

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

JUNE 23, 2025

6:45 PM

**or Immediately Following
Parks, Recreation & Community Committee**

1. Discussion Items
2. Motion Items
 - (a) A motion to allow the Administration to go out to bid for office supplies.
3. Review Legislation
 - (a) **ORD. NO. 56-2025** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Laura Timura*)
 - (b) **RES. NO. 58-2025** - An emergency resolution opposing House Bill 335. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*)
4. General Discussion
5. Executive Session
6. Adjournment

THE CITY OF BRUNSWICK

PROPOSED MOTION



DATE: 6/23/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

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

COPY: Mayor Ron Falconi

MOTION: A motion to allow the Administration to go out to bid for office supplies.

BACKGROUND: Our current office supply contract will expire on December 31, 2025.

PURPOSE AND EXPLANATION: This bid would lock in pricing for office supply items.

IMPLEMENTATION SCHEDULE: The first (1st) contract year would be effective from January 1, 2026 through December 31, 2026.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

ADDITIONAL INFORMATION: The bid allows for two optional contract renewal periods for years 2027 and 2028.

PROPOSED LEGISLATION



DATE: 6/23/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Nicholas Hanek

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 56-2025** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Laura Timura*)

BACKGROUND: Section 3.18b. of the City Charter provides for the general codification of all City ordinances and resolutions having the force and effect of law and requires that such codification be kept current.

PURPOSE AND EXPLANATION: American Legal Publishing has completed its updating and revision of the Codified Ordinances of the City. Various ordinances of a general and permanent nature that have been enacted by Council since the date of the last updating and revision of the Codified Ordinances need to be included in the Codified Ordinances of the City. Certain changes made in the Codified Ordinances to bring City law into conformity with State law.

IMPLEMENTATION SCHEDULE: One reading with emergency and suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: As of May 31, 2025, \$19,535.00 remained on the American Legal Publishing P.O. #2025-60598A for services related to keeping the Codifieds up to date. This P.O. is encumbered to account #001-0100-54279 and the original amount of the purchase order was \$20,000.00.

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?

That it is immediately necessary to have an up-to-date codification of the laws of the City, pursuant to Section 3.18b. of the City Charter, that is in conformity with State Law, where such conformity is required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City and to preserve law and order of the City.

**ADDITIONAL
INFORMATION:**

ORDINANCE NUMBER 56-2025

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS COMPONENTS OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW LEGISLATION IN THE UPDATED REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS: Section 3.18b. of the City Charter provides for the general codification of all City ordinances and resolutions having the force and effect of law and requires that such codification be kept current; and

WHEREAS: American Legal Publishing has completed its updating and revision of the Codified Ordinances of the City; and

WHEREAS: Various ordinances of a general and permanent nature that have been enacted by Council since the date of the last updating and revision of the Codified Ordinances need to be included in the Codified Ordinances of the City; and

WHEREAS: Certain changes made in the Codified Ordinances to bring City law into conformity with State law.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the editing, arrangement and numbering or renumbering of the ordinances and parts of ordinances attached hereto as “Exhibit “A” as though fully herein written, are hereby approved as parts of the various component codes of the Codified Ordinances of the City of Brunswick, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances.

SECTION 2: That the sections of the Traffic and General Offenses Codes, as amended and attached hereto as Exhibit “B” as though fully herein written, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

SECTION 3: That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and listed on Exhibit “A” and in Section 1 are hereby repealed, except as follows:

(a) The enactment of such matter shall not be construed to affect a right of liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or any action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision or to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to May 12, 2025.

SECTION 4: That a copy of this ordinance shall be posted as set forth in Section 222.01 of the Codified Ordinances. A copy shall also be furnished to City Officers, Medina County Law Library and the Brunswick Public Library.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare and for the additional reason that it is immediately necessary to have an up-to-date codification of the laws of the City, pursuant to Section 3.18b. of the City Charter, that is in conformity with State Law, where such conformity is required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City and to preserve law and order of the City. Therefore, this Ordinance and the May 2025 Replacement Pages for the Codified Ordinances, hereby approved, adopted and enacted, shall be in full force and effect from and after its passage by the required number of votes, as set forth in Section 3.16 of the City Charter.

PASSED: 1st Reading _____

Rules Suspended:

AYES _____

NAYS

ADOPTED: _____

AYES _____

NAYS

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

EXHIBIT "A"

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
92-2024	11-11-24	1442.01(a)
97-2024	11-11-24	October 2024 Replacement Pages
12-2025	3-10-25	Pt. 12 Appendix K
13-2025	5-12-25	1280.01(h)
14-2025	5-12-25	1266.04(g)
26-2025	4-14-25	222.04
36-2025	5-12-25	1480.07(302.3.3)

EXHIBIT “B”

Traffic Code

404.01 Compliance with Lawful Order of Police Officer; Fleeing. (Amended)
404.083 Impounding Vehicles on Public Property. (Amended)
432.39 Driving Across Grade Crossing. (Amended)
432.40 Stopping at Grade Crossing. (Amended)
432.401 Slow-Moving Vehicles or Equipment Crossing Railroad Tracks. (Added)
434.01 Driving or Physical Control While Under the Influence. (Amended)
434.07 Street Racing, Stunt Driving and Street Takeovers Prohibited. (Amended)
436.04 Certain Acts Prohibited. (Amended)
436.072 Driving Under Financial Responsibility Law Suspension or Cancellation;
Driving Under a Nonpayment of Judgment Suspension. (Amended)
436.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
438.26 Child Restraint System Usage. (Amended)

General Offenses Code

606.12 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
624.01 Drug Abuse Control Definitions. (Amended)
624.02 Gift of Marihuana. (Amended)
624.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
624.04 Possessing Drug Abuse Instruments. (Amended)
624.05 Permitting Drug Abuse. (Amended)
624.07 Possessing or Using Harmful Intoxicants. (Amended)
624.08 Illegally Dispensing Drug Samples. (Amended)
624.12 Drug Paraphernalia. (Amended)
624.17 Pseudoephedrine Sales. (Added)
636.021 Vehicular Assault in a Construction Zone. (Amended)
636.16 Domestic Violence. (Amended)
636.22 Illegal Use of a Tracking Device or Application. (Added)
642.01 Theft and Fraud Definitions. (Amended)
642.02 Misdemeanor Theft. (Amended)
666.01 Obscenity and Sex Offenses Definitions. (Amended)
666.03 Unlawful Sexual Conduct with a Minor. (Amended)
666.04 Sexual Imposition. (Amended)
666.17 Grooming. (Added)

PROPOSED LEGISLATION



DATE: 6/23/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Nicholas Hanek

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 58-2025** - An emergency resolution opposing House Bill 335. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*)

BACKGROUND: House Bill 335 would end \$3.5 billion in inside millage property tax collections to Ohio local governments on January 1, 2026. The bill would prohibit subdivisions from levying inside millage and services would need to be provided through other means of revenue. The City's inside mills of 2.6 mills are authorized under Charter Section 7.11b. If this bill were to be adopted by the State and Home Rule/Charter would no longer apply, the City would have to cut \$2.9-\$3.0 Million from the budget. This would significantly affect capital improvement programs and operational services. Of the \$2.9-3.0 Million - \$335,000 of these funds are specifically used each year for pension obligations in the Division of Police and have been for 25+ years. The bill could change how the City staffs operations and significantly limit or even eliminate most capital improvement programs.

PURPOSE AND EXPLANATION: This is an emergency resolution to oppose HB 335 as it will prohibit the city's ability to assess inside millage property taxes.

IMPLEMENTATION SCHEDULE: One reading, emergency with suspension of the rules.

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?

That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason that this Council wants to express its opposition to the proposed House Bill 335. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 58-2025

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION OPPOSING HOUSE BILL 335.

- WHEREAS: House Bill 335, as introduced on June 4, 2025, proposes a series of Ohio property tax provisions that, if adopted, would eliminate “inside millage”, prohibit new emergency and substitute levies, and provide county budget commissions the authority to override voter approved levies, all without any plan or mechanism to replace the revenues that would be lost to local municipalities and school districts across the State of Ohio.
- WHEREAS: Inside Millage, which has its origins in the Ohio Constitution, directly supports the City’s operational services, capital improvement programs and pension obligations. If eliminated, the City would be required to cut approximately \$3,000,000.00 from its budget.
- WHEREAS: Inside Millage further directly supports the Brunswick City School District’s operating budget (including staffing, student programming and essential operations) and would translate to a loss of over \$8,000,000.00 per year, which represents nearly 10% of the District’s operating budget. If eliminated, the District would be required to immediately consider, without limitation, staff and program reductions and elimination of non-mandated services and activities.
- WHEREAS: Inside Millage is further utilized as security for unvoted general obligation bonds issued by political subdivisions and to support tax incentive agreements such as tax increment financing (TIF) and community reinvestment areas (CRA), which are essential tools in financing critical public improvements and encouraging economic development. If House Bill 335 is adopted: (a) the security for existing unvoted general obligations bonds would be eliminated resulting in a technical default thereof, which is in direct opposition to the Ohio Constitution’s prohibition of the passage of laws that impair contract provisions; (b) the ability of political subdivisions to issue future unvoted general obligation bonds will be effectively eliminated; (c) the ability of political subdivisions to finance critical public improvements will be severely impacted; (d) political subdivisions will be confronted with potential credit rating downgrades, thus increasing future borrowing costs and increasing the cost of replacement debt; (e) the sustainability of existing and future public infrastructure projects will be significantly impacted; and (f) tax incentives for economic development will be affected.
- WHEREAS: This Council does hereby find that proposed House Bill 335 is contrary to the City’s local Home Rule authority as granted by the Ohio Constitution.

WHEREAS: This Council opposes all measures introduced and/or enacted by the Ohio General Assembly which reduces or eliminates municipalities' constitutionally protected authority to exercise all powers of local self-government and protect the health, safety and welfare of its residents.

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

SECTION 1: This Council does hereby declare its opposition to proposed House Bill 335.

SECTION 2: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Members of the House Ways and Means Committee, State Representative Melanie Miller, State Representative Sharon A. Ray and State Senator Mark Romanchuk.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason that this Council wants to express its opposition to proposed House Bill 335. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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