and all 88 counties through their many signature and officially recognized programs, projects and events over the next several years by inspiring future leaders and celebrating all Ohioans' contributions to the nation over the last 250 years.

WHEREAS: In preparation for the United States of America's 250th anniversary, which culminates on July 4, 2026, the State of Ohio is asking local communities to be designated as an official AMERICA250-OH Community to create exciting opportunities to celebrate and commemorate the 250th anniversary of the United States of America in 2026. The State of Ohio is seeking communities in all 88 counties to spotlight the impact made on our nation's story.

WHEREAS: AMERICA250-OH has offered a round of grants specifically for locally designated "AMERICA250-OH Communities", which grants will assist with activities being planned at the county, city, village and township levels.

WHEREAS: To be eligible for grant selection, the local community must be designated an AMERICA250-OH Community prior to December 31, 2024.

WHEREAS: By adoption of this Resolution, this Council hopes to educate, preserve, innovate and celebrate the 250th anniversary of the United States of America.

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

SECTION 1: That this Council hereby endorses AMERICA250-OH and their mission to educate, preserve, innovate and celebrate every Ohioan in every county of the State of Ohio as part of the 250th anniversary of the United States of America.

SECTION 2: That the City Manager is hereby authorized to submit a Grant Application to AMERICA250-OH to assist with activities being planned to celebrate and commemorate the 250th anniversary of the United States of America and, upon approval of the Law Director, to execute necessary documents to accept such

Grant.

SECTION 3: That a copy of this Resolution be sent to the City of Brunswick municipal legislative delegation and the AMERICA250-OH Commission.

SECTION 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason that the City of Brunswick must be designated as an AMERICA250-OH Community by December 31, 2024 to be eligible for grant selection. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 12/9/2024

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. 104-2024** - An emergency ordinance adopting the Annual Appropriation Budget for Expenditures of the City of Brunswick for the year beginning January 1, 2025 and ending December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

BACKGROUND: Each year and in accordance with Ohio Revised Code Section 5705.38 (A) Council is required to adopt an annual appropriation budget.

PURPOSE AND EXPLANATION: 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 required to present 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.

IMPLEMENTATION SCHEDULE: The 2025 Budget proposal was presented and discussed with the Committee-of-the-Whole on December 2, 2024. If approved by the Committee, the Administration's request is to move this legislation to the December 9, 2024, Council agenda as an emergency with suspension of the rules.

The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allowing for the daily operations of the City of Brunswick to continue without interruptions, allowing for the process involving capital purchases with significant supply chain issues to begin as soon as possible and allowing for a more timely and seamless transition into 2025.

FINANCIAL INFORMATION: Schedule of Fund Appropriations - See Exhibit A - 01/01/2025 - See Exhibit A - Various - - \$90,592,270.27

FINANCIAL SUMMARY: The total 2025 appropriation budget for all funds (including all book internal transfers, self-insurance, agency funds, etc.) equals \$90,592,270.27.

**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 2025 Budget proposal was presented and discussed with the Committee-of-the-Whole on December 2, 2024. If approved by the Committee, the Administration's request is to move this legislation to the December 9, 2024, Council agenda as an emergency with suspension of the rules.

The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allowing for the daily operations of the City of Brunswick to continue without interruptions, allowing for the process involving capital purchases with significant supply chain issues to begin as soon as possible and allowing for a more timely and seamless transition into 2025.

**ADDITIONAL
INFORMATION:**

See Exhibit A.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 104-2024



By: Committee-of-the-Whole

AN EMERGENCY ORDINANCE ADOPTING THE ANNUAL APPROPRIATION BUDGET FOR EXPENDITURES OF THE CITY OF BRUNSWICK FOR THE YEAR BEGINNING JANUARY 1, 2025 AND ENDING DECEMBER 31, 2025.

WHEREAS: The City of Brunswick Charter requires that an annual budget be prepared and submitted as provided by the laws of the State of Ohio;

WHEREAS: Ohio Revised Code Section 5705.38(A) requires this Council to adopt an annual appropriation budget; and

WHEREAS: City Council has publicly reviewed the 2025 Operating and Capital Program Budget and is desirous to comply with local and State Laws.

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

SECTION 1: That to provide for expenditures of the City of Brunswick, Ohio during the fiscal year beginning January 1, 2025 and ending December 31, 2025, the 2025 Operating and Capital Program Appropriation Budget, as attached hereto and incorporated herein as Exhibit "A", is hereby adopted.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that Ohio law prescribes time limitations on the adoption and certification of the 2025 Operating and Capital Appropriation Budget. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura

City of Brunswick, Ohio
Departmental Budget Worksheet
For the Budget Year Ending, December 31, 2025

EXHIBIT A

Fund Number	Fund Name / Department	Personal Service	Other	Total
General Fund				
001	General Fund			
	City Council	201,137.00	104,260.00	\$ 305,397.00
	Mayor	113,063.00	118,410.00	\$ 231,473.00
	City Manager	206,437.00	137,662.00	\$ 344,099.00
	Information Technologies	200,821.00	460,757.00	\$ 661,578.00
	Engineering	26,208.00	569,272.00	\$ 595,480.00
	Building Department	412,499.00	258,989.00	\$ 671,488.00
	Cemetery Maintenance	-	25,690.00	\$ 25,690.00
	Janitorial Contract	-	23,087.16	\$ 23,087.16
	City Hall Building & Grounds	6,077.00	57,358.00	\$ 63,435.00
	Administrative Services	99,935.00	63,374.00	\$ 163,309.00
	Economic Development	125,338.00	288,145.00	\$ 413,483.00
	Animal Control	84,268.00	78,692.00	\$ 162,960.00
	Law Department	192,374.00	326,022.00	\$ 518,396.00
	Finance Department	280,142.00	252,611.00	\$ 532,753.00
	Income Tax Department	226,751.00	290,103.00	\$ 516,854.00
	Parks & Recreation Director	84,551.00	69,973.00	\$ 154,524.00
	General Fund Administration	-	1,412,595.31	\$ 1,412,595.31
	Planning Division/Community Development	86,122.00	104,749.00	\$ 190,871.00
	Board of Building Appeals	764.00	1,266.00	\$ 2,030.00
	Board of Zoning Appeals	1,337.00	4,670.00	\$ 6,007.00
	Board of Civil Service	12,281.00	47,185.00	\$ 59,466.00
	Board of Ethics	3,540.00	4,555.00	\$ 8,095.00
	Board of Charter Review	3,600.00	6,956.00	\$ 10,556.00
	Board of Commemorative Affairs	-	37,500.00	\$ 37,500.00
	General Fund Transfers / Advances	-	28,503,143.00	\$ 28,503,143.00
001	Total General Fund	\$ 2,367,245.00	\$ 33,247,024.47	\$ 35,614,269.47
Special Revenue Funds:				
110	Court Computerization Fund	5,933.00	16,103.00	\$ 22,036.00
114	Police Wages Fund	5,102,512.00	5,160,458.00	\$ 10,262,970.00
115	Fire Fund	2,944,434.00	3,916,812.00	\$ 6,861,246.00
117	Street Repair & Maintenance Fund	1,342,336.00	2,690,020.80	\$ 4,032,356.80
118	State Highway Fund	-	144,491.00	\$ 144,491.00
119	Law Enforcement Fund	-	6,200.00	\$ 6,200.00
120	Brunswick Transit Alternative (BTA) Fund	-	45,000.00	\$ 45,000.00
123	Brunswick Area Television (BAT) Fund	160,969.00	229,449.00	\$ 390,418.00
127	Parks Fund	222,420.00	440,710.00	\$ 663,130.00
130	DUI Enforcement & Education Fund	-	10,500.00	\$ 10,500.00
131	Recreation Center Fund	457,793.00	715,606.00	\$ 1,173,399.00
133	Home Improvement Grant Fund (CDBG)	-	5,329.00	\$ 5,329.00
Enterprise Funds:				
223	Refuse Fund	76,516.00	3,416,271.00	\$ 3,492,787.00
224	Storm Water Management Fund	36,633.00	1,016,069.25	\$ 1,052,702.25
Capital Improvement Funds:				
300	General Permanent Improvement Fund	-	2,748,732.39	\$ 2,748,732.39
332	Road Levy Fund	-	2,534,200.00	\$ 2,534,200.00
333	Road Improvement Fund	-	7,458,634.89	\$ 7,458,634.89
336	City Building Improvement Fund	-	172,381.00	\$ 172,381.00
337	EPA Grant Fund	-	1,500,000.00	\$ 1,500,000.00
339	Fire Improvement Fund	-	-	\$ -
341	Park Improvement Fund	-	-	\$ -
345	U.S. Army Corp of Engineer's Grant Fund	-	2,255,000.00	\$ 2,255,000.00
347	North Carpenter Road Improvement Fund	-	443,083.44	\$ 443,083.44
348	Boston Road Improvement Fund	-	-	\$ -
359	Fire Station Construction Fund	-	345,778.37	\$ 345,778.37
360	Brunswick Lake Improvement Fund	-	-	\$ -
371	OPWC Laurel/Maxwell Intersection Improvement Fund	-	1,440,000.00	\$ 1,440,000.00
374	OPWC Magnolia Drive Improvement Fund	-	843,255.96	\$ 843,255.96
375	OPWC Pepperwood Drive Improvement Fund	-	887,691.22	\$ 887,691.22

City of Brunswick, Ohio
 Departmental Budget Worksheet
 For the Budget Year Ending, December 31, 2025

EXHIBIT A

Fund Number	Fund Name / Department	Personal Service	Other	Total
Self Insurance Fund:				
600	Self Insurance Fund	-	4,179,516.00	\$ 4,179,516.00
Debt Service Funds:				
771	General Obligation Bond Retirement Fund	-	-	\$ -
772	General Obligation Fire Station Bond Retirement Fund	-	987,500.00	\$ 987,500.00
782	Special Assessment BRF: Laurel Road (2006)	-	33,887.50	\$ 33,887.50
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
Agency Funds:				
880	Recreation Programs Agency Fund	-	-	\$ -
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
Grand Total				\$ 90,592,270.27

PROPOSED LEGISLATION



DATE: 12/9/2024

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. 105-2024** - An emergency ordinance amending Section 1 of Ordinance No. 99-2023 to provide for a Revised Allocation of Municipal Income Tax receipts during the period from January 1, 2025 through December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

BACKGROUND: Per Codified Ordinance Section 880.01.1 (e), the Council is required to pass an Ordinance when amending the distribution of municipal income taxes to various funds. Generally, this process occurs at the beginning of the year when the new annual appropriation measure is being considered or “as needed”. The estimated income tax collections and distribution of net income taxes, as written, have also been set to comply with the levy language of the City’s two income tax specific safety levies in place for 2025.

PURPOSE AND EXPLANATION: In accordance with Section 880.01.1 (e) of the Brunswick Codified Ordinances, this Council will be required to pass ordinances from time to time to provide for the allocation of income tax receipts as required and permitted by Section 880.01; and

The City Council has determined that the allocation formula during the period from January 1, 2025, through December 31, 2025, should maximize the amounts provided for municipal services and improvements; and

In order to carry out that purpose subject to and consistent with the requirements of Section 880.01 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 99-2023;

IMPLEMENTATION SCHEDULE: The proposed 2025 income tax allocation draft legislation and 2025 appropriation budget was presented to the Committee-of-the-Whole on December 2, 2024.

This 2025 income tax allocation legislation is anticipated to be moved to the December 9, 2024, Council agenda as an emergency with suspension of the rules. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, synch up similar 2025 budget legislation together at the same time, allowing for the daily operations of the City of Brunswick to continue without interruptions, and allowing for a more seamless transition into 2025.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

This piece of legislation adopts the distribution requirements for municipal income taxes and imposes a ceiling or maximum of income tax dollars that can be received in specifically listed funds. The estimated income tax collections and distribution of net income taxes as written have also been set to comply with the levy language of the City’s two income tax specific safety levies. Note: The actual income taxes received ultimately relate to the fiscal impact. Actual income tax receipt amounts will become known at the completion and closure of the fiscal year.

**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 proposed 2025 income tax allocation draft legislation and 2025 appropriation budget was presented to the Committee-of-the-Whole on December 2, 2024.

This 2025 income tax allocation legislation is anticipated to be moved to the December 9, 2024, Council agenda as an emergency with suspension of the rules. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, synch up similar 2025 budget legislation together at the same time, allowing for the daily operations of the City of Brunswick to continue without interruptions, and allowing for a more seamless transition into 2025.

**ADDITIONAL
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 105-2024



By: Committee-of-the-Whole

AN EMERGENCY ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 99-2023 TO PROVIDE FOR A REVISED ALLOCATION OF MUNICIPAL INCOME TAX RECEIPTS DURING THE PERIOD FROM JANUARY 1, 2025 THROUGH DECEMBER 31, 2025.

- WHEREAS: In accordance with Section 880.01.1 (e) of the City of Brunswick Codified Ordinances, this Council is required to pass Ordinances from time to time to provide for the allocation of income tax receipts as required and permitted by Codified Ordinance Section 880.01.1; and
- WHEREAS: This Council has determined that the allocation formula during the period from January 1, 2025 through December 31, 2025 should maximize the amounts provided for municipal services and improvements; and
- WHEREAS: In order to carry out such purpose, subject to and consistent with the requirements of Section 880.01.1 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 99-2023;
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:
- SECTION 1: That Section 1 of Ordinance No. 99-2023, adopted on December 11, 2023, be and is hereby amended to read as follows:

“SECTION 1. Subject to and consistent with the provisions of Section 880.01.1 of the Codified Ordinances, during the period from January 1, 2025 through December 31, 2025, the income tax receipts collected under the provisions of Chapter 880 of the Codified Ordinances each month, after provision for costs of administering and enforcing the provisions of that Chapter (the “Net Income Tax Receipts”), shall be allocated to and deposited in or transferred to the following funds at the close of each month in the following percentage allocations notwithstanding the tax year to which they are attributable:

Fund	Allocation
Police Fund	37.50%
Fire Fund	24.50%
Street Repair & Maintenance Fund	7.00%
BTA Fund	0.25%
Parks Fund	2.25%
Capital Improvement Fund	3.50%
General Fund	25.00%

; provided that when amounts allocated to a fund reach the designated annual maximum for that fund for 2025 set forth below, no additional net income tax receipts will be deposited into that fund in 2025.

The annual maximum allocations for the various funds for 2025 shall be as follows:

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 105-2024



(A) As to the Police Fund and the Fire Fund, the greater of:

(i) The aggregate amount set forth in the following table:

Fund	Allocation
Police Fund	\$9,450,000
Fire Fund	<u>\$6,530,000</u>
Aggregate Police & Fire Funds Total	\$15,980,000

or

(ii) As to the Police Fund, 59.14% of the aggregate amount of Net Income Tax Receipts from the taxes levied pursuant to Section 880.005.1(b) and (c) of the Codified Ordinances in that year, and as to the Fire Fund, 40.86% of the aggregate amount of Net Income Tax Receipts from the taxes levied pursuant to Section 880.005.1(b) and (c) of the Codified Ordinances in that year.

Any amounts in excess of such annual maximum allocations shall be allocated to the General Fund.

(B) As to the Street Repair & Maintenance Fund, the BTA Fund and the Parks Fund, the amounts set forth in the following table:

Fund	Maximum Allocation
Street Repair & Maintenance Fund	\$1,600,000
BTA Fund	\$35,000
Parks Fund	\$600,000

Any amounts in excess of such annual maximum allocations shall be allocated to the General Fund.

(C) There shall be no annual maximum applicable to the allocation of Net Income Tax Receipts to the General Fund or to the Capital Improvement Fund in 2025.

This Council finds and determines that, based on the City's estimated income tax receipts for 2025, the allocation percentages and maximum allocations set forth in this Section are consistent with the requirements of paragraphs (b), (c) and (d) of Section 880.01.1 of the Codified Ordinances. This Council shall act promptly to revise the foregoing allocation percentages and or maximum allocations if, as and when such revisions are necessary to ensure continuing compliance with the requirements of Section 880.01.1 of the Codified Ordinances.

The Finance Director/Income Tax Administrator shall prepare monthly financial reports reflecting amounts of the prior month's allocations to the various funds and year to date allocations to the various funds and confirming the City's continuing compliance with the requirements of Section 880.01.1 of the Codified Ordinances.

SECTION 2: That Section 1 of Ordinance No. 99-2023, as adopted on December 11, 2023, be and is hereby repealed.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 105-2024



SECTION 3: The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the additional reason that this Ordinance is necessary for the usual daily operation of a municipal government. Therefore, the same shall be in full force and effect immediately after its passage by the required number of votes; otherwise, the earliest time permitted by law.

PASSED: 1st Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 12/9/2024

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. 106-2024** - An emergency ordinance amending Ordinance No. 100-2023 and the City's Fund Balance Reserve Policy. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

BACKGROUND: Over the past two decades, the compounded impacts of the economy, political environment, global pandemic, and increasing demand for services and capital needs have presented challenges in maintaining adequate cash reserves for the City of Brunswick.

From 2002 through 2009, the City expended significantly more money than it was taking in, thus draining the cash reserves to levels that were unacceptable to the City and the Brunswick Citizens' Financial Audit Review and Advisory Committee. The most significant factor or identified cause of these practices was the implementation of long-term financial commitments without a corresponding long-term funding stream in place.

From mid 2010 through the date of this proposal, the City Council, City Administration and the Committee have taken measures to restore the City's fiscal infrastructure, rebuild its cash reserves and revamp various fiscal and budgeting practices. As a part of these revamped practices, the City Council, City Administration and the Brunswick Citizens' Financial Audit Review and Advisory Committee established a fund balance reserve policy. The City Council, City Administration and the Brunswick Citizens' Financial Audit Review and Advisory Committee decided to systematically increase the reserve levels and thus amend the fund balance reserve policy during 2017. Additional increases to the fund balance reserves were recommended in 2020, 2021, 2022, 2023 and 2024 to better prepare and react to the health pandemic, future economic downturns, inflationary pressures, or any other emergency situation.

As part of the City Manager's 2025 budget proposal and five-year capital program, additional increases to this policy are recommended. All the amendments made to this policy include increases to the fund balance reserve levels. Approved increases provide more financial flexibility for the City in the future to react to secure more grant funding and react to various situations, including but not limited to economic downturns or address emergency situations and keep up with inflation.

PURPOSE AND EXPLANATION:

See background and the attached Fund Balance Reserve Policy - Exhibit A for proposed amendments.

IMPLEMENTATION SCHEDULE:

This legislation to amend the City's Fund Balance Reserve Policy. This draft legislation and the 2025 appropriation budget was presented and discussed with the Committee-of-the-Whole on December 2, 2024. This legislation is anticipated to be moved to the December 9, 2024, Council agenda as an emergency with suspension of the rules. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allowing for the daily operations of the City of Brunswick to continue without interruptions, syncing up various pieces of legislation with the 2025 appropriation budget and allowing for a more seamless transition into 2025.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

If this legislation is passed, it would increase the City's ability to receive larger grant awards and better deal with future economic impacts, inflation, pandemics or other emergency situations. If certain events were to arise that would allow the cash reserves to either fall below the minimum reserve or go above the maximum reserves, then certain conditions and actions as outlined in the amended policy would be required.

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?

This legislation to amend the City's Fund Balance Reserve Policy. This draft legislation and the 2025 appropriation budget was presented and discussed with the Committee-of-the-Whole on December 2, 2024. This legislation is anticipated to be moved to the December 9, 2024, Council agenda as an emergency with suspension of the rules. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allowing for the daily operations of the City of Brunswick to continue without interruptions, syncing up various pieces of legislation with the 2025 appropriation budget and allowing for a more seamless transition into 2025.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 106-2024

By: Committee-of-the-Whole

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 100-2023
AND THE CITY'S FUND BALANCE RESERVE POLICY.

WHEREAS: Per determination by this Council, the City Administration and the Brunswick Citizens' Financial Audit Review and Advisory Committee, the City adopted a Fund Balance Reserve Policy per Ordinance No. 96-12, as amended by Ordinance Nos. 90-17, 20-2020, 101-2020, 115-2021, 106-2022 and 100-2023, to detail the City's objective to achieve a sound financial condition and to maintain appropriate levels of unencumbered cash reserves in the General Fund; and

WHEREAS: It has been determined to further amend the Fund Balance Reserve Policy to provide additional financial flexibility as may be required to respond to future economic downturns, health pandemics, inflationary pressures or any other unknown emergency.

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

SECTION 1: That the Fund Balance Reserve Policy, as attached hereto as Exhibit "A", is hereby adopted.

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 improve our ability to respond to future unknown impacts. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES ____ NAYS ____

ADOPTED: _____ AYES ____ NAYS ____

ATTEST: _____
Clerk of Council
Laura E. Timura

CITY OF BRUNSWICK



FUND BALANCE RESERVE POLICY

Established October 2012 (Ordinance #96-12)

**Amended by City Council - (Ordinance #90-17), (Ordinance #20-2020),
(Ordinance #101-2020), (Ordinance #115-2021), (Ordinance #106-2022),
(Ordinance #100-2023) and (Ordinance # -2024)**

BACKGROUND:

Over the past two decades, the compounded impacts of the economy, political environment, global pandemic, and increasing demand for services and capital needs have presented challenges in maintaining adequate cash reserves for the City of Brunswick.

From 2002 through 2009, the City expended significantly more money than it was taking in, thus draining the cash reserves to levels that were unacceptable to the City and the Brunswick Citizens' Financial Audit Review and Advisory Committee. The most significant factor or identified cause of these practices was the implementation of long-term financial commitments without a corresponding long-term funding stream in place.

During mid 2010 through the date of this proposal, City Council, City Administration and the Committee have taken measures to restore the City's fiscal infrastructure, rebuild its cash reserves and revamp various fiscal and budgeting practices. As a part of these revamped practices, City Council, City Administration and the Brunswick Citizens' Financial Audit Review and Advisory Committee established a fund balance reserve policy. The City Council, City Administration and the Brunswick Citizens' Financial Audit Review and Advisory Committee decided to systematically increase the reserve levels and thus amend the fund balance reserve policy as necessary to better prepare and react to the health pandemic, future economic downturns, inflationary pressures, or any other emergency situation.

OBJECTIVE:

It shall be the objective of the City to achieve a sound financial condition and to maintain appropriate levels of unencumbered cash reserves in the General Fund to:

- 1) Ensure the timely payment of all financial obligations.
- 2) Reduce susceptibility to downturns in the economy or revenue shortfalls.
- 3) Provide financial resources to pay for unanticipated emergencies.
- 4) Comply with and meet debt covenants and obligations.
- 5) Secure and maintain investment grade credit ratings.

RESERVE POLICY:

The City's General Fund accounts for all financial resources except those required to be accounted for in another fund. These financial resources are available for any purpose, provided they are expended or transferred according to the general laws of Ohio and the Charter of the City of Brunswick. The City shall attempt to maintain a minimum General Fund unencumbered cash fund balance reserve of no less than \$8,000,000 as of December 31, 2024; \$8,500,000 as of December 31, 2025 and \$9,000,000 as of December 31, 2026. As of December 31, 2026, and each fiscal year thereafter, the City shall attempt to maintain a minimum General Fund unencumbered cash fund balance of no less than \$9,000,000.

Council may legislatively designate the use of the General Fund unencumbered cash reserves below the established minimum. If at the end of a fiscal year, the General Fund unencumbered cash fund balance reserve falls below the minimum, the City Manager shall prepare and submit his/her plan for expenditure reductions and/or revenue adjustments to City Council. City Council shall act as necessary to restore the unencumbered General Fund cash reserve fund balance reserve back to the minimum level, preferably within one year, but no more than three years after the last day of the fiscal year in which the minimum reserve level was breached.

In the event the General Fund unencumbered cash fund balance reserve exceeds \$13,500,000 as of December 31, 2024; \$14,250,000 as of December 31, 2025 and \$15,000,000 as of December 31, 2026; and each fiscal year thereafter on the last day of the fiscal year, the excess may be used in one of or a combination of the following ways:

- One-time expenditures or set aside for future one time expenditures, including but not limited to debt principal reductions or capital improvements, which do not increase recurring operating costs;
- Other one-time costs, or the establishment of or increase in legitimate reservations or designations of any fund balance under the authority of Council;
- Start-up expenditures for new programs provided such action is accompanied by an approved multi-year projection of revenues and expenditures. The program shall not be authorized unless the projections are both reasonable and include revenue streams sufficient to cover the expenditures.

This policy and reserve requirements should be reviewed on an annual basis and, if appropriate, amended accordingly.

CITY OF BRUNSWICK



FUND BALANCE RESERVE POLICY

Established October 2012 (Ordinance #96-12)

Amended by City Council - (Ordinance #90-17), (Ordinance #20-2020),
(Ordinance #101-2020), (Ordinance #115-2021), (Ordinance #106-2022),
(Ordinance #100-2023) and (Ordinance # -20243)

BACKGROUND:

Over the past two decades, the compounded impacts of the economy, political environment, global pandemic, and increasing demand for services and capital needs have presented challenges in maintaining adequate cash reserves for the City of Brunswick.

From 2002 through 2009, the City expended significantly more money than it was taking in, thus draining the cash reserves to levels that were unacceptable to the City and the Brunswick Citizens' Financial Audit Review and Advisory Committee. The most significant factor or identified cause of these practices was the implementation of long-term financial commitments without a corresponding long-term funding stream in place.

During mid 2010 through the date of this proposal, City Council, City Administration and the Committee have taken measures to restore the City's fiscal infrastructure, rebuild its cash reserves and revamp various fiscal and budgeting practices. As a part of these revamped practices, City Council, City Administration and the Brunswick Citizens' Financial Audit Review and Advisory Committee established a fund balance reserve policy. The City Council, City Administration and the Brunswick Citizens' Financial Audit Review and Advisory Committee decided to systematically increase the reserve levels and thus amend the fund balance reserve policy as necessary during 2017. Additional increases to the fund balance reserves were recommended in 2020, 2021, 2022 and 2023 to better prepare and react to the health pandemic, future economic downturns, inflationary pressures, or any other emergency situation.

OBJECTIVE:

It shall be the objective of the City to achieve a sound financial condition and to maintain appropriate levels of unencumbered cash reserves in the General Fund to:

- 1) Ensure the timely payment of all financial obligations.
- 2) Reduce susceptibility to downturns in the economy or revenue shortfalls.
- 3) Provide financial resources to pay for unanticipated emergencies.
- 4) Comply with and meet debt covenants and obligations.
- 5) ~~5)~~ 5) Secure and maintain investment grade credit ratings.

RESERVE POLICY:

The City's General Fund accounts for all financial resources except those required to be accounted for in another fund. These financial resources are available for any purpose, provided they are expended or transferred according to the general laws of Ohio and the Charter of the City of Brunswick. The City shall attempt to maintain a minimum General Fund unencumbered cash fund balance reserve of no less than ~~\$7,000,000 as of December 31, 2023 and \$7,500,000~~ \$8,000,000 as of December 31, 2024; \$8,500,000 as of December 31, 2025 and \$9,000,000 as of December 31, 2026. As of December 31, 2026~~5~~, and each fiscal year thereafter, the City shall attempt to maintain a minimum General Fund unencumbered cash fund balance of no less than ~~\$9,000,000~~\$8,000,000.

Council may legislatively designate the use of the General Fund unencumbered cash reserves below the established minimum. If at the end of a fiscal year, the General Fund unencumbered cash fund balance reserve falls below the minimum, the City Manager shall prepare and submit his/her plan for expenditure reductions and/or revenue adjustments to City Council. City Council shall act as necessary to restore the unencumbered General Fund cash reserve fund balance reserve back to the minimum level, preferably within one year, but no more than three years after the last day of the fiscal year in which the minimum reserve level was breached.

In the event the General Fund unencumbered cash fund balance reserve exceeds ~~\$11,750,000 as of December 31, 2023; \$12,750,000~~ \$13,500,000 as of December 31, 2024; and \$14,250,000~~\$13,500,000 as of December 31, 2025~~ and \$15,000,000 as of December 31, 2026; and each fiscal year thereafter on the last day of the fiscal year, the excess may be used in one of or a combination of the following ways:

- One-time expenditures or set aside for future one time expenditures, including but not limited to debt principal reductions or capital improvements, which do not increase recurring operating costs;
- Other one-time costs, or the establishment of or increase in legitimate reservations or designations of any fund balance under the authority of Council;
- Start-up expenditures for new programs provided such action is accompanied by an approved multi-year projection of revenues and expenditures. The program shall not be authorized unless the projections are both reasonable and include revenue streams sufficient to cover the expenditures.

This policy and reserve requirements should be reviewed on an annual basis and, if appropriate, amended accordingly.

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 12/9/2024

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. 107-2024-** An emergency ordinance creating an OPWC Laurel/Maxwell Intersection Improvement Fund (#371). - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

BACKGROUND: Ohio Revised Code Section 5705.09(F) requires the City to establish a special fund for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and

The OPWC Laurel/Maxwell Intersection Improvement Fund (#371) will be created and used to account for the OPWC monies awarded to the City of Brunswick for improvement project as outlined in the OPWC application(s).

PURPOSE AND EXPLANATION: Ohio Revised Code Section 5705.09(F) requires the City to establish a special fund for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and

The OPWC Laurel/Maxwell Intersection Improvement Fund (#371) will be created and used to account for the OPWC monies awarded to the City of Brunswick for the improvement project as outlined in the OPWC application(s).

IMPLEMENTATION SCHEDULE: The requested timeline is for this legislation to be moved to the December 9, 2024, Council agenda as an emergency with suspension of the rules.

This will sync up with other 2025 budget legislation and related timetables for a seamless transition into 2025.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The establishment of a fund allows for the accounting structure to be in place if and when a grant is awarded. There are no costs associated with the act of establishing a fund.

A separate piece of legislation establishing the appropriations and/or authorization comes

separately.

**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 emergency and suspension clause is considered 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, synch up 2025 budget related legislation together and allow for a timely and seamless transition into 2025 by having the accounting structure in place.

**ADDITIONAL
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 107-2024



By: Committee-of-the-Whole

AN EMERGENCY ORDINANCE CREATING AN OPWC LAUREL/MAXWELL INTERSECTION IMPROVEMENT FUND (#371)

WHEREAS: Ohio Revised Code Section 5705.09(F) requires the City to establish a special fund for each class of revenues derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and

WHEREAS: The OPWC Laurel/Maxwell Intersection Improvement Fund #371 will be created and used to account for any OPWC monies awarded to the City of Brunswick for Laurel/Maxwell improvement project as outlined in the OPWC application(s).

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That an OPWC Laurel/Maxwell Intersection Improvement Fund #371 is hereby created.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reason that proper fund accounting measures be created. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 12/9/2024

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. 108-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Brunswick Hills Township for the provision of dispatch services. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

BACKGROUND: A three (3) year contract commencing January 1, 2025 through December 31, 2027 for public safety dispatch services.

PURPOSE AND EXPLANATION: This item represents a renewal of terms of the current contract for public safety dispatch services for Brunswick Hills Township, with the only change being the agreed upon step increase for the annual fee.

IMPLEMENTATION SCHEDULE: Contract to take effect January 1, 2025.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Revenues for this contract are recorded in Account #114-0020-40452. Per contract- 2025=\$81,418.82; 2026=\$83,861.38; 2027=\$86,377.22

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
The current three (3) year dispatch contract expires December 31, 2024. We are

recommending an emergency with two readings and acceptance of the dispatch contract so as to have seamless service delivery.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 108-2024

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH BRUNSWICK HILLS
TOWNSHIP FOR THE PROVISION OF DISPATCH SERVICES.

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 for Dispatch Services, as
attached hereto as Exhibit "A", with Brunswick Hills Township.

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 the
continuation of provision of dispatch services to Brunswick Hills Township as the
current Agreement expires on December 31, 2024. Therefore, the same shall be
in full force and effect from and after its passage by the required number of votes
or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

AGREEMENT FOR DISPATCH SERVICES

THIS AGREEMENT FOR DISPATCH SERVICES (the "Agreement") is entered into by and between the City of Brunswick (the "City") and Brunswick Hills Township (the "Township").

WHEREAS, on or about January 1, 2022, the parties hereto entered into an Agreement for Dispatch Services for a three (3) year period up to and including December 31, 2024.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Parties hereto agrees as follows:

- 1) **Term.** This Agreement shall be for a term of three (3) years from January 1, 2025 (the "Effective Date") up to and including December 31, 2027 except as otherwise terminated as provided herein.
- 2) **City Responsibilities.** The City shall provide at its communication center, for the benefit of the residents of the area governed by the Township, such radio, telephone and other communications facilities as are, in the opinion of the City, necessary for the proper and efficient dispatch of safety and emergency services of the Township, including the following:
 - a) Receive phone calls for the Township's police and fire services, notify proper Township departments of pertinent data, and keep and maintain written documentation for each call generating a response identifying, to the extent available, the complainant, incident location, call type and related times.
 - b) Provide teletype access/information to the Township provided a signed LEADS agreement for service has been provided. This includes entering wanted persons, provided there is a copy of the warrant on file with the Township, stolen vehicles, articles, guns, etc., provided proper validation procedures are followed. In all teletype matters, LEADS/NCIC policies and restrictions will be followed. Printouts of all teletypes requested by a Township department will be provided in a mailbox in the communication center.
 - c) Provide paging services (not including pagers or monthly service fees) for Township safety personnel.
 - d) Review peak times for emergency call volume and, at the sole and absolute discretion of the City, adjust staffing accordingly.
 - e) Implement a formal reporting/request process to request information, offer compliments about staff performance, or to request staff performance review. This form will detail how the request was handled and include a disposition for future reference.
- 3) **Township Responsibilities.** The Township agrees to the following:

- a) Submit a complete list of all licensed, compatible equipment to be used at the communication center, subject to the City's approval.
 - b) Conform to proper radio procedures, use standard codes and signals as determined by the City and comply with all applicable laws, rules and regulations, including applicable FCC rules and regulations.
 - c) Provide the City with: (i) its personnel roster and duty schedules; (ii) emergency business listings; (iii) information on new roads, mobile home parks, businesses, Township utilities, personnel and courts and current Fire Division MABAS plans; and (iv) such other information as reasonably requested by the City.
 - d) Pick-up teletype printouts on a weekly basis.
 - e) Submit written procedures to be followed when: the Township Fire Division is not staffed by a person in charge or has limited manpower or equipment available. Such written procedures shall include emergency contact information for each Division.
- 4) **Dispatch Advisory Committee.** A dispatch advisory committee consisting of one administrative officer from each of the police and fire agencies of the City and Township shall be established and shall meet quarterly to review operations.
- 5) **Compensation.** The Township shall pay the City the following for services provided pursuant to this Agreement:
- a) Year 1 - \$81,418.82
 - b) Year 2 - \$83,861.38
 - c) Year 3 - \$86,377.22

The amounts due under this Agreement shall be paid in full by the Township within thirty (30) calendar days of receipt of an annual invoice from the City.

In the event of termination by the City (with cause) or by the Township (without cause), the annual amount paid or to be paid hereunder for the then current year shall become fully non-refundable to Township or shall otherwise remain an obligation of the Township. In the event of termination by the City (without cause) or by the Township (with cause), the annual amount paid hereunder and actually received by the City for the then current year shall be reimbursed to the Township on a pro-rata basis.

- 6) **Default.** In the event of a material default by either party in the performance of its obligations hereunder, the non-defaulting party shall deliver to the other party written notice setting forth the nature of the default. The defaulting party shall have thirty (30) calendar days to cure the default. If the default is not cured to the satisfaction of the non-defaulting party within such thirty (30) calendar day period, the non-defaulting party may terminate this Agreement.
- 7) **Termination.** This Agreement may be terminated without cause by either party upon ninety (90) days prior written notice.
- 8) **Assignment.** This Agreement is not assignable without the prior written consent of both parties hereto.
- 9) **Miscellaneous.** This Agreement shall be governed by the laws of the State of Ohio. This Agreement contains the entire agreement between the parties and any amendment hereto shall be mutually agreed upon in writing by the parties hereto.
- 10) **Notices.** All notices which either party hereto may give shall be addressed, in the case of the City, as follows:

The City of Brunswick
Attn: City Manager
4095 Center Road
Brunswick, Ohio 44212

And in the case of the Township, as follows:

Brunswick Hills Township
Attn: Fiscal Officer
1918 Pearl Road
Brunswick, Ohio 44212

Such notices shall be delivered personally or sent by certified mail to the above addresses, or such other addresses as either party may direct.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Agreement for Dispatch Services as of the dates indicated below.

CITY OF BRUNSWICK

BRUNSWICK HILLS TOWNSHIP

Carl S. DeForest, City Manager

Date: _____

Christina Kusnerak
Christina Kusnerak, Trustee

Date: 11-26-24

Trica Murphy
Trica Murphy, Trustee

Date: 11/26/2024

Ryan Nixon
Ryan Nixon, Trustee

Date: 11/26/2024

Approved as to form:

Approved as to form:

Dennis Nevar, Law Director

By: _____

Title: _____