



BRUNSWICK CITY COUNCIL AGENDA

Brian Ousley At-Large	Alex Johnson At-Large	Michael Abella Jr. Ward 1	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Barbara Ortiz Council Clerk	Patricia Hanek At-Large	Joseph Salzgeber Ward 3	Anthony Capretta Ward 4	Nicholas Hanek Ward 2
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Administration Representatives

JANUARY 23, 2017

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated January 9, 2017.
 - (a) Council Meeting Minutes dated January 9, 2017.
5. Mayor's Report:
 - (a) Recognition of Donut Land - 45th Anniversary in the City of Brunswick;
 - (b) Motion to approve the Mayor's recommendation to appoint William Hanek to the Juvenile Diversion Board;
 - (c) Motion to approve the Mayor's recommendation to appoint Bradley E. Saeger to the Planning Commission;
 - (d) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development.....Mr. Johnson

Services, Utilities, Technology & Cable.....Mr. Salzgeber

(43) Committee Meeting Minutes dated January 9, 2017

Finance Committee.....Mrs. Hanek

Safety & Environment.....Mr. Hanek

Planning & Zoning Committee.....Mr. Ousley

(44) Committee Meeting Minutes dated December 15, 2016 and January 9, 2017

Parks, Recreation & Community Committee.....Mr. Abella Jr.

Building & Building Code Committee.....Mr. Capretta

(45) Committee Meeting Minutes dated January 9, 2017

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated December 27, 2016

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

ORD. NO. 100-16 - An ordinance establishing Section 618.29 of the City of Brunswick Codified Ordinances by providing regulations for leaving animals unattended in vehicles - **3rd Reading** (Safety and Environment Committee, *Administration/Ken Fisher*)

b. 2nd Reading(s)

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

ORD. NO. 3-17 - An Ordinance establishing the position of full-time Information Technology Assistant in the Division of Information and Public Communications - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

ORD. NO. 4-17 - An Ordinance establishing the pay range of full-time Information Technology Assistant in the Division of Information and Public Communications - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

c. 1st Reading(s)

RES. NO. 7-17 - An emergency resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, in order to provide for a temporary sixty-five one hundredths percent(0.65%) municipal income tax increase during the period from January 1, 2018 through December 31, 2022 to provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

ORD. NO. 8-17 - An ordinance amending Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio in order to provide for a temporary sixty-five one hundredths percent (0.65%) municipal income tax increase during the period from January 1, 2018 through December 31, 2022 to provide funds for the purpose of maintaining staffing levels for the Safety Forces in the City - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 9-17 - An emergency Resolution authorizing the City Manager to purchase three (3) Ford Police Interceptor Utility Vehicles from Statewide Ford for the Division of Police in a total amount not to exceed \$112,050.00 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Chief DeForest*)

ORD. NO 10-17 - An ordinance establishing Section 618.28 of the City of Brunswick Codified Ordinances by providing regulations for the tethering of dogs - **1st Reading** (Safety & Environment Committee, *Administration/Ken Fisher*)

11. City Manager's Report
12. Administrative Departments
13. Open Forum
14. Unfinished Business
15. New Business
 - (a) Consideration of a new liquor permit to David Bongiovanni, located at 1067 Pearl Road, Brunswick, Ohio 44212.
 - (b) Consideration of a new liquor permit to Scene 75 Entertainment Center, Brunswick LLC, DBA Scene 75, located at 3688 Center Road, Brunswick, Ohio 44212.
16. Adjournment

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, JANUARY 9, 2017

PRAYER AND PLEDGE OF ALLEGIANCE: THE REGULAR MEETING OF BRUNSWICK CITY COUNCIL WAS CALLED TO ORDER BY MAYOR RON FALCONI AT 7:30 P.M. AT THE MUNICIPAL COMPLEX.

ROLL CALL OF MEMBERS SHOWED THE FOLLOWING COUNCIL MEMBERS PRESENT: BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER AND COUNCIL CLERK BARB ORTIZ, MAYOR RON FALCONI.

CORRESPONDENCE: THERE WAS NONE.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES DATED DECEMBER 19, 2016 AND SPECIAL COUNCIL MEETING MINUTES DATED DECEMBER 27, 2016.

PATRICIA HANEK MOVED TO APPROVE THE COUNCIL MEETING MINUTES DATED DECEMBER 19, 2016 AND SPECIAL COUNCIL MEETING MINUTES DATED DECEMBER 27, 2016, SECONDED BY ALEX JOHNSON. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

MAYOR'S REPORT:

Mayor's Court Financial Report for the month ending January 2016 will be posted on the website and added to the minutes for the record.

Recognition of Phyllis & Bob Siedler:

Mayor Falconi recognized Phyllis and Bob Siedler with a certificate of appreciation for all the work they do with the Food Pantry. The Brunswick Summer Celebration Queen and her court were also at the meeting to present a check to the Food Pantry. In addition food and money collected from Brunswick City Hall was presented to them at this time.

Mayor's recommendation to appoint William Hanek to the Juvenile Diversion Board.

Mayor's recommendation to appoint Bradley E. Saeger to the Planning Commission.

CLERK OF COUNCIL'S REPORT: MRS. ORTIZ REMINDED EVERYONE THAT THERE WERE STILL TWO VACANCIES FOR THE COUNCIL OF AGING OFFICE OF OLDER ADULTS. IN ADDITION, THERE WAS STILL AN

OPENING FOR THE BUILDING BOARD CODE OF APPEALS.

COUNCIL COMMITTEE REPORTS:

Economic Development.....Mr. Johnson:

Alex Johnson had no formal report this evening.

Services, Utilities, Technology & Cable.....Mr. Salzgeber:

Joseph Salzgeber had no formal report this evening.

Finance Committee.....Mrs. Hanek:

Patricia Hanek moved to approve the formal report dated December 19, 2017 as written, seconded by Alex Johnson. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Safety & Environment.....Mr. Hanek:

Nicholas Hanek had no formal report tonight.

Planning & Zoning Committee.....Mr. Ousley:

Brian Ousley had no formal report this evening.

Parks, Recreation & Community Committee.....Mr. Abella Jr.:

Michael Abella Jr. had no formal report tonight.

Building & Building Code Committee.....Mr. Capretta:

Anthony Capretta had no formal report this evening.

OTHER BOARDS AND COMMISSIONS: PATRICIA HANEK MOVED TO APPROVE THE COMMITTEE-OF-THE-WHOLE MINUTES DATED DECEMBER 12, 2016 AND DECEMBER 19, 2016 AS WRITTEN, SECONDED BY ANTHONY CAPRETTE. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTE, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

PETITIONS FROM THE PUBLIC ON LEGISLATION: THERE WERE NONE.

READING OF LEGISLATION AND ACTION ON LEGISLATION:

2ND READING(S) :

ORD. NO. 100-16 - An ordinance establishing Section 618.29 of the City of Brunswick Codified Ordinances by providing regulations for leaving animals unattended in vehicles - **2nd Reading** (Safety and Environment Committee, *Administration/Ken Fisher*):

ORD. NO. 100-16 - Nicholas Hanek moved this ordinance to a third reading.

1ST READING(S)

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

RES. NO. 1-17 - Patricia Hanek moved to suspend the rules, seconded by Joseph Salzgeber. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mrs. Murawski noted this legislation will allow the City Manager to enter into a one year contract with Love Insurance. It would provide the various liability coverage that was already read. It was an emergency with suspension of the rules in order for the contract to be effective February 1, 2017.

Patricia Hanek moved to adopt, seconded by Alex Johnson. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Joseph Salzgeber, Anthony Capretta, Alex Johnson and Patricia Hanek. Nays - 0. Motion Carried.

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

RES. NO. 2-17 - Patricia Hanek moved this resolution to a second reading.

ORD. NO. 3-17 - An Ordinance establishing the position of full-time Information Technology Assistant in the Division of Information and Public Communications -**1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*):

ORD. NO. 3-17 - Joseph Salzgeber moved this ordinance to a second reading.

ORD. NO. 4-17 - An Ordinance establishing the pay range of full-time Information Technology Assistant in the Division of Information and Public Communications - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*):

ORD. NO. 4-17 - Joseph Salzgeber moved this ordinance to a second reading.

ORD. NO. 5-17 - An ordinance amending the Design Guidelines for the Southeast Neighborhood of

the Brunswick Town Center Special Planning District No. 2 - 1st Reading (To be brought from Planning & Zoning Committee, Administration/Ken Fisher):

ORD. NO. 5-17 - Mr. Ousley moved this ordinance to a second reading and referred it back to Planning Commission.

CITY MANAGER'S REPORT: CHIEF DEFOREST REMINDED EVERYONE INTERESTED IN THE RENTAL LEGISLATION DISCUSSION THAT THERE WILL BE TWO MEETINGS HELD HERE AT CITY HALL, 4095 CENTER ROAD. THE FIRST ONE WILL BE ON WEDNESDAY, JANUARY 11 AT 10:00 A.M. THE SECOND MEETING WILL BE ON THURSDAY EVENING, JANUARY 12 AT 6:00 P.M. THERE WAS A DRAFT ORDINANCE THAT THE CITY WOULD LIKE TO INTRODUCE FOR DISCUSSION. HE THOUGHT IT WAS IMPORTANT TO REALIZE THAT THIS WAS AN OPPORTUNITY FOR PEOPLE IN THE COMMUNITY TO BECOME ENGAGED IN THE LEGISLATIVE PROCESS AND TO PROVIDE GUIDANCE AND INFORMATION. HE ENCOURAGED EVERYONE TO COME AND IF THEY HAD ANY QUESTIONS PRIOR TO THE MEETING TO LET HIM KNOW BY PHONE CALL OR E-MAIL.

HE ANNOUNCED THAT THE SENIOR FAIR WILL BE HELD THIS FRIDAY, JANUARY 13, 2017 AT THE RECREATION CENTER FROM 9:30 A.M. TO 1:00 P.M. ALSO, THE AARP TAX ASSISTANCE WILL BE HELD AT THE BRUNSWICK AREA TELEVISION STUDIO ON MANHATTAN CIRCLE. PEOPLE CAN MAKE RESERVATIONS AS OF TODAY BY CALLING THE OFFICE FOR OLDER ADULTS AT 330-723-9514. YOU MUST HAVE AN APPOINTMENT TO HAVE YOUR TAXES DONE. THEY START PREPARING THE TAXES ON FEBRUARY 2, 2017. THIS SATURDAY WAS THE RELAY FOR LIFE KICK-OFF WITH THE CHILI COOK-OFF AT THE RECREATION CENTER. THERE WERE SIXTEEN PEOPLE COOKING IN WHICH EIGHT OF THEM WERE FROM THE CITY ADMINISTRATION. HE APPRECIATED THAT PEOPLE WERE GETTING INVOLVED TO TRY TO CURE CANCER. HE WELCOMED EVERYONE TO COME DOWN TO THE RECREATION CENTER AT 11:00 A.M. IT WAS \$5.00 TO GET IN AND FREE FOR CANCER SURVIVORS.

ADMINISTRATIVE DEPARTMENTS: MR. BARNETT NOTED THAT LAST WEEK MOST OF NORTHEAST OHIO BECAME INUNDATED WITH SNOW AND VERY COLD TEMPERATURES. THE DRIVES HOME WERE VERY BAD. HE ASSURED EVERYONE THAT THE CITY DID HAVE SNOW PLOWS OUT. WHEN YOU GET TO THOSE TEMPERATURES AND THAT AMOUNT OF SNOW IN A SHORT PERIOD OF TIME IT DIDN'T MATTER OF HOW MANY SNOW PLOWS YOU HAD OUT. ONCE IT STOPPED SNOWING AND THE MORE SNOW PLOWS THAT WERE OUT THE FASTER YOU CAN RECOVER. THE CITY WAS IN WINTER SHIFTS. THERE WERE TWO SHIFTS FROM MIDNIGHT UNTIL 8:30 A.M. AND 7:30 A.M. AND 4:00 P.M. THAT PARTICULAR EVENT STARTED AT ABOUT 4:30 P.M. WE KEPT THE STAFF THAT WENT OFF AT 4:00 P.M. OVER AS WE KNEW IT WAS COMING. THEY WERE HELD OVER UNTIL THEY WERE MAXED OUT WITH TWELVE HOURS AND WE BROUGHT THE NEXT SHIFT IN. THE CITY COULD RUN TWENTYFOUR-SEVEN WHEN NEEDED. IN THAT PARTICULAR EVENT IT DIDN'T MATTER HOW MANY TRUCKS WERE OUT THERE WOULD STILL BE GRIDLOCK.

HE RELATED IT WILL BE POTHOLE SEASON SOON. THE CITY HAD A FEW POTHoles THAT THEY HAVE TAKEN CARE OF RECENTLY. HOWEVER, THE MAJORITY OF THEM HAVE NOT SPRUNG YET.

MRS. OZANICH REPORTED THAT THE FINANCE DEPARTMENT WORKED ON FINISHING THE CLOSING 2016. IT WAS HOPED TO HAVE THIS FINISHED TOMORROW. AS SOON AS THIS WAS COMPLETE, THEY WILL PREPARE FOR THE AUDIT AND CAFR. THEY WILL START THE NEW YEAR OF 2017 AND START THE PROCESS ALL OVER AGAIN.

OPEN FORUM:

MARIA ANTONIO OF 4411 LOCHS LANE - MS. ANTONIO DECLINED TO SPEAK AT THIS TIME.

SHAWNA STEWART OF 2136 S. CARPENTER - MS. STEWART WAS A REALTOR FOR MC REAL ESTATE OUT OF MEDINA COUNTY AND WAS ON THE LEGISLATIVE COMMITTEE FOR THE MEDINA COUNTY BOARD OF REALTORS. AT THIS POINT, SHE THANKED COUNCIL FOR HOLDING THE PUBLIC MEETINGS WEDNESDAY AND THURSDAY FOR THE OPPORTUNITY FOR THE PUBLIC AND PROPERTY OWNERS TO COME AND MAKE THEIR VOICE HEARD.

UNFINISHED BUSINESS: THERE WAS NONE.

NEW BUSINESS: MR. SALZGEBER ONCE AGAIN COMMENTED THAT THE RELAY FOR LIFE CHILI COOK-OFF WAS THIS SATURDAY AT THE RECREATION CENTER STARTING AT 11:00 A.M.

ADJOURNMENT: PATRICIA HANEK MOVED TO ADJOURN, SECONDED BY NICHOLAS HANEK. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS THE MEETING ADJOURNED AT 7:46 P.M.

Respectfully submitted,


Barbara J. Ortiz, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

**APPLICATION FOR
BOARDS AND COMMISSIONS**

NAME William Hanek PHONE (330) 321-1245
STREET 3764 Foxwood Terrace Apt 205 CELL Same

Years of Residency 88-02
12-present

Registered Brunswick Voter: YES X NO

POSITIONED DESIRED: Juvenile Diversion Board EMAIL WilliamHanek@gmail

EDUCATION	DEGREE	YEAR GRADUATED
HIGH SCHOOL <u>Brunswick High School</u>	<u>General</u>	<u>2002</u>
COLLEGE <u>Ohio University</u>	<u>B.S.</u>	<u>2006</u>
SPECIAL TRAINING <u>University of Akron Law School</u>	<u>J.D.</u>	<u>2011</u>

CURRENT EMPLOYMENT			
<u>BWC State of Ohio</u>	<u>240 Tappen Drive Ontario, OH</u>	<u>Attorney</u>	<u>Present</u>
Company	Address	Title	Dates

RELEVANT PAST EMPLOYMENT			
<u>Medina County Prosecutor</u>	<u>72 Public Sq. Medina, OH</u>	<u>Asst. Prosecutor</u>	<u>2013-2015</u> <u>2011-2012</u>
Company	Address	Title	Dates
<u>Walsh University</u>	<u>2000 E Maple North Canton OH</u>	<u>Adjunct Prof</u>	<u>10/2015-Present</u>
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS
Medina County Bar Association

REFERENCES (other than relation):

NAME	ADDRESS	PHONE
1. <u>Judge Kevin Dunn</u>	<u>93 Public Sq Medina, OH</u>	<u>(330) 725-9709</u>
2. <u>Magistrate Sue Lewis</u>	<u>93 Public Sq Medina, OH</u>	<u>(330) 725-9709</u>
3. <u>Councilman Joe Salzgeber</u>	<u>229 W Liberty Medina, OH</u>	<u>(330) 725-1199</u>

QUALIFICATIONS AND DESIRE FOR SERVING: (Attach sheet if needed*)

Please see Resume and Cover letter

ATTACH RESUME IF DESIRED

Signature: [Signature]

Date: _____

*Attaching a cover letter or resume describing particular experience or qualifications bearing on the position sought is recommended, but not required.
(AA, EE0C)

3764 Foxwood Terrace Apt 205
Brunswick, Ohio
(330)-321-1245
WilliamHanek@gmail.com

November 13, 2016

Mayor Ron Falconi
4095 Center Road
Brunswick, Ohio 44212

RE: Juvenile Diversion Board

Mayor Falconi:

I am writing you to express my interest in serving as a member on the City of Brunswick's Juvenile Diversion Board. I hope you consider appointing me for this position.

I have been a resident of Brunswick for nearly my entire life. I grew up in Brunswick and attended Kidder Elementary, Huntington Elementary, Willets Middle School, and Brunswick High School. I graduated from BHS in 2002 and then attended Ohio University where I majored in Education and graduated in 2006. After college, I returned to Brunswick where I taught for a year at BHS while simultaneously attending law school at the University of Akron.

After law school, I served as an assistant prosecutor in the county predominately in the criminal division and juvenile division. As a juvenile prosecutor, I appeared regularly in front of Juvenile Magistrates and former Medina County Juvenile Judge John Lohn. While employed as a prosecutor, I attended the Juvenile Court's own diversion program, Teen Court. In Teen Court, I advised and supervised local juvenile's putting on mini-trials for the disposition phase of juvenile cases.

I have also run my own legal practice where I have served as a Guardian ad Litem for alleged delinquent children and abused children. For nearly my entire adult life, I have worked with children in some capacity whether as a teacher, coach, or mentor.

I hope to speak with you regarding the Juvenile Diversion Board. It would be an honor to give back to the community that has been such a large part of my life. I can be reached at (330) 321-1245 or at WilliamHanek@gmail.com.

Sincerely,



William L. Hanek, Esq.

William L. Hanek, Esq.

3764 Foxwood Terrace Apt.205, Brunswick, OH; Phone: (330) 321-1245; Email: WilliamHanek@gmail.com

Young professional attorney with five years legal experience in matters relating to criminal and civil litigation. Possess a J.D. from the University of Akron School of Law and Bachelor's in Education from Ohio University.

SKILLS

- **LITIGATION:** Multiple first chair jury trials in felony criminal matters; numerous bench trials; Court appearances on a near daily basis.
- **EDUCATION:** Taught high school level, college level, and graduate level courses.
- **MANAGERIAL:** Reviewed, interviewed, hired, and managed numerous individuals.

PROFESSIONAL EXPERIENCE

Hanek Law Firm, LLC.

Brunswick, OH

Owner/Attorney

July 2016-Present

- Established, managed, and operated a solo legal practice.
- Scheduled, planned, and managed all business operations and legal practices.
- Counseled criminal clients on all legal matters; served as Guardian ad Litem for children

City of Akron Law Department

Akron, OH

Assistant Director of Law

March 2015-February 2016

- Managed thousands of case files regarding delinquent bills and taxes from initial investigation through judgment or settlement.
- Defended the city in employment actions involving the Ohio Civil Rights Commission.
- Researched, investigated, and advised on various issues for the mayor and city council regarding potential legislation.
- Interviewed, hired, and supervised law clerks within the law department.

Walsh University

North Canton, OH

Adjunct Professor of Business

September-October 2015

- Responsible for planning, preparing, and teaching lessons for the course Business Ethics in a Global Environment.

Medina County Prosecutor's Office

Medina, OH

Assistant Prosecuting Attorney

May 2011- September 2012; July 2013-February 2015

- First and second chair criminal and civil jury trial experience.
- First chair trial experience in all aspects of juvenile law.
- Investigated and organized for prosecution all level of felony cases. Reviewed, drafted, and presented criminal charges for grand jury.
- Attended government meetings as legal counsel representing various county and township boards.
- Advised county officials on policy manuals, employment issues, and public records.

United States Department of Defense

Wright-Patterson Air Force Base, OH

Contract Negotiator, Department of the Air Force

September 2012- July 2013

- Performed contract negotiations, administration, and modifications of government contracts.
- Planned and implemented the overall approach to meet multi-million dollar contracting program objectives for procurement of goods and labor needed for the Air Force.

University of Akron School of Law

Akron, OH

*Adjunct Professor of Law**January 2012- May 2012*

- Responsible for planning, preparing, and teaching lessons for the course Advanced Legal Applications.
- Taught and demonstrated proper formatting for essays and MPTs for bar exam preparation.

Medina County Prosecutor's Office

Medina, OH

*Law Clerk, Civil Division**May 2008- May 2011*

- Researched and wrote memoranda relating to municipal corporation regulations, disclosure of public records, property laws, employment contracts, and property taxation.
- Prepared pretrial motions. Wrote correspondence to county officials and county departments.

Brunswick High School

Brunswick, OH

*Language Arts Teacher and Assistant Varsity Soccer Coach**March 2007-April 2008*

- Responsible for planning, preparing, and teaching 9th, 10th, and 11th grade Language Arts.

EDUCATION

University of Akron School of Law

Akron, OH

*Juris Doctor, January 2011: 1st year GPA: 2.1; 3rd year GPA: 3.1***Ohio University**

Athens, OH

*Bachelor of Science, Secondary Education- Language Arts, August 2006, GPA: 3.2***PROFESSIONAL LICENSES AND ASSOCIATIONS**

- State Bar of Ohio, May 2011; Registration Number 0087451
- Medina County Bar Association

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME BRADLEY E. SAEGER PHONE 330-558-1117

STREET 1421 MCKINLEY AVE. CELL 248-252-6491

Years of Residency 12

Registered Brunswick Voter: YES X NO

POSITIONED DESIRED: PLANNING COMMISSION EMAIL brad@saegerinc.com

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL TROY HIGH SCHOOL, TROY, MI - 1988

COLLEGE LAWRENCE TECH. UNIV., SOUTHFIELD, MI BS in Arch 2000

SPECIAL TRAINING

CURRENT EMPLOYMENT

KA INC. 6000 LOMBARD CENTER, SUITE 500, SEVEN HILLS, 2013-PRESENT ARCHITECT
Company Address Title Dates

RELEVANT PAST EMPLOYMENT

ITT TECH, AKRON CAMPUS ADJUNCT INST. & SUBJECT MATTER EXPERT 2011-2016
Company Address Title Dates

KA INC. ARCHITECT 2006-2009
Company Address Title Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

BOY SCOUTS OF AMERICA, TROOP 517, BRUNSWICK. ASST. SCOUTMASTER/COMMITTEE
BRUNSWICK GREEN ADVISORY GROUP. - TREASURER CHAIR.

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>ED KELLY,</u>	<u>298 SUBSTATION RD</u>	<u>216-246-2592</u>
2.	<u>HANK HARTMAN,</u>	<u>CHARTER REP, 628 MEMORY LN.</u>	<u>330-273-8339</u>
3.	<u>MARK LOVE,</u>	<u>FMR SCOUTMASTER, 1877 PAUL DR.</u>	<u>216-956-7030</u>

QUALIFICATIONS AND DESIRE FOR SERVING: (Attach sheet if needed*)

PLEASE REFERENCE COVERSHEET.

ATTACH RESUME IF DESIRED.

Signature: Bradley E. Saeger

Date: 11/14/2016

November 14, 2016

To Mayor Falconi,

I read in the post this week about the volunteers needed in the City of Brunswick, and I would like to submit myself as a candidate for a position on the Planning Commission.

Let me tell you a little about my background: I grew up in southeast Michigan, where I earned my Bachelor of Science in Architecture. In 2003, I moved to Northeast Ohio and Brunswick in order to take a position at an architectural firm. In 2006, I started working for KA Architects which was located in downtown Cleveland at that time. During the next several years, I earned my LEED Professional Accreditation and became a Licensed Architect. In 2009, I was laid off due to the economy. I worked for a couple of small architectural firms in 2010 and 2011. I also worked for the City of Brunswick Parks Department in 2011 and 2012, then as a building monitor at the Brunswick Rec Center until early 2013, when I was contacted by KA Architects to return as an architect working there. I am currently employed there.

In addition to the above brief work history, in 2011 I began teaching college classes in the drafting and design department at ITT TECH, Akron campus. I continued as an adjunct instructor and subject matter expert at that campus until ITT Tech's recent closure in September of this year.

I have tried to give back to my community where I am able in several means. I joined the Brunswick Green Advisory Group lead by Ed Kelly, and took on the role of treasurer for that group. I have also been heavily involved in my community, mostly through The Boy Scouts of America as a leader in Troop 517 out of The Brunswick United Methodist Church. I served that troop as an assistant scoutmaster for several years before taking on the role of Committee Chairman. As my son reaching the point of completing his Eagle rank, I stepped down as the Committee Chairman. I am continuing to serve as a leader on the troop committee.

My personal reasons for seeking out a position on the Planning Commission are closely related to the values that we teach our young men in the troop. Serving as a member on this commission would provide me an opportunity to give back to the community, and also set the example for the scouts that I am helping to learn about civic duties. I also would consider this opportunity to help me personally grow as a member of the Brunswick community, a father, a scout leader and an architect. I believe this opportunity would be a benefit for both me and the city of Brunswick.

I hope this letter, in conjunction with the attached resume will provide you with all of the information necessary to consider me as a candidate for the Brunswick Planning Commission. If there is any additional information that you would like to have, please feel free to contact me at any of the methods listed below. I would be happy to answer any questions that you may have.

Thank you in advance for your time and consideration,



Brad Saeger,
1421 McKinley Ave., Brunswick, OH, 44212
brad@saegerinc.com
(cell or text) 248-252-6491

Bradley Eric Saeger, RA, LEED AP

1421 McKinley Ave., Brunswick, Ohio 44212

Cell Phone: (248) 252-6491

Email: brad@saegerinc.com

Education:

College (1994 - 2000): Lawrence Technological University, Southfield Michigan

Degree: Bachelor of Science in Architecture

College (1989 - 1994): Oakland Community College, Auburn Hills Michigan

Majors: CAD and Architecture

Technical CAD Training (1988): Oakland Technical Center, Royal Oak Michigan

High School Graduate (1988): Troy High School, Troy Michigan

Majors: Drafting and Mathematics

Credentials:

Registered Architect

LEED Accredited Professional

Autodesk AutoCAD Professional Certification

Contributing Author: ***"LEED Prep, What You Really Need to Know to Pass the LEED NC and CI Exams."*** (Professional Publications Inc.)

Job History:

January 2013 to Present

ka inc.

Title: Project Architect

6000 Lombardo Center, Suite 500, Seven Hills, Ohio, 44131

- Knollwood Mall, St. Louis Park, MN: Retail
- Monroeville Mall, Monroeville, PA: Retail
- Frontier Mall, Cheyenne, WY: Retail

Existing mall renovation: project management, construction document creation, coordination and review of disciplines, code review, construction administration

September 2011 to August 2016

ITT Technical Institute, Akron, OH

Title: Adjunct Instructor, Subject Matter Expert (2015): Drafting & Design Program

Teaching Evening Courses: Drafting, AutoCAD, BIM/Revit, Architectural Design, Sustainable Design

November 2010 – June 2011

Architectural Office (Erie, Pennsylvania)

Title: Architect

- Mercyhurst College, Center for Academic Engagement, Erie, PA

New building with classrooms, offices, gathering atrium, presentation rooms: review of site elements including a rain garden, construction document creation, coordination and review of disciplines, code review

- Contemporary Motorcar of Erie, Mazda Showroom Renovation, Erie, PA

Renovation of existing facilities: documentation of existing conditions and roof drainage, construction document creation, coordination and review of disciplines, code review

January 2010 – September 2010

Karl R. Rohrer Associates, Inc.

Title: Project Architect

3810 Ridgewood Road, Suite D, Akron, OH, 44321

- Brier Hill Green, Youngstown, Ohio

Public housing renovation: review of site elements including pervious pavement and storm water detention, construction document creation, coordination and review of disciplines, code review

- Solon Post Office, Solon, Ohio

Re-integration of box lobby and retail space into existing local distribution center: construction document creation, 3D modeling, coordination and review of disciplines, code review

Job History
(continued):

March 2006 – June 2009

ka inc.

Title: Project Architect

1468 West 9th Street, Suite 600, Cleveland, Ohio, 44113

- Velocity in the Gulch, Nashville, TN: Mixed Use
10,000sf Retail, 265 Residential Condos, 400 space 6 story parking structure: project management, site development including underground storm water detention, construction document creation, coordination and review of disciplines, code review, construction administration
- Southpark Mall Expansion, Colonial Heights, VA: Indoor Retail Mall
4000sf connector & cosmetic updates to mall interior: review of site design, construction document creation, coordination and review of disciplines, code review, construction administration.
- The Promenade Shops at Saucon Valley, Center Valley, PA: Lifestyle Center
Space planning and management offices: construction document creation, coordination and review of disciplines, code review, construction administration

August 2004 – February 2006

RDL Architects

Title: Project Manager

16102 Chagrin Blvd. Suite 200, Shaker Heights, OH

- The Point, Punta Gorda, FL: multi-family condos, CMU & concrete plank
construction document creation, coordination and review of disciplines, code review
- Ashbury Townhomes, Cleveland, OH: multi-family townhomes
construction document creation, coordination and review of disciplines, code review
- Lakeshore Townhomes, Cleveland OH: multi-family townhomes
construction document creation, coordination and review of disciplines, code review
- Heritage Lane Townhomes, Cleveland OH: multi-family townhomes
construction document creation, coordination and review of disciplines, code review, construction reviews and coordination
- Wellington Place, Cleveland OH: multi-family condos
construction document creation, coordination and review of disciplines, code review

December 2002 - April 2004

Design Resources for Architecture

Title: Project Manager / Lead Designer

6445 Citation Drive, Clarkston, MI

- New Hope Church, Clarkston, MI: steel frame
construction document creation, coordination and review of disciplines, code review
- Rite-Aid Drug Store, Grosse Ile, MI
construction document creation, code review
- Independence Oaks Banquet Hall, Independence, MI: renovation of existing building
construction document creation, code review

September 2002 – November 2002

Smith Schurman Assoc.

Title: Residential CAD Draftsman

2550 S. Telegraph Rd., Bloomfield Hills, MI

April 2001 - September 2002

Clifford N Wright Architects

Title: CAD Designer / Draftsman

6905 Telegraph Rd., Bloomfield Hills, MI

- Century 21 Town & Country Headquarters and Offices, Rochester, MI: renovate existing building, *construction document creation, coordination and review of disciplines, code review*
- "Russell House", Bloomfield Hills, MI: single family luxury home
co-operative construction document creation: elevations - building sections - pool deck design, code review, stair review and design, roof review and design

Job History:
(continued)

October 1997 – April 2001

Daniel Biber & Associates

Title: Sr. Draftsman & Network Admin.

1133 W. Long Lake Road, Suite 200, Bloomfield Hills Michigan

- Mobil Mart, Milford MI: gas-station & convenience store, CMU & steel construction document creation, coordination and review of disciplines, code review
- Tutor Time, Commerce Twp, MI: childcare, steel frame construction document creation (site, shell, structure & MEP), coordination and review of disciplines, code review
- Tutor Time, Sterling Heights, MI: childcare, steel frame construction document creation (site, shell, structure & MEP), coordination and review of disciplines, code review

October 1996 – May 1997

Definitive Design Group, Inc.

Title: Designer

550 Stephenson Hwy., Suite 402, Troy, MI 48083

November 1987 – September 1996

Igleheart Inc., Residential Builder

Title: Designer / Draftsman & Project Manager

1160 Foxwood Ct., Bloomfield Hills, MI 48304

**Software
Experience:**

AutoCAD, AutoCAD Architect, Revit, PhotoShop, Illustrator, Acrobat, InDesign, Dreamweaver, MS Word, MS Excel, MS Powerpoint

**Other
Activities:**

2013 to Present: Committee Chairman, Boy Scout Troop 517

References:

(may also be viewed at: <http://www.linkedin.com/in/bradsaeger>)

"Brad served as the Project Architect on Velocity in The Gulch. During all phases of this project, Brad was on top of every aspect of the project. There wasn't an area in this building that Brad had not already built in his head, even before we saw it on the ground. Brad's personality worked exceptionally well in this environment of design and construction. When there was a construction challenge, Brad was always ready to be a team player, roll-up his sleeves, and identify a solution that worked best for everyone." July 29, 2009

Top qualities: Great Results, Personable, High Integrity

Scott Black, AIA,
hired Bradley as an Architect in 2006

"While Brad was at ka, he was very active in our sustainability initiative. He helped train staff and made sure our firm was up to date with the latest information. Brad's primary duties were as a Project Architect. He handled his responsibilities very well. Having reviewed his drawings, I found them to be well coordinated and comprehensive. He established a very good working relationship with our client. I would highly recommend Brad Saeger to any firm.

John" July 6, 2009

John Burk, *Technical Director, ka architecture*
managed Bradley indirectly at ka, Inc. Architecture

References:

"I have known Brad for the last three years. His ability and drive to accomplish anything is staggering. He has been instrumental in getting many people (myself included) involved in sitting for the ARE by leading by example in getting his registration. Also, his involvement in LEED is second to none. Brad doesn't know what CAN'T means, and through his enthusiasm for the profession it is truly contagious. I would be honored to recommend Brad for employment. I can only hope that our paths will cross sometime in the future.

Sincerely

Todd Wolfgang" July 20, 2009

Todd Wolfgang, *Project Manager/Studio Leader, ka architecture*
worked with Bradley at ka, Inc. Architecture

"Brad and I have worked closely together on several large complex residential projects. Brad has a thoughtful detailed approach to solving even the most challenging problems. In addition his project capability he has an entrepreneurial spirit that enhances any firm he's with." March 1, 2010

Robert Weeks, *Sr. Project Manager, ka architecture*
managed Bradley at ka, Inc. Architecture

"Brad is a hardworking talented architect very committed to delivering the best product to his clients. He has exhibited these traits consistently during his tenure at ka. He also brings his LEED experience to the table and was the leader in the office training staff / shareholders to become LEED certified.

His layoff was purely based on the economy and not on performance. We would hire him back in a minute if workload were to pick up." August 19, 2009

Craig Wasserman, *Studio Leader, ka architecture*
managed Bradley indirectly at ka, Inc. Architecture

"Sitting by Brad and working with him on numerous projects was always pleasant. His calm demeanor and experienced approach helped our team successfully tackle every challenge. As the company's "green guru," Brad guided countless staffers (including myself!) to LEED accreditation through his study groups and seminars. He was the office's go-to for questions and advice regarding all things LEED and green!" March 2, 2010

Christine Meske, ASLA, LEED AP, *Senior Landscape Architect, ka architecture*
worked directly with Bradley at ka, Inc. Architecture

"During the time that I worked with brad at KRRA I found Brad a competent and knowledgeable Architect. Brad freely shared of his skills and experience further enriching the work environment. Working with him was a pleasure as he was always professional, friendly, and a team player." February 25, 2012

Mike Dray, *Junior Mechanical Designer, Karl R Rohrer Associates, Inc*
worked indirectly for Bradley at Karl R. Rohrer and Associates, Inc

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

January 9, 2017

IN ATTENDANCE: Chairman Joseph Salzgeber, Committee Member Brian Ousley, Committee Member Nicholas Hanek, Alex Johnson, Patricia Hanek, Anthony Capretta, Michael Abella Jr., Acting City Manager/Safety Director Chief Carl DeForest, Service Director Paul Barnett, Law Director Kenneth Fisher, Assistant Law Director Dennis Nevar, Administrative Services Julie Murawski, Engineer Matt Jones, Information Technology/Security Officer Rob Marok, Assistant Finance Director Lynnette Ozanich, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:37 p.m.

DISCUSSION ITEMS:

ORD. NO. 3-17 – An ordinance establishing the position of full time Information Technology Assistant in the Division of Information and Public Communications

ORD. NO. 4-17 – An ordinance establishing the pay range of full time Information Technology Assistant in the Division of Information and Public Communications

Mr. Marok explained these two pieces of legislation establish the position of full time Information Technology Assistant and the pay range for same. The discussion to increase the staffing in the IT Department was discussed last year at the budget hearing. Currently the department consists of Mr. Marok and two part time assistants, this legislation will move the department to two full time positions and one part time position.

The pay range was set based on looking at other cities pay ranges for IT assistants, and also looking internally to similar responsible positions.

Mr. Hanek moved Ordinance No. 3-17 and Ordinance No. 4-17 to tonight's Council Agenda of January 9, 2017 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Barnett requested a motion to advertise for bids for grass and weed mowing for a multiyear contract; this is for nuisance calls for high weed and grass complaints. When these calls are received the City calls the contractor to go out and mow.

Mr. Ousley moved for the Service Department to go out to bid for high grass and weeds for 2017 season.

Mr. Hanek interjected this motion should be made in Committee of the Whole.

Mr. Fisher indicated discussion can be done in this committee; however procedurally motions are made in Committee of the Whole.

Mr. Barnett also requested a motion to go out to bid for uniform rental for streets, building, and parks and mat rental for city hall, police department and service garage, the mats are changed out weekly. The

Administration was looking at either a two or three year contract and contemplating on bidding it both ways.

Mr. Fisher noted the grass and weed mowing is assessed back on the tax duplicate against the property owner, he reiterated these are nuisance situations because of neglect by the property owner and the City has to come in and do maintenance, and assess the cost back to the property owner.

Mr. Ousley asked if this contract covers other areas that the City mows.

In response to that Mr. Barnett noted what is included in the contract along with the nuisance calls are a few City owned properties for mowing.

Mr. Barnett also distributed a service department update to the committee; a copy is attached to these minutes.

Mr. Hanek moved the discussion of high grass and weed mowing and the rental of uniforms and mat rental to Committee of the Whole for further consideration. Vote – 3 Ayes, 0 Nays.

Mr. Salzgeber received calls from residents on Patricia Drive that their street was not salted.

ADJOURNMENT:

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Salz", with a large circular flourish on the left side.

Joseph Salzgeber
Chairman

PLANNING AND ZONING COMMITTEE

December 15, 2016

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Patricia Hanek, Committee Member Nicholas Hanek, Community & Economic Development Director Grant Aungst, Planning & Zoning Coordinator Pam Plavecski, Planning Commission Members, Joe Shirilla, John Rocha, News Media.

The meeting convened at 6:03 p.m.

DISCUSSION ITEM:

RES. NO. 86-16 – An emergency resolution establishing a temporary moratorium on the receipt, review and/or consideration of any application for site plan and/or consideration of any application for site plan or variance approval or the issuance of zoning certificates, building permits, and/or certificates of occupancy for hotel/lodging structures in the Southeast Neighborhood of the Brunswick Town Center Special Planning District No. 2

Mrs. Plavecski asked if the committee wanted to discuss possibly making hotels a conditionally permitted use.

Mr. Aungst noted a number of years ago there was a plan to build an entire complex around Brunswick Lake area, and the City has been working on that over many years putting the key pieces together. He commented that one of the potentials that would be a tremendous asset would be to have a hotel in that area. Mr. Aungst noted one did apply through a development company there was a planning discussion process and when the City was presented with a detailed site plan it was subsequently denied as it did not meet certain criteria that is required in the Special Planning District (SPD).

Mr. Aungst noted one of the options for moving forward with a hotel since it is a Special Planning District is to have a conditionally permitted hotel in that location. He noted if a new and different hotel was presented Planning Commission would have greater input and latitude necessary to protect the welfare, and preserve the purpose and intent of the zoning code.

He mentioned if the committee feels that moving some legislation potentially to conditional zoning, the law department would draft legislation in the SPD 2 that would go to Planning Commission and then back to Council. Mr. Aungst noted the same design guideline would be kept, but it would be important for the value of the community the welfare and integrity of the area to use a conditionally permitted process.

Mr. Hanek asked for clarification since they were denied by the Planning Commission that they have not appealed to the BZA, and Mr. Aungst responded that was his understanding. Mr. Hanek noted the hotel would not be going forward at this point.

Mrs. Plavecski has been contacted by them and they wanted to submit new plans, however because of this resolution she indicated to them she could not take the plans.

Mr. Ousley asked if she was referring to the Wallhouse, and Mrs. Plavecski responded in the affirmative.

Mr. Aungst indicated that was because if was for new plans; however they still hold the right as the original applicant to appeal to the BZA.

Mrs. Hanek asked for clarification as to the hotel criteria as it was spelled out.

Mr. Hanek wanted to know if someone is denied by Planning Commission if they can immediately come back with new plans, to which Mrs. Plavecski indicated they can, she further explained if they do not have new plans they cannot come back for one year, however under the Site Plan Review Chapter 1278, they can if they bring a substantially different plan.

Mr. Hanek asked Mrs. Plavecski is she had an opportunity to look at what the new plan was.

Mrs. Plavecski answered in the negative, noting she could not accept them because of this resolution.

Mr. Aungst elaborated because of the six month moratorium on accepting any new plans; the new plans could not be accepted.

Mr. Ousley pointed out no one from the hotel was at the Planning Commission meeting the night they were denied.

Mrs. Plavecski made copies for the committee of the hotel criteria.

Mr. Hanek moved to have the law department draft legislation for a conditionally permitted use for hotel/lodging in the Special Planning District No 2. Vote – 3 Ayes, 0 Nays.

Mr. Ousley wanted to make sure the conference center would be in the hotel, and Mr. Aungst indicated it was a requirement.

Mr. Aungst added a conditionally permitted use would also require a public hearing in accordance with Section 1274.04(a) and (b), thereby notifying property owners within a 200 foot radius of the project providing them the opportunity to address their concerns to Planning Commission. He further commented on the Planning Commission on their value and years of experience and how they will make the right decisions for the community. He noted if a conditional zoning certificate is issued and there should be any violations of the certificate the Planning Commission pursuant to section 2774.06 (c) has the power to revoke the certificate.

Mr. Aungst highly encouraged the proposal made by Mr. Hanek to move forward.

Being no further discussion the committee voted on the motion.

Mr. Aungst will reach out to the law department and ask them to draft the legislation.

GENERAL DISCUSSION:

Mr. Ousley asked if there has been anything new on the Pearl Road/Center Road Corridor Plan. Mr. Ousley discussed with Mr. Aungst about the possibility of obtaining grant money for plans, he asked if he had anything new on that.

Mr. Aungst noted he had a brief discussion with the community coordinator from the Ohio State extension in Medina County, he noted Ohio State is one of the premier design development schools in the country. He also mentioned Cleveland State University also does planning for cities and they have an excellent school as well.

With regard to grant monies, Mr. Aungst advised grant monies are challenging to get unless there is a dedicated foundation looking to help the City, he noted the opportunity was unlikely.

Mr. Ousley commented there are more opportunities if there was more of a population around 100,000 people, he asked about the possibility of reaching out into other communities to gather the needed population.

Mr. Aungst noted with the current demographics he felt that would be more of a challenge, and perhaps Council could budget for it once there are some ideas. He commented how the corridors have grown tremendously, and he is expecting more growth and announcements in the near future.

Mr. Hanek brought up one of the goals from 2016 was to have an updated Comprehensive Plan, and going into 2017 goal setting it will be something to come towards the top.

Mr. Aungst offered his help and aid of the department however; he will take direction from the City Manager.

Mrs. Hanek mentioned she will be meeting with Chief DeForest and she will bring up the Comprehensive Plan; Mr. Ousley asked if a budget for a Comprehensive Plan can be brought to the City Manager's attention.

Mr. Aungst interjected it was not unusual to plan for an entire year before going out for requests for proposals, he indicated his department would be willing to help the City Manager in preparing the necessary materials to go out to Request for Proposals.

Mrs. Hanek commented updating the Comprehensive Plan was one of the items discussed at the 2016 goal setting session in June.

Mrs. Plavecski asked if Council was satisfied with the Corridor Plan; she noted there are two separate documents the Comprehensive Plan and the Pearl & Center Road Corridor Plan.

Mrs. Hanek stated Council discussed the Comprehensive Plan during goal setting.

Mr. Hanek commented it could take a few years to do this.

At this time Mr. Ousley wanted to introduce members of the Planning Commission, he invited them tonight to interact with the committee with the hope of being able to work together to make the City go in a positive direction.

Joe Shirilla Chairman of Planning Commission – Mr. Shirilla commented on the decision to change the hotel to a conditionally permitted use, which he noted it was originally. He noted being disappointed when Council made it a permitted use, he felt Council did not have the confidence in their board.

Mr. Ousley responded to that comment, he stated Council took direction from the Administration on the way they wanted to go.

Continuing, Mr. Shirilla reiterated he felt that Council did not have the confidence in the board, so therefore they made it a permitted use with Type X guidelines. He stated he was not against the Type X guidelines they were a good tool, and they are used as a guideline and benchmark. He stated now that it was a conditionally permitted use it makes their job as Planning Commission members more impactable since they are able to request a certain applicant to put together a plan that goes harmonious with the neighborhood, which is important in a SPD area. Again, Mr. Shirilla expressed he was glad to see it was now a conditionally permitted use.

Mr. Rocha of Planning Commission – Mr. Rocha mentioned when he was on Council they networked with the cities of Medina and Strongsville and gave each other leads. He mentioned the importance of networking being the biggest source to bring in economic development.

Mr. Aungst asked if there was anything the Planning Commission point of view that they would like to see the committee and the Community & Economic Development department develop or share.

Mr. Shirilla commented on the Corridor Plan, it needs updated and modified. He would also like to know Council's direction for Town Center.

Comments were made about the Comprehensive Plan, and the difference between having a plan and executing against the plan. It was noted the plan serves as a reference for the Planning Commission, but it does not always give the Planning Commission the legal basis to require the applicant to do something. It was mentioned that there are challenges when an applicant comes before the Planning Commission, and the Commission not always knowing what the Administration and Council want since there is not always direct communication. The Planning Commission tries to act in the best interest of the City, but using the hotel as an example, some people may want to see a hotel in Town Center, but the question is why is Town Center a better location for the hotel than being adjacent near the freeway.

Mrs. Plavecski mentioned she was asked to look up the Corridor Plan and the Comprehensive Plan for Sheets Gas station, it was pointed out the gas station is a conditionally permitted use. She referred to a drawing and what the plan recommends for that area, and what the requirements were for the building facade.

Mr. Hanek complimented the Planning Commission for the job they do. He commented on the City how it has changed through the years, and he mentioned compliments he hears from outside the City as to what a nice City Brunswick is. He mentioned how the hotel is a good example of how everyone is working well together and how it is going to be good for Town Center.

Planning Commission thanked Council for supporting their decisions, the Planning Commission sees themselves as being business friendly, and helpful to applicants that are ill prepared when they come before them.

Mr. Ousley thanked the members of the Planning Commission for coming to tonight's meeting, and when something is not right to let Council know.

Mr. Shirilla appreciated the leverage they have with smaller items so they do not have to come to Council for approval.

Mr. Hanek commented as a business owner and how business neighbors impact each other.

There was some discussion as to businesses that do not come before Planning Commission, and it was explained by Mrs. Plavecski if no site work is being done the business only has to go to the Building Department for an occupancy permit, they do not come before Planning Commission.

Comments were made on the number of auto parts stores and auto dealers in the City.

Mr. Aungst commented on Brunswick being in an automotive cluster and the significant businesses in Brunswick; part makers, distributors, sellers, and parts stores, and it is tens of millions of dollars for the economy. He stated the amount of dollars that flow are tremendous in the car market here in Brunswick. He stated Brunswick Auto Mart is not just one of the top auto dealerships in Ohio, but in the nation. Liberty Ford in Brunswick is the number one store out of their family of stores, Crestmont Hyundai does phenomenally well, and the numbers are staggering with the number of cars moved with the used car dealerships, he noted the number of cars sold in Brunswick is unbelievable.

Mr. Aungst was asked about the corner of W. 130th and SR 303 if the six acre site was boxed in, or if there was opportunity to attach parcels there.

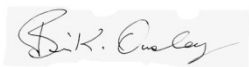
Mr. Aungst advised to the west was a company CCL Design and they have the property and behind Gales property and CCL is a parcel on W. 130th that is a residence currently, however depending on what that land owner wanted to do that land could potentially be developed.

The meeting concluded with comments made about different areas in the City for potential development.

ADJOURNMENT:

There being no further business, Mrs. Hanek moved to adjourn at 6:50 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Ousley", is written over a light gray rectangular background.

Brian Ousley
Chairman

PLANNING AND ZONING COMMITTEE

January 9, 2017

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Patricia Hanek, Committee Member Nicholas Hanek, Anthony Capretta, Michael Abella Jr., Alex Johnson, Joseph Salzgeber, Acting City Manager/Safety Director Chief Carl DeForest, Law Director Kenneth Fisher, Assistant Law Director Dennis Nevar, Assistant Finance Director Lynnette Ozanich, Administrative Services Julie Murawski, Engineer Matt Jones, Service Director Paul Barnett, Information Technology/Security Officer Rob Marok, Planning & Zoning Coordinator Pam Plavecski, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:32 p.m.

DISCUSSION ITEM:

ORD. NO. 5-17 – An ordinance amending the Design guidelines for the Southeast Neighborhood of the Brunswick Town Center Special Planning District No. 2

Mr. Fisher advised the Planning & Zoning committee recommended changes to the SPD 2 specifically that the hotel use change from permitted to conditional use and that is what the ordinance does. The ordinance has to be referred to Planning Commission for a mandatory public hearing before proceeding for a second and third reading.

Mr. Fisher also noted the moratorium is in effect until such time Council takes action on the proposed legislation.

Mr. Ousley stated on the Council floor he will move the legislation to a second reading and refer it back to the Planning Commission.

Mrs. Plavecski wanted to let everyone know that she received calls from the architect on the project and he wanted to submit a detailed site plan. The law department indicated a discussion plan can be submitted.

Mr. Fisher advised there was no problem with coming in with a new conceptual plan to discuss publically without accepting a formal application.

Mrs. Plavecski advised they would like to submit for the February 2 Planning Commission meeting. She asked if Planning Commission has to take any action.

In response Mr. Fisher advised in essence it is for public discussion and comments only.

Mr. Hanek moved this ordinance to tonight's Council Agenda of January 9, 2017 for three readings. Vote – 3 Ayes, 0 Nays.

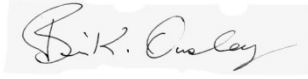
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

There being no further business, Mrs. Hanek moved to adjourn at 6:37 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "B. Ousley", is written on a light gray rectangular background.

Brian Ousley
Chairman

BUILDING AND BUILDING CODE COMMITTEE

January 9, 2017

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Brian Ousley, Patricia Hanek, Alex Johnson, Nicholas Hanek, Joseph Salzgeber, Acting City Manager/Safety Director Chief Carl DeForest, Administrative Services Julie Murawski, Assistant Finance Director Lynnette Ozanich, Law Director Kenneth Fisher, Assistant Law Director Dennis Nevar, Engineer Matt Jones, Information Technology/Security Officer Rob Marok, Service Director Paul Barnett, Planning & Zoning Coordinator Pam Plavecski, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:29 p.m.

BUILDING & BUILDING CODE UPDATE FOR 2016:

In the absence of Mr. Aungst and Mr. Callaway the Building & Building Code update was given by Mrs. Plavecski.

There were 102 new home starts in 2016 and that was up from 76 in 2015. The total cost of construction for residential, commercial, and industrial was approximately \$53,552,533.00. Property Maintenance Inspector Jesse Knight logged in 319 inspections for 2016, and for all the building inspectors combined there were a total of 3,000 logged inspections for commercial, residential, and industrial.

Mr. Callaway wanted it known that Jesse Knight also spends a lot of time and effort removing illegal signs in the right of ways, and he does multiple visits required for property violations before citing someone into court, and those efforts are not logged into the Franklin Software System. Additionally he does multiple inspections for high grass and weeds and those inspections run from May through October.

Mr. Capretta asked if there was an update on Hickory Ridge Plaza, and Mrs. Plavecski responded she did not have an update however she noted Mr. Callaway would be able to provide that update.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

There being no further business, Mr. Ousley moved to adjourn at 6:32 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta
Chairman

COMMITTEE OF THE WHOLE MEETING

December 27, 2016

IN ATTENDANCE: Vice Mayor Patricia Hanek, Brian Ousley, Nicholas Hanek, Alex Johnson, Michael Abella Jr., Anthony Capretta, Joseph Salzgeber, Acting City Manager/Safety Director Chief Carl DeForest, Law Director Kenneth Fisher, Finance Director Todd Fischer, Service Director Paul Barnett, Assistant Clerk of Council Valerie Zak, News Media.

The meeting convened at 6:23 p.m.

DISCUSSION OF POSSIBLE ANTI-DISCRIMINATION LEGISLATION:

In response to the rental registry legislation, Mr. Hanek looked into anti-discrimination language in terms of what the realtors were implying could be discriminatory in the City. He stated that was never the intention for the rental registry or otherwise. Mr. Hanek was going to look at the code to make something explicit that the City was not intending any type of discrimination whatsoever in housing or otherwise.

Mrs. Hanek mentioned the website Equality Ohio; there are twenty eight communities in Ohio that passed Ohio Municipal Equality ordinances. She asked if Mr. Hanek had sample legislation, and he indicated he has not received it yet.

Mr. Fisher stated the law department was familiar with the issue and the law department shares the concerns of Council, and the Administration. He stated the renter's ordinance is not to discriminate against anyone, and the best way to address all the concerns that have been raised is to hold discussion with the realtors and others.

Mr. Capretta commented the rental ordinance was already in other communities.

Mrs. Hanek interjected tonight's discussion is specifically for an anti-discrimination legislation.

It was further explained that the anti-discrimination legislation will be separate from the rental legislation.

Mr. Hanek noted the anti- discrimination legislation was brought up because of wording that was brought up in the press.

Mr. Salzgeber mentioned there were some concerns raised by realtors at the last couple of meetings, and he referred to some court cases that dealt with zoning and restrictions.

Mrs. Hanek asked that the discussion not segue into the rental legislation.

Mr. Fisher stated the purpose is to make sure the public health, safety, welfare matters are addressed.

Mr. Hanek moved for the law department to draft anti-discrimination legislation. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

Mr. Barnett provided a brief history of the Brunswick Transit Alternative (BTA); noting for a number of years it was run by Buckeye Transit Incorporated, and in January 2010 through a bid process Medina

County Public Transit took it over. Discussions with Medina County Public Transit relative to a merger began a couple of years ago, and during that time public discussions took place; most recently a public meeting was held October 17, 2016.

Mr. Barnett noted when it became evident that a merger was possible the City started having meetings with a number of entities that played a role in the merger; Greater Cleveland Regional Transit Authority (GCRTA), Federal Transit Administration (FTA), and the Northeast Ohio Areawide Coordinating Agency (NOACA). He explained that more than 50% of the funding through BTA comes from grants from FTA which come through GCRTA to the City. He explained the arrangement with GCRTA and Route 251.

He further explained that the owner of the system is eligible for federal funds and that GCRTA makes the requests for the federal funds on behalf of the City. He noted there was a caveat that the City cannot receive federal funds directly it had to go through GCRTA.

Additionally, Mr. Barnett mentioned that the City uses NOACA to file all the paperwork for FTA.

Mr. Barnett anticipates the future funds will pass through GCRTA and go to Medina County Public Transit for a minimum of two years, at which time GCRTA may continue to receive those federal funds or Medina County Public Transit may go for the federal funds directly.

He noted currently Medina County Public Transit receives direct federal funds for the City of Medina and the City of Wadsworth.

Mr. Barnett stated the four pieces of legislation before Council are all inter related, if one does not pass none of them will be in effect.

RES. NO. 101-16 - An emergency resolution authorizing the City Manager to enter into an asset transfer and merger agreement with the Medina County Board of Commissioners for the transfer of assets and operations of the Brunswick Transit Alternative

Mr. Fisher noted this legislation authorizes the City Manager to enter into an asset transfer merger agreement with Medina County Commissioners, who will be meeting tomorrow. The law department and Assistant Prosecutor for Medina County are in agreement in terms of terms and conditions.

RES. NO. 102-16 – An emergency resolution authorizing the City Manager to enter into an agreement with the Greater Cleveland Regional Transit Authority for the disbursement of public transportation funds apportioned by the Federal Transit Administration

Mr. Fisher noted this legislation authorizes the City Manager to enter into an agreement with Greater Cleveland Regional Transit for disbursement of public transportation funds by the federal transit administration, for continued operation of the 251 route. It was noted GCRTA adopted a resolution December 20, 2016.

RES. NO. 103-16 – An emergency resolution extending the agreement between the Greater Cleveland Regional Transit Authority and the City of Brunswick up to and including December 31, 2018 for the provision of transportation services known as the 251 Flyer

Mr. Fisher noted this legislation was with regard to the eleventh amendment for operation of the 251 route in exchange for compensation in the amount of \$54,000 being withheld by GCRTA for federal funding previously authorized.

RES. NO. 104-16 – An emergency resolution authorizing the City Manager to enter into an agreement with the Greater Cleveland Regional Transit Authority and the Board of Medina County Commissioners

Mr. Fisher advised this legislation is relative to application receipt and distribution of federal funding for fiscal years 2017 and 2018, which technically must remain allocated to the City, this authorizes GCRTA to apply for and receive the money and distribute the operating funds to the county as beneficiary to the City, he noted it was authorized by GCRTA board of trustees on December 20, 2016.

Mr. Fisher noted it has been a long difficult process to make the best accommodations for the City and certainly for the residents that use public transportation.

Mr. Salzgeber moved Resolution Nos. 101-16, 102-16, 103-16, and 104-16 to tonight's Special Council Agenda of December 27, 2016 as emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

There being no further business, Mr. Hanek moved to adjourn at 6:40 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 100-16** - An ordinance establishing Section 618.29 of the City of Brunswick Codified Ordinances by providing regulations for leaving animals unattended in vehicles - **3rd Reading** (Safety and Environment Committee, *Administration/Ken Fisher*)

BACKGROUND: Establish Section 618.29 of Codified Ordinances by providing regulations for leaving animals unattended in vehicles.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

Adopt upon third reading.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
Recommended for three readings.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 100-16

BY: Mr. Hanek, Mr. Capretta and Mr. Johnson

AN ORDINANCE ESTABLISHING SECTION 618.29 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES BY PROVIDING REGULATIONS
FOR LEAVING ANIMALS UNATTENDED IN VEHICLES.

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

SECTION 1: That Section 618.29 of the Codified Ordinances is hereby established to read as follows:

618.29 LEAVING ANIMALS UNATTENDED IN VEHICLES

- (a) No animal shall be left unattended in an enclosed portion of a vehicle except under all the following conditions:
 - (1) No animal may be left unattended in an enclosed portion of a vehicle for more than five minutes;
 - (2) No heat or cold advisory has been issued by a local or state authority or the National Weather Service;
 - (3) The animal is not younger than six months of age; and
 - (4) Adequate water is provided to the animal.
- (b) This section does not apply to any animal left unattended in an enclosed portion of a vehicle wherein appropriate temperature controls are in actual use.
- (c) Whoever violates or fails to comply with any provisions of this section is guilty of the following and shall be subject to the penalty as provided in Section 698.02:
 - (1) On the first offense within 12 months, a minor misdemeanor.
 - (2) On the second offense within 12 months of a first offense, a misdemeanor of the fourth degree.
 - (3) On the third offense within 12 months of a first offense, a misdemeanor of the first degree.
 - (4) On any offense, if the animal was injured, a misdemeanor of the first degree.

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

PASSED: 1st Reading _____
 2nd Reading _____

 3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

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

COPY: Mayor Ron Falconi

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

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

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

IMPLEMENTATION SCHEDULE: January 1, 2017

FINANCIAL INFORMATION:

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

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

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

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

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

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

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

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 2-17

BY: Committee-of-the-Whole

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

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

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

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

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 3-17** - An Ordinance establishing the position of full-time Information Technology Assistant in the Division of Information and Public Communications - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

BACKGROUND: The Information and Technology Department is in need of a full time employee to assist with the daily operations of technology needs.

PURPOSE AND EXPLANATION: To assist with the technology needs of the City.

IMPLEMENTATION SCHEDULE: As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: N/A - This Ordinance merely establishes the position not the pay range.

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
ORDINANCE NO. _____

BY:

AN ORDINANCE ESTABLISHING THE POSITION OF FULL-TIME
INFORMATION TECHNOLOGY ASSISTANT IN THE DIVISION OF
INFORMATION AND PUBLIC COMMUNICATIONS.

WHEREAS: The position of full-time Information Technology Assistant in the Division of Information and Public Communications is necessary to assist with the daily operation of the Division.

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

SECTION 1: That the position of full-time Information Technology Assistant is hereby established in the Division of Information and Public Communications to assist with the daily operation of the Division, subject to a pay range established by Ordinance and approved by the City Manager.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barb Ortiz

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 3-17

BY: Mr. Salzgeber, Mr. Hanek and Mr. Ousley

AN ORDINANCE ESTABLISHING THE POSITION OF FULL-TIME
INFORMATION TECHNOLOGY ASSISTANT IN THE DIVISION OF
INFORMATION AND PUBLIC COMMUNICATIONS.

WHEREAS: The position of full-time Information Technology Assistant in the Division of Information and Public Communications is necessary to assist with the daily operation of the Division.

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

SECTION 1: That the position of full-time Information Technology Assistant is hereby established in the Division of Information and Public Communications to assist with the daily operation of the Division, subject to a pay range established by Ordinance and approved by the City Manager.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 4-17** - An Ordinance establishing the pay range of full-time Information Technology Assistant in the Division of Information and Public Communications - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

BACKGROUND: The Information Technology Department is in need of a full time employee to assist with the daily operations of the City.

A salary schedule must be implemented for said position.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

As soon as allowed by law.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

The salary range shall be:
\$45,265 - \$77,900

The current 2017 wage budget for this position, previously approved by Council, is not to exceed \$70,000. Any salary or wage amount for this position in excess of \$70,000 would require a Council approved budget amendment.

**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

ORDINANCE NO. _____

BY:

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF FULL-TIME INFORMATION TECHNOLOGY ASSISTANT IN THE DIVISION OF INFORMATION AND PUBLIC COMMUNICATIONS.

WHEREAS: Council has established the position of full-time Information Technology Assistant in the Division of Information and Public Communications by separate Ordinance; and

WHEREAS: Council wishes to establish a pay range for the position of full-time Information Technology Assistant in the Division of Information and Public Communications.

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

SECTION 1: The following pay range is hereby established, subject to annual appropriations by City Council:

<u>POSITION</u>	<u>RANGE</u>
Information Technology Assistant	\$45,265.00/year - \$77,900.00/year

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO

ORDINANCE NO. 4-17

BY: Mr. Salzgeber, Mr. Hanek and Mr. Ousley

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF FULL-TIME INFORMATION TECHNOLOGY ASSISTANT IN THE DIVISION OF INFORMATION AND PUBLIC COMMUNICATIONS.

WHEREAS: Council has established the position of full-time Information Technology Assistant in the Division of Information and Public Communications by separate Ordinance; and

WHEREAS: Council wishes to establish a pay range for the position of full-time Information Technology Assistant in the Division of Information and Public Communications.

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

SECTION 1: The following pay range is hereby established, subject to annual appropriations by City Council:

<u>POSITION</u>	<u>RANGE</u>
Information Technology Assistant	\$45,265.00/year - \$77,900.00/year

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 7-17** - An emergency resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, in order to provide for a temporary sixty-five one hundredths percent(0.65%) municipal income tax increase during the period from January 1, 2018 through December 31, 2022 to provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City - **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Ken Fisher)

BACKGROUND: On January 26, 2009, Ord. No. 4-09 was adopted upon recommendation of the Mayor's Ad Hoc Finance Committee, increasing the income tax by 0.5% from 1.35% to 1.85% for a period of four years commencing Jan. 1, 2010 for the purpose of maintaining staffing levels of the Safety Forces and submitting such income tax increase question to the electors of the City at the May 5, 2009 Primary Election. The electors approved the 0.5% income tax increase for the purpose of maintaining staffing levels for the Safety Forces.

The electors approved a continuation of the 0.5% income tax increase for the purpose of maintaining staffing levels for the Safety Forces at the November 6, 2012 General Election through December 31, 2017.

**PURPOSE AND
EXPLANATION:**

Based on discussions, Council has determined that it is necessary to increase the municipal income tax by sixty-five one hundredths percent (0.65%) for the purpose of maintain staffing levels for the Safety Forces of the City for five years commencing January 1, 2018 through December 31, 2022.

IMPLEMENTATION

SCHEDULE:

If the levy is approved by the electors at the May 2, 2017 Primary Election, the companion Ord. No. 8-17 would require final consideration and approval of Council in order to amend the appropriate sections of the Codified Ordinances, in order to implement the approved levy and provide the funds necessary for the purpose of maintain staffing levels for the Safety Forces. Ordinance 8-17 will be introduced and provided two readings prior to the election so that it can be considered implemented in a timely fashion if the levy is approved.

**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?
It is recommended to adopt this resolution as an emergency with suspension of the rules as it is necessary for timely submission to the Medina County Board of Elections for inclusion on the May 2, 2017 Ballot.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 7-17

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 880.005, 880.01 AND 880.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK, OHIO, IN ORDER TO PROVIDE FOR A TEMPORARY SIXTY-FIVE ONE-HUNDREDTHS PERCENT (0.65%) MUNICIPAL INCOME TAX INCREASE DURING THE PERIOD FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2022 TO PROVIDE FUNDS FOR THE PURPOSE OF MAINTAINING STAFFING LEVELS FOR THE SAFETY FORCES OF THE CITY.

- WHEREAS: On January 26, 2009, Ordinance No. 4-09 was passed by this Council, upon recommendation of the Mayor's Ad Hoc Finance Committee, to increase the municipal income tax rate from 1.35% to 1.85% for a period of four (4) years commencing January 1, 2010, for the purpose of maintaining staffing levels for the Safety Forces of the City and, as required by law, the question of the passage of that Ordinance was submitted to the electors of the for their approval; and
- WHEREAS: At an election on May 5, 2009, the voters of the City approved the passage of Ordinance No. 4-09 providing for that municipal income tax rate increase effective January 1, 2010; and
- WHEREAS: At an election on November 6, 2012, the voters of the City approved the passage of Ordinance No. 60-12 providing for a continuation of the 0.50% municipal income tax rate increase for the purpose of maintaining staffing levels for the Safety Forces of the City through December 31, 2017; and
- WHEREAS: This Council finds it necessary that an ordinance be approved to increase the municipal income tax rate by sixty-five one-hundredths percent (0.65%) for the purpose of maintaining staffing levels for the Safety Forces of the City for a period of five (5) years commencing January 1, 2018 and ending December 31, 2022, and such an ordinance (Ordinance No. 8-17) has been introduced and given an initial reading; and
- WHEREAS: Because the provisions of Chapter 718 of the Ohio Revised Code require that the passage of such an ordinance receive the approval of the electors of the City, this Council has determined to submit to the question of the passage of Ordinance No. 8-17 to the electors of the City at an election on May 2, 2017.

THIS COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1. This Council hereby authorizes and directs the submission to the electors of the City of Brunswick, Ohio, at an election to be held at the usual places of voting in the City on Tuesday, May 2, 2017, between the hours of 6:30 a.m. and 7:30 p.m. of that day, of the question of approving the passage of Ordinance No. 8-17 to amend Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, in order to provide for

the levying of a temporary sixty-five one-hundredths percent (0.65%) municipal income tax for a period commencing on January 1, 2018 and ending December 31, 2022, to provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City, which temporary sixty-five one-hundredths percent (0.65%) municipal income tax shall be in addition to the City's one percent (1.0%) and thirty-five one-hundredths percent (0.35%) municipal income taxes that are in effect for a continuing period of time.

SECTION 2. The proposed Ordinance to be submitted to the electors of the City for their approval hereunder shall be as follows:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 8-17

BY:

AN ORDINANCE AMENDING SECTIONS 880.005, 880.01 AND 880.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK, OHIO, IN ORDER TO PROVIDE FOR A TEMPORARY SIXTY-FIVE ONE-HUNDREDTHS PERCENT (0.65%) MUNICIPAL INCOME TAX INCREASE DURING THE PERIOD FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2022 TO PROVIDE FUNDS FOR THE PURPOSE OF MAINTAINING STAFFING LEVELS FOR THE SAFETY FORCES OF THE CITY.

THIS COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1. Section 880.005 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

“880.005 PURPOSES

- (a) To provide funds for the purposes of general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City, there is hereby levied a tax on municipal taxable income at a rate of one percent (1.00%).
- (b) To provide funds for the purpose of operating and expanding the Safety Forces of the City, there is hereby levied an additional tax effective January 1, 1996 on municipal taxable income at a rate of thirty-five one-hundredths percent (0.35%).
- (c) During the period from January 1, 2018 through December 31, 2022, to provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City, there is also hereby levied a tax on municipal taxable income at a rate of sixty-five one-hundredths percent (0.65%).
- (d) Those taxes shall be imposed for the foregoing purposes, levied on an annual basis on

the income of every person residing in or earning or receiving income in the City of Brunswick and measured by the person's municipal taxable income.

- (e) The taxes levied under this Chapter 880 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the City to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 880, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 880 and an express provision or limitation of Chapter 718 of the Ohio Revised Code.”

SECTION 2. Section 880.01 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

“880.01 ALLOCATION OF REVENUES

The funds collected under the provisions of this Chapter 880 shall be credited to the General Fund and applied for the following purposes and in the following order:

- (a) Administration. Such part thereof as shall be necessary to defray all costs of collecting all income taxes levied and the cost of administering and enforcing the provisions of this Chapter shall be appropriated by Council for that purpose.
- (b) Allocation of Thirty-Five One-Hundredths Percent (0.35%) Tax Increase. The funds resulting from the additional 0.35% income tax rate, as provided in Ordinance No. 89-95, passed by City Council on July 24, 1995, and approved by the electors of the City at an election on November 7, 1995, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of operating and expanding the Safety Forces of the City.
- (c) Allocation of Sixty-Five One-Hundredths Percent (0.65%) Tax Increase. During the period from January 1, 2018 through December 31, 2022, the funds resulting from the additional 0.65% income tax rate, as provided in Ordinance No. 8-17 and approved by the electors of the City at an election on May 2, 2017, and passed thereafter by the City Council, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of maintaining staffing levels for the Safety Forces of the City.
- (d) The funds resulting from the 1.00% income tax rate, as described in Section 880.005, shall be available for appropriation and allocation, as deemed necessary by the Council of the City of Brunswick, for the following purposes: general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of Municipal services and facilities and capital improvements of the City.

- (e) The Council shall, from time to time, pass Ordinances providing for the allocations required and permitted in this Section, which shall be on file with the Clerk of Council.”

SECTION 3. Section 880.04 of the Codified Ordinances of the City of Brunswick is hereby amended to read as follows:

“880.04 IMPOSITION OF TAX.

Consistent with the provisions of Section 880.005 and subject to the provisions of Section 880.15, there shall be imposed upon the municipal taxable income of all residents, nonresidents, and taxpayers that are not individuals an annual income tax as follows: (1) for the period commencing January 1, 2018 and ending December 31, 2022, an annual tax for the purposes specified in Section 880.005 at the rate of 2.00% per year; and (2) thereafter, unless a separate Ordinance providing for a different rate or rates is approved by the voters of the City and this Council or otherwise passed in accordance with law, an annual tax for the purposes specified in the first two paragraphs of Section 880.005 at the rate of 1.35% per year. The City income tax imposed by this Section does not apply to the income of any individual who is under the age of eighteen. The determination of whether an individual is a resident or a nonresident shall be made in accordance with Section 718.012 of the Ohio Revised Code. To the extent the municipal taxable income of a nonresident or a taxpayer that is not an individual is comprised of net profits, such municipal taxable income shall be apportioned or situated to the City in accordance with Section 718.02 of the Ohio Revised Code. For any taxable year beginning on or after January 1, 2016, a taxpayer that is a member of an affiliated group of corporations may elect, in accordance with Ohio Revised Code Section 718.06, to file with the City a consolidated municipal income tax return and determine its City income tax in accordance with such filing. For purposes of determining municipal taxable income for any taxable year beginning on or after January 1, 2016, an individual shall be exempt from City income tax to the extent such individual satisfies each of the following: (1) is a dependent for federal income tax purposes of a resident; (2) is enrolled at a post-secondary institution of higher learning located outside the City and lives outside the City while enrolled at such an institution; and (3) earns or receives qualifying wages while living outside the City from an employer not located in the City. Any such individual that satisfies the requirements of the immediately preceding sentence is, however, subject to the annual City income tax return filing requirements set forth in Section 880.06.”

SECTION 4. Effective January 1, 2018, Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed, are hereby repealed. Provided, however, that no provision of this Ordinance, including the repeal of Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any

taxpayer, or any other person, official or entity, with respect to the one and eighty-five one-hundredths percent municipal income tax assessed by Chapter 880 of the Codified Ordinances of the City of Brunswick, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2018.

SECTION 5. 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 6. That this Ordinance shall take effect and be in force from and after January 1, 2018.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz”

SECTION 3. It is the desire of this Council that the ballot language presented to the electors of the City of Brunswick shall be in substantially the following form:

A majority affirmative vote is necessary for passage.

Shall the Ordinance (Ordinance No. 8-17) providing for a sixty-five one-hundredths percent (0.65%) levy on income for a five (5) year period commencing on January 1, 2018 and ending December 31, 2022, to replace the existing five-tenths percent (0.5%) levy expiring on December 31, 2017, for the purpose of maintaining staffing levels for the Safety Forces of the City, which levy shall be in addition to the City’s one percent (1.00%) and thirty-five one-hundredths percent (0.35%) levies on income that are in effect for a continuing period of time, be passed?

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 8-17** - An ordinance amending Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio in order to provide for a temporary sixty-five one hundredths percent (0.65%) municipal income tax increase during the period from January 1, 2018 through December 31, 2022 to provide funds for the purpose of maintaining staffing levels for the Safety Forces in the City - **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Ken Fisher)

BACKGROUND: On Jan. 26, 2009, Ord. No. 4-09 was adopted increasing the municipal income tax by 0.5% from 1.35% to 1.85% for a period of four years commencing on Jan. 1, 2010, for the purpose of maintaining staffing levels for the Safety Forces of the City and submitting such income tax increase question to the electors of the City at the May 5, 2009 Primary Election.

The electors approved a continuation of the 0.5% income tax increase for the purpose of maintaining staffing levels for the Safety Forces of the City at the November 6, 2012 General Election through December 31, 2017.

**PURPOSE AND
EXPLANATION:**

IMPLEMENTATION

SCHEDULE: It is recommended this ordinance be approved if the proposed levy is approved by the electors at the May 2, 2017 Primary Election.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No

Suspension of Rules

No

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

This companion Ordinance will be introduced and provided two readings prior to the May 2, 2017 Primary Election so that it can be considered and implemented in a timely fashion following the election if the levy is approved

**ADDITIONAL
INFORMATION:**

Third reading and consideration of this Ordinance cannot occur until after the May 2, 2017 Primary Election and only then if the electors approve the proposed levy.

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 8-17

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTIONS 880.005, 880.01 AND 880.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK, OHIO, IN ORDER TO PROVIDE FOR A TEMPORARY SIXTY-FIVE ONE-HUNDREDTHS PERCENT (0.65%) MUNICIPAL INCOME TAX INCREASE DURING THE PERIOD FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2022 TO PROVIDE FUNDS FOR THE PURPOSE OF MAINTAINING STAFFING LEVELS FOR THE SAFETY FORCES OF THE CITY.

THIS COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1. Section 880.005 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

“880.005 PURPOSES

- (a) To provide funds for the purposes of general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City, there is hereby levied a tax on municipal taxable income at a rate of one percent (1.00%).
- (b) To provide funds for the purpose of operating and expanding the Safety Forces of the City, there is hereby levied an additional tax effective January 1, 1996 on municipal taxable income at a rate of thirty-five one-hundredths percent (0.35%).
- (c) During the period from January 1, 2018 through December 31, 2022, to provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City, there is also hereby levied a tax on municipal taxable income at a rate of sixty-five one-hundredths percent (0.65%).
- (d) Those taxes shall be imposed for the foregoing purposes, levied on an annual basis on the income of every person residing in or earning or receiving income in the City of Brunswick and measured by the person’s municipal taxable income.
- (e) The taxes levied under this Chapter 880 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the City to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 880, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 880 and an express provision or limitation of Chapter 718 of the Ohio Revised Code.”

SECTION 2. Section 880.01 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

“880.01 ALLOCATION OF REVENUES

The funds collected under the provisions of this Chapter 880 shall be credited to the General Fund and applied for the following purposes and in the following order:

- (a) Administration. Such part thereof as shall be necessary to defray all costs of collecting all income taxes levied and the cost of administering and enforcing the provisions of this Chapter shall be appropriated by Council for that purpose.
- (b) Allocation of Thirty-Five One-Hundredths Percent (0.35%) Tax Increase. The funds resulting from the additional 0.35% income tax rate, as provided in Ordinance No. 89-95, passed by City Council on July 24, 1995, and approved by the electors of the City at an election on November 7, 1995, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of operating and expanding the Safety Forces of the City.
- (c) Allocation of Sixty-Five One-Hundredths Percent (0.65%) Tax Increase. During the period from January 1, 2018 through December 31, 2022, the funds resulting from the additional 0.65% income tax rate, as provided in Ordinance No. 8-17 and approved by the electors of the City at an election on May 2, 2017, and passed thereafter by the City Council, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of maintaining staffing levels for the Safety Forces of the City.
- (d) The funds resulting from the 1.00% income tax rate, as described in Section 880.005, shall be available for appropriation and allocation, as deemed necessary by the Council of the City of Brunswick, for the following purposes: general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of Municipal services and facilities and capital improvements of the City.
- (e) The Council shall, from time to time, pass Ordinances providing for the allocations required and permitted in this Section, which shall be on file with the Clerk of Council.”

SECTION 3. Section 880.04 of the Codified Ordinances of the City of Brunswick is hereby amended to read as follows:

“880.04 IMPOSITION OF TAX.

Consistent with the provisions of Section 880.005 and subject to the provisions of Section 880.15, there shall be imposed upon the municipal taxable income of all residents, nonresidents, and taxpayers that are not individuals an annual income tax as follows: (1) for the period commencing January 1, 2018 and ending

December 31, 2022, an annual tax for the purposes specified in Section 880.005 at the rate of 2.00% per year; and (2) thereafter, unless a separate Ordinance providing for a different rate or rates is approved by the voters of the City and this Council or otherwise passed in accordance with law, an annual tax for the purposes specified in the first two paragraphs of Section 880.005 at the rate of 1.35% per year. The City income tax imposed by this Section does not apply to the income of any individual who is under the age of eighteen. The determination of whether an individual is a resident or a nonresident shall be made in accordance with Section 718.012 of the Ohio Revised Code. To the extent the municipal taxable income of a nonresident or a taxpayer that is not an individual is comprised of net profits, such municipal taxable income shall be apportioned or situated to the City in accordance with Section 718.02 of the Ohio Revised Code. For any taxable year beginning on or after January 1, 2016, a taxpayer that is a member of an affiliated group of corporations may elect, in accordance with Ohio Revised Code Section 718.06, to file with the City a consolidated municipal income tax return and determine its City income tax in accordance with such filing. For purposes of determining municipal taxable income for any taxable year beginning on or after January 1, 2016, an individual shall be exempt from City income tax to the extent such individual satisfies each of the following: (1) is a dependent for federal income tax purposes of a resident; (2) is enrolled at a post-secondary institution of higher learning located outside the City and lives outside the City while enrolled at such an institution; and (3) earns or receives qualifying wages while living outside the City from an employer not located in the City. Any such individual that satisfies the requirements of the immediately preceding sentence is, however, subject to the annual City income tax return filing requirements set forth in Section 880.06.”

SECTION 4. Effective January 1, 2018, Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed, are hereby repealed. Provided, however, that no provision of this Ordinance, including the repeal of Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the one and eighty-five one-hundredths percent municipal income tax assessed by Chapter 880 of the Codified Ordinances of the City of Brunswick, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2018.

SECTION 5. 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 6. That this Ordinance shall take effect and be in force from and after January 1, 2018.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 9-17** - An emergency Resolution authorizing the City Manager to purchase three (3) Ford Police Interceptor Utility Vehicles from Statewide Ford for the Division of Police in a total amount not to exceed \$112,050.00 - **1st Reading** (To be brought from Safety & Environment Committee, Administration/Chief DeForest)

BACKGROUND: The Division of Police is in need of replacing three (3) current vehicles due to excessive mileage and maintenance costs for each vehicle

PURPOSE AND EXPLANATION: We request adoption of legislation on an emergency basis due to the sooner the vehicles are ordered, the sooner they would be put into service, thus saving maintenance costs on the replaced vehicles.

IMPLEMENTATION SCHEDULE: Vehicles will be ordered as soon as legislation has been adopted.

FINANCIAL INFORMATION: Vehicles for the Division of Police - - Police Fund #114 (Police Capital SubFund #961) - 961-0520-56252 - - 112050

FINANCIAL SUMMARY: The vehicles would be purchased with capital funds that are available and budgeted for in the 2017 Police capital budget. These vehicles would replace three (3) vehicles (one 2011, two 2012 models) with high mileage and maintenance costs.

Cost for purchase not to exceed \$112,050.00

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?

We request adoption of legislation on an emergency basis due to the sooner the vehicles are ordered, the sooner they will be delivered and put into service, thus saving maintenance costs on the replaced vehicles.

**ADDITIONAL
INFORMATION:**

These vehicles will replace one (1) 2011 and two (2) 2012 models. Cost of replacement not to exceed \$112,050.00 from Statewide Ford in Van Wert, Ohio.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE THREE (3) FORD POLICE INTERCEPTOR UTILITY VEHICLES FROM STATEWIDE FORD FOR THE DIVISION OF POLICE IN A TOTAL AMOUNT NOT TO EXCEED \$112,050.00.

WHEREAS: The City of Brunswick belongs to the State Procurement Program under the direction of the Ohio Department of Administrative Services;and

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 Procurement 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 the vehicles for the Division of Police in the total amount of \$112,050.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Procurement Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase three (3) Ford Police Interceptor Utility Vehicles from Statewide Ford for the Division of Police in a total amount not to exceed \$112,050.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that the Division of Police is in need of these vehicles as soon as possible. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 9-17

BY: Mr. Hanek, Mr. Capretta and Mr. Johnson

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE THREE (3) FORD POLICE INTERCEPTOR UTILITY VEHICLES FROM STATEWIDE FORD FOR THE DIVISION OF POLICE IN A TOTAL AMOUNT NOT TO EXCEED \$112,050.00.

WHEREAS: The City of Brunswick belongs to the State Procurement Program under the direction of the Ohio Department of Administrative Services;and

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 Procurement 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 the vehicles for the Division of Police in the total amount of \$112,050.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Procurement Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase three (3) Ford Police Interceptor Utility Vehicles from Statewide Ford for the Division of Police in a total amount not to exceed \$112,050.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that the Division of Police is in need of these vehicles as soon as possible. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 01/23/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO 10-17** - An ordinance establishing Section 618.28 of the City of Brunswick Codified Ordinances by providing regulations for the tethering of dogs - **1st Reading** (Safety & Environment Committee, *Administration/Ken Fisher*)

BACKGROUND: To establish Section 618.28 of the Codified Ordinances by providing regulations for the tethering of dogs in the City of Brunswick.

PURPOSE AND EXPLANATION: The purpose is to regulate the tethering of dogs in the City of Brunswick.

IMPLEMENTATION SCHEDULE: Adopt after three readings.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommended to have three readings with the first reading on January 23, 2017.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 10-17

BY: Mr. Hanek, Mr. Capretta and Mr. Johnson

AN ORDINANCE ESTABLISHING SECTION 618.28 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES BY PROVIDING REGULATIONS
FOR THE TETHERING OF DOGS.

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

SECTION 1: That Section 618.28 of the Codified Ordinances is hereby established to read as follows:

618.28 TETHERING DOGS

- (a) As used in this Section:
 - (1) “Body harness” means a device consisting of straps made of nylon, leather or other pliable material fitted to the body of a dog and used to affix a restraint of the animal.
 - (2) “Collar” means a device consisting of straps made of nylon, leather or other pliable material secured around the neck of a dog that is properly fitted and has enough room between the collar and the dog’s throat through which two adult fingers may fit. Choke collars and pinch collars are prohibited for purposes of tethering a dog.
 - (3) “Properly fitted” means worn without causing discomfort, pain or injury.
 - (4) “Tether” means, when used as a noun, any device, including but not limited to a chain, leash, cable or tie out attached to a stationary point or object, trolley or run used to contain or restrain a dog. When used as a verb, tether shall mean to attach a dog to such a device.
- (b) Nothing in this section shall prohibit the tethering of a dog that is in the immediate proximity of its owner or custodian, in a manner that does not cause discomfort, pain or injury to the dog.
- (c) No person shall tether or cause to be tethered any dog that is not in the immediate vicinity of its owner or custodian except under all the following conditions:
 - (1) The owner or custodian is present on the property;
 - (2) Such tethering does not exceed sixty (60) continuous minutes;
 - (3) The dog is six months of age or older;
 - (4) If female, the dog is sterilized;
 - (5) The tether does not exceed ten percent of the dog’s body weight;
 - (6) The tether is at least three times the length of the dog from the tip of its nose to the base of its tail;
 - (7) The tether allows the dog to easily stand, sit, lie, turn around, and make all other normal body movements in a comfortable normal position;
 - (8) The tether allows the dog to interact safely with other animals;
 - (9) The tether is appropriate for the age and size of the dog and attached to

the dog by a properly fitted collar or body harness configured to prevent the dog or tether from becoming entangled with other objects or animals or from extending over an object or edge that could result in the strangulation or injury of the dog;

- (10) Only one dog is attached to a single tether;
- (11) The dog is not tethered in such a manner to permit the dog to cross and enter upon another's property, except that the same shall not be unlawful if the affected owner or person having lawful possession thereof provides consent; and
- (12) Adequate water is provided to the dog.

- (d) Whoever violates or fails to comply with any provisions of this section is guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense occurring within 12 months from the previous offense and shall be subject to the penalty provided in Section 698.02.

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

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

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz