



BRUNSWICK CITY COUNCIL AGENDA

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

NOVEMBER 9, 2015

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated October 26, 2015.
 - (a) CM102615
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending October 2015 will be posted on the website and added to the minutes for the record;
 - (b) Proclamation to proclaim November 13, 2015 as "World Pancreatic Cancer Day" in the City of Brunswick;
 - (c) Motion to approve the Mayor's recommendation to nominate Patricia Hanek for appointment to the NOPEC Board;
 - (d) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development.....	Mr. Carl
Services, Utilities, Technology & Cable.....	Mr. Ousley
Finance Committee.....	Mrs. Hanek
Safety & Environment.....	Mr. Johnson
Planning & Zoning Committee.....	Mr. Abella
Parks, Recreation & Community Committee.....	Mr. Coleman
Building & Building Code Committee.....	Mr. Capretta
8. Other Boards and Commissions
 - (a) Committee of the Whole Meeting Minutes 102615

9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:
 - a. 3rd Reading(s)

RES. NO. 88-15 - A resolution to renew existing agreement with the Medina County Public Defender Commission to provide Defense Counsel for indigent defendants in Medina Municipal Court for municipal code violations from January 1, 2016 through December 31, 2016 - **3rd Reading** (Committee-of-the-Whole, *Administration/ Kenneth Fisher*)

RES. NO. 92-15 - A resolution authorizing the City Manager to enter into a grant agreement with Lowbrow Customs, LLC - **3rd Reading** (Economic Development Committee, *Administration/Grant Aungst*)

- b. 2nd Reading(s)

RES. NO. 91-15 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.4562 acre parcel of land (PPN 001-02B-07-021) on North Carpenter Road - **2nd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*)

ORD. NO. 93-15 - An emergency ordinance to adopt the annual appropriation budget for expenditures of the City of Brunswick for the year beginning January 1, 2016 and ending December 31, 2016 - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

ORD. NO 95-15 - An emergency Ordinance amending Section 1 of Ordinance No.107-14 to provide for a revised allocation of municipal income tax receipts during the period from January 1, 2016 through December 31, 2016 - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

- c. 1st Reading(s)

RES. NO. 99-15 - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles, acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Julie Murawski*)

RES. NO. #100-15 - An emergency resolution authorizing the City Manager to renew the agreement with My Office Products for the provision of office supplies for a period of one (1) year from January 1, 2016 through December 31, 2016 - **1st Reading** (To be brought from Committee of the Whole. *Administration/Julie Murawski*)

11. City Manager's Report
12. Administrative Departments
13. Open Forum
14. Unfinished Business
15. New Business
 - (a) Motion to reschedule the Monday, December 28, 2015 Council Meeting to Monday, December 21, 2015 due to the holidays.
16. Adjournment

CITY OF BRUNSWICK, OHIO
MINUTES OF COUNCIL
MONDAY, OCTOBER 26, 2015

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: DAVID COLEMAN, MICHAEL ABELLA JR., ANTHONY CAPRETTA, ALEX JOHNSON, PATRICIA HANEK, BRIAN OUSLEY AND COUNCIL CLERK BARBARA ORTIZ.

DAVID COLEMAN MOVED TO EXCUSE MR. CARL FOR JUST CAUSE, SECONDED BY ANTHONY CAPRETTA. ROLL CALL - AYES - 6, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., DAVID COLEMAN, ANTHONY CAPRETTA AND PATRICIA HANEK. NAYS - 0. MOTION CARRIED.

CORRESPONDENCE: THERE WAS NONE.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES DATED OCTOBER 19, 2016: DAVID COLEMAN MOVED TO ADOPT, SECONDED BY PATRICIA HANEK. ROLL CALL - AYES - 6, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., DAVID COLEMAN, ANTHONY CAPRETTA, PATRICIA HANEK. NAYS - 0. MOTION CARRIED.

MAYOR'S REPORT:

Mayor Falconi presented a proclamation to proclaim the month of October 26, 2015 through November 26, 2015 as Filipino American History Month in the City of Brunswick. A group of young Filipino dancers demonstrated a traditional bamboo dance.

Mayor Falconi presented a proclamation to Kurt Ziebold and Chief Baird presented a plaque for being named the Firefighter/Paramedic of the Year 2015.

In addition, the Mayor thanked the City Manager, the Law Director and the City Engineer for meeting with his residents earlier this evening regarding the Fairways.

CLERK OF COUNCIL'S REPORT: MRS. ORTIZ ENCOURAGED EVERYONE TO VOTE FOR THE GENERAL ELECTION ON TUESDAY, NOVEMBER 3, 2015. THE POLLS OPENED AT 6:30 A.M. AND CLOSED AT 7:30 P.M.

COUNCIL COMMITTEE REPORTS:

Economic Development.....Mr. Carl:

In Mr. Carl's absence, Mr. Capretta advised there was no report from the committee this evening.

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

Mr. Ousley noted that everyone could tell that the volume was getting much better in the Council Chambers as it was a new system and new screens. He hoped by the next Council Meeting there would be something to be put up as a backdrop. Other than that, he had no formal report this evening.

Finance Committee.....Mrs. Hanek:

Mrs. Hanek had no formal report tonight.

Safety & Environment.....Mr. Johnson:

Mr. Johnson had no formal report this evening. However, he had a comment for the Police and Fire Departments. There was a bomb threat at Hickory Ridge School last week which was auto-generated to a number of different buildings in the area. The safety forces took great care of our children with no issues and everything went like clockwork. His hat went off to the safety forces.

The Mayor agreed that they did an excellent job.

Planning & Zoning Committee.....Mr. Abella:

Mr. Abella had no report this evening.

Parks, Recreation & Community Committee.....Mr. Coleman:

David Coleman moved to adopt the formal report dated October 5, 2015 as written, seconded by Alex Johnson. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

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

Anthony Capretta moved to adopt the formal report dated October 8, 2015 as written, seconded by David Coleman. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

OTHER BOARDS AND COMMISSIONS: MR. COLEMAN HAD NO COMMITTEE-OF-THE-WHOLE MINUTES THIS EVENING TO ADOPT.

PETITIONS FROM THE PUBLIC ON LEGISLATION: THERE WAS NONE.

READING OF LEGISLATION AND ACTION ON LEGISLATION:

3RD READING(S)

ORD. NO. 76-15 - An ordinance approving the Phase 3 Detailed Site Plan for The Reserve at Autumn Creek Subdivision Special Planning District No. 3 - **3rd Reading** (Planning & Zoning Committee, *Administration/Pam Plavecski*):

Michael Abella Jr. moved to adopt, seconded by Brian Ousley. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

Mrs. Plavecski stated this was an ordinance to approve the detailed site plan for the Reserve at Autumn Creek Subdivision Phase 3. It will consist of 44 lots. It was Planning Commission's recommendation to City Council to approve it at their meeting on September 15, 2015 subject to engineering approval.

ORD. NO. 77-15 - An ordinance approving the Phase 3 Final Plat for The Reserve at Autumn Creek Subdivision Special Planning District 3, subject to final engineering approval and any other conditions imposed by Council - **3rd Reading** (Planning & Zoning Committee, *Administration/Pam Plavecski*):

Michael Abella Jr. moved to adopt , seconded by Brian Ousley. Roll Call - Ayes - 6, Brian Ousley, Michael

Abella Jr., David Coleman, Anthony Capretta, Alex Johnson and Patricia Hanek. Nays - 0. Motion Carried.

Mrs. Plavecski noted this was the final plat for the Reserve at Autumn Creek Subdivision. It was also 44 lots. The Planning Commission recommended approval to City Council at their meeting on September 17, 2015 subject to engineering approval.

RES. NO. 78-15 - A resolution extending the agreement between the Greater Cleveland Regional Transit Authority and the City of Brunswick up to and including December 31, 2016 for the provision of transportation services known as the 251 Flyer (formerly the 451 Route) - **3rd Reading** (Committee-of-the-Whole, *Administration/Pat McNamara*):

David Coleman moved to adopt , seconded by Brian Ousley. Roll Call - Ayes - 6, Brian Ousley, Patricia Hanek, Alex Johnson, Michael Abella Jr., Anthony Capretta, and David Coleman . Nays - 0. Motion Carried.

Mr. McNamara stated that this resolution ratified the agreement between RTA and the City of Brunswick to continue to provide services known as the 251 Flyer. The 251 Flyer took residents from Laurel Square down to down town Cleveland. It rain in the morning and afternoon.

Mr. Ousley added it added the benefits and service to the residents of Brunswick. He was glad this was going through.

RES. NO. 84-15 - A resolution authorizing the City Manager to sell municipal personal property not needed for any municipal purpose and credit the sale amount against the purchase of one (1) IBAK/Rapidview Core Portable Mainline Sewer Inspection System from Jack Doheny Companies in an amount not to exceed \$120,000.00 - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Pat McNamara*):

Brian Ousley moved to adopt, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

Mr. McNamara explained this piece of legislation will allow the City Manager to purchase a new sewer inspection camera. What was seen as the sale of municipal property was the trading in of the old camera which was a decade old. This would be a significant upgrade for our City to inspect the municipal infrastructure.

RES. NO. 85-15 - A resolution authorizing the City Manager to purchase one (1) ODB Trailer Mounted Vacuum Debris Collector from Old Dominion Brush Company, Inc., in an amount not to exceed \$46,776.50 - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/ Pat McNamara*):

Brian Ousley moved to adopt, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

Mr. McNamara informed this last piece was a resolution allowing the City Manager to purchase a trailer mounted vacuum debris collector, also known as a leaf collector. It will enable the crews to go around and collect leaves.

2ND READING(S)

RES. NO. 88-15 - A Resolution to renew existing agreement with the Medina County Public Defender Commission to provide Defense Counsel for indigent defendants in Medina Municipal Court for municipal

code violations from January 1, 2016 through December 31, 2016 - **2nd Reading** (To be brought from Committee-of-the-Whole, *Administration/ Kenneth Fisher*):

Dave Coleman move this resolution to third reading

RES. NO. 92-15 - A resolution authorizing the City Manager to enter into a grant agreement with Lowbrow Customs, LLC - **2nd Reading** (To be brought from Economic Development Committee, *Administration/Grant Aungst*):

Anthony Capretta moved this resolution to third reading

1ST READING(S)

RES. NO. 91-15 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.4562 acre parcel of land (PPN 001-02B-07-021) on North Carpenter Road - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*):

David Coleman moved this resolution to second reading

ORD. NO. 93-15 - An emergency Ordinance to adopt the annual appropriation budget for expenditures of the City of Brunswick for the year beginning January 1, 2016 and ending December 31, 2016 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved this ordinance to second reading.

ORD. NO 95-15 - An emergency Ordinance amending section 1 of Ordinance no.107-14 to provide for a revised allocation of municipal income tax receipts during the period from January 1, 2016 through December 31, 2016 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved this ordinance to second reading.

RES. NO. #96-15 - An emergency Resolution authorizing the City Manager to enter into a one (1) year contract with Medical Mutual of Ohio for the provision of Medical and Prescription Insurance coverage for all full-time employees from January 1, 2016 to December 31, 2016 - **1st Reading** (To be brought from Committee of the Whole, *Administration/Anthony Bales*):

David Coleman moved to suspend the rules, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Bales stated the City needed enough time to switch health coverage this was why it was an emergency. The health care was switching from United Healthcare to Medical Mutual of Ohio at an approximate increase at 7.416%

David Coleman moved to adopt, seconded by Dave Coleman. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

RES. NO. #97-15 - An emergency Resolution authorizing the City Manager to enter into a one (1) year contract with Mutual of Omaha for the provision of Dental Insurance coverage for all full-time employees from January 1, 2016 to December 31, 2016 - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Anthony Bales*):

David Coleman moved to suspend the rules, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Bales advised similar to the last piece of legislation, this required a suspension of the rules as an emergency was needed. The City was also switching coverage for the dental insurance. The City was changing to Mutual of Omaha at an average increase of 8.77%.

David Coleman moved to adopt, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

RES. NO. 98-15 - An emergency resolution providing for temporary relief from the Temporary Sign Regulations contained in City of Brunswick Codified Ordinances Section 1270.10 by waiving the number of temporary special event sign permits permitted in commercial and industrial zoning districts and durational requirements for display - **1st Reading** (To be brought from Economic Development Committee, Administration/*Grant Aungst*):

Anthony Capretta moved to suspend the rules, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Bales this was an annual piece of legislation to be considered for the retail businesses. This will allow them to increase advertisement during the holiday season to help increase their business.

Anthony Capretta moved to adopt, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Alex Johnson, Michael Abella Jr., David Coleman, Anthony Capretta, Patricia Hanek. Nays - 0. Motion Carried.

CITY MANAGER'S REPORT: MR. BALES REMINDED EVERYONE THAT TRICK-OR-TREATING WILL BE ON SATURDAY, OCTOBER 31, FROM 6:00 - 8:00 P.M. HE ASKED EVERYONE TO PLEASE KEEP A LOOK OUT FOR THE CHILDREN. HE ALSO NOTED THAT A VETERANS' DAY CEREMONY WILL TAKE PLACE ON WEDNESDAY, NOVEMBER 11 AT 11:00 A.M. IN THE COUNCIL CHAMBERS. HE ENCOURAGED EVERYONE TO COME AND SUPPORT THE VETERANS. HE ALSO BROUGHT UP THAT GRAFTON ROAD WAS SCHEDULED TO BE OPEN TO TWO-WAY TRAFFIC IN TWO WEEKS, WEATHER PERMITTING.

IN ADDITION, HE WANTED TO MENTION THAT ON THE BALLOT ON NOVEMBER 3, THE CITY HAD SOME PROPOSED CHARTER CHANGES. THOSE CHANGES WERE ON THE CITY'S WEBSITE FOR YOUR CONSIDERATION AND REVIEW BEFORE GOING TO THE POLLS.

ADMINISTRATIVE DEPARTMENTS MR. FISCHER WISHED TO RECOGNIZE HIS WHOLE FINANCE DEPARTMENT STAFF WHO WORK BEHIND THE SCENES. HE STATED IT HAS BEEN BUSY DURING THE BUDGET PREPARATION AND HE WANTED TO TAKE AN OPPORTUNITY TO THANK THEM.

MR. MCNAMARA ANNOUNCED THAT THE CREWS WERE OUT THERE NOW PICKING UP THE LEAVES. THEY ASKED THAT THE LEAVES BE PUT AS CLOSE TO THE ROADS WITHOUT BEING IN THE ROAD AS POSSIBLE. HE KNEW IT WAS DIFFICULT FOR THOSE WHO HAD ROADSIDE DITCHES. HOWEVER THE VACUUM HOSES WERE ONLY FOUR FEET FROM THE EDGE OF THE TRUCK. IF THEY COULD NOT REACH THEM WITH THE VACUUM HOSES, THEY WOULD NOT BE ABLE TO SUCK THEM UP. HE ALSO THANKED EVERYONE FOR THEIR PATIENCE. THERE WAS STILL ONE CREW OUT PATCHING ROADS AND THEY WILL TRY TO CONTINUE PATCHING AS LONG AS THEY COULD UNTIL THERE WAS A MAJOR FROST AND ALL THE LEAVES FELL OFF THE TREES.

MR. OUSLEY ASKED MR. MCNAMARA IF THERE WERE ANY UPDATES ON HADCOCK ROAD.

MR. JONES REPLIED THEY HAVE SWITCHED OVER TO THE OTHER SIDE OF THE ROAD. THEY WERE SLIGHTLY MORE THAN HALF WAY DONE WITH THE PROGRAM. HOWEVER, THEY WERE STILL SEVERAL WEEKS AWAY FROM REOPENING FOR THROUGH TRAFFIC. HE WAS THINKING IT MAY BE TOWARD THE END OF NOVEMBER.

MR. OUSLEY QUESTIONED IF THE CONCRETE PANELS WERE BEING WOUND UP.

TO THIS, MR. JONES ANSWERED THEY WERE ABOUT 90 TO 95% DONE WITH THE CONCRETE PANES. HE HAS A MEETING WITH THE CONTRACTOR TOMORROW ABOUT THE CATCH BASIN REPAIR PROGRAM.

OPEN FORUM MARY CHENTNIK OF 4800 TRAILS END COURT, WESTLAKE, OHIO 44145 - MS. CHENTNIK WAS HERE TONIGHT TO PRESENT EXCITING NEWS FOR THE CITY OF BRUNSWICK. THEY WERE FORMING A NEW LIONS CLUB IN BRUNSWICK. LIONS CLUB WAS INTERNATIONAL AND WAS THE WORLD'S LARGEST SERVICE ORGANIZATION. THEY HAVE BEEN AROUND SINCE 1917 AND AIDED THE BLIND AND VISUALLY IMPAIRED. THEY MADE A STRONG COMMITMENT TO COMMUNITY SERVICE IN SERVING THROUGHOUT THE WORLD. THE LIONS CLUB WAS A GROUP OF WOMEN AND MEN WHO IDENTIFIED THE NEEDS WITHIN A COMMUNITY AND WORKED TOGETHER TO FULFILL THOSE NEEDS. THEY DO COLLECT USED EYE GLASSES, WHICH WAS PROBABLY WHAT THEY WERE KNOWN FOR THE MOST. THEY RECYCLED THEM AND USED THEM IN THIRD WORLD COUNTRIES TO HELP THOSE WHO COULD NOT AFFORD EYE GLASSES. THEY ALSO HELP PEOPLE OBTAIN ASSISTANCE FOR EYE GLASSES AND SCREENING AND DO A LOT MORE THAN THAT. MANY LION CLUBS PROVIDE SERVICES TO SCHOOLS AND SPONSOR FOOTBALL TEAMS. THERE WERE CLUBS THAT BUILT HABITAT FOR HUMANITY HOMES AND ASSIST THE DISABLED BY BUILDING RAMPS. THEY ALSO HELPED PEOPLE OBTAIN ACCESS TO WHAT THEY NEEDED TO GET. SOME OF THE CLUBS SUPPORTED LOCAL PARKS AND RECREATION AND PROVIDED TREES OR BENCHES. THE LIONS CLUB COULD DO UNLIMITED JOBS. THEY COULD NOT DO IT WITHOUT COMMUNITY SUPPORT.

THE UNIQUE THING ABOUT THE LIONS CLUB WAS THAT IT WAS UP TO THE INDIVIDUAL CLUB TO DECIDE WHAT THEY WANTED TO DO TO SUPPORT THEIR COMMUNITY. SOME OF YOU MAY RECALL THAT BRUNSWICK HAD A LIONS CLUB WHICH WAS CHARTERED ON JUNE 19, 1958 AND EXISTED UNTIL JANUARY 5, 1998. THEY DID NOT KNOW WHAT HAPPENED TO THAT CLUB. HOWEVER, 17 YEARS AGO IT DISAPPEARED. THEY KNOW THE CLUB CONTRIBUTED A LOT TO THE COMMUNITY DURING THE FORTY YEARS THEY WERE IN EXISTENCE. THEY CAN DO IT AGAIN IF THEY STARTED A NEW CLUB. THEY WERE HOPING FOR A BRIGHT FUTURE FOR THE CITY OF BRUNSWICK. TONIGHT, SHE ASKED FOR SUPPORT WITH DIRECTION TO THE NEEDS OF THE COMMUNITY. THEY WOULD ALSO ASK TO ASSIST AND HELP GET THE WORD OUT ABOUT THE NEW CLUB. THEY WERE HAVING A MEET AND GREET ON SUNDAY, NOVEMBER 15 FROM 2:00 P.M. UNTIL 5:00 P.M. IT WILL BE AT THE SYCAMORE ROOM AT THE BRUNSWICK LIBRARY.

UNFINISHED BUSINESS: MR. OUSLEY NOTED THAT HE HAS NOTICED AROUND TOWN WHERE PEOPLE HAD BROUGHT THEIR LEAVES TO THE CURB LINES. HE HAS ALSO SEEN LEAVES PILED AROUND THE CATCH BASINS WHERE THEY COULD POSSIBLY GO DOWN THE STORM DRAIN. THIS WAS THE REASON THE LEAVES WERE BEING COLLECTED. HE URGED RESIDENTS TO KEEP THEM AWAY FROM THE CATCH BASINS WHICH WILL HELP PREVENT THEM FROM CLOGGING UP THE STORM SYSTEM.

NEW BUSINESS: THERE WAS NONE.

ADJOURNMENT: PATRICIA HANEK MOVED TO ADJOURN, SECONDED BY DAVID COLEMAN. ROLL CALL - AYES - 6, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., DAVID COLEMAN, ANTHONY CAPRETTA, PATRICIA

HANEK. NAYS - 0. MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 8:12 P.M.

Respectfully submitted,

Barbara J. Ortiz, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

November 2, 2015

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF OCTOBER 2015

WAIVERS/
COURT/BONDS

DEPOSITS (October) 55,062.17

DEBITS (October) (\$56,117.17)

Checks to be written in October:

Treasurer State of Ohio	\$ 9,252.50
City of Medina MIATF	\$ 200.00
City of Medina IDATF	\$ 289.50
City of Brunswick Finance Dept/Police Fund *	\$ 44,597.17
Misc Checks (bond refunds & transfers/restitution)	\$ 1,778.00
TOTAL for the month	\$ 56,117.17

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

Service Charges/Fees for prior month \$ 781.10

MAYOR RONALD FALCONI


TERESA BENO, CLERK OF COURTS

ECONOMIC DEVELOPMENT

October 26, 2015

IN ATTENDANCE: Chairman Pro Tem Anthony Capretta, Committee Member Patricia Hanek, Dave Coleman, City Manager/Safety Director Anthony Bales, Finance Director Todd Fischer, Dino Sculli, Council Clerk Barbara Ortiz, Residents, News Media.

The meeting convened at 6:12 p.m.

Mrs. Hanek moved to excuse Mr. Carl for just cause. Vote – 2 Ayes, 0 Nays.

REVIEW LEGISLATION:

RES. NO. 98-15 – An emergency resolution providing for temporary relief from the Temporary Sign Regulations contained in City of Brunswick Codified Ordinances Section 1270.10 by waiving the number of temporary special event sign permits permitted in commercial and industrial zoning districts and durational requirements for display

Mr. Bales advised this is an annual resolution that gives businesses a reprieve from sign regulations over the holiday season.

Mrs. Hanek moved this resolution to tonight's Council Agenda of October 26, 2015 as an emergency with suspension of the rules. Vote – 2 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Capretta commented on seeing some improvements on the outside of the Hickory Ridge Plaza; he noted the owner is hard to get ahold of and hard to work with.

Mr. Bales mentioned the economic development portion of the executive session for this evening was not needed.

ADJOURNMENT:

There being no further business, Mrs. Hanek moved to adjourn at 6:16 pm. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta
Chairman Pro Tem

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

October 15, 2015

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Patricia Hanek, Vince Carl, Street Superintendent Ryan Lutz, Planning & Economic Development Director Grant Aungst, Parks & Recreation Director John Piepsny, Cable Manager Jeff Neidert, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 5:30 p.m.

Mrs. Hanek moved to excuse Mr. Johnson for just cause. Vote – 2 Ayes, 0 Nays.

DISCUSSION ITEMS:

A MOTION FOR THE CITY MANAGER/SAFETY DIRECTOR TO AUTHORIZE THE PURCHASE OF FOUR (4) NEW GARAGE DOORS FROM BARCOL DOOR OF CLEVELAND FOR THE SERVICE DEPARTMENT GARAGE:

Mr. Lutz explained the service department is planning on replacing all four garage doors at the service garage in the amount of \$23,055.00, of which \$11,824.06 was left over from a NOPEC energy efficient grant. He noted the funds have to be used for an energy efficient project. The balance will be funded through the 300 fund for \$11,230.94 to complete the project.

Mrs. Hanek moved to authorize the City Manager/Safety Director to authorize the purchase of four (4) new garage doors from Barcol Door of Cleveland for the Service Department garage to Committee of the Whole. Vote – 2 Ayes, 0 Nays.

MOTION TO AUTHORIZE THE CITY ADMINISTRATION TO ADVERTISE FOR BIDS AND/OR PROPOSAL FOR BRUNSWICK TRANSIT ALTERNATIVE (BTA) OPERATION OF SERVICES:

Mr. Lutz advised currently the Administration was working on merger language with the county to operate the Brunswick Transit System, however if it is not done by December 31, the Administration wants to assure someone will be driving the buses on January 1.

It was noted by Mr. Lutz that this was not a request for an extension this motion is a Request for Proposals.

Mr. Ousley commented this is the middle of October and discussion took place in the middle of June or July about going out for bids; also he stated on September 8, in the Committee of the Whole meeting there was a motion to authorize the City Administration to submit for bid and/or proposal for Brunswick Transit. Now it was a month later and the bid is just going out. He wanted to know what the holdup was. He stated prior to going on recess there was discussion.

Mr. Ousley noted someone dropped the ball on it.

Mr. Lutz noted the Administration was concerned with the merger.

Mrs. Hanek noted if a motion was made September 8, a motion would not have to be made again.

Mr. Ousley stated discussions were going on in June and July about going out for bids and it never happened, everyone thinks Council is dragging their feet and they are not when they were asking for proposals a month ago.

GENERAL DISCUSSION:

Mr. Ousley commented Hadcock Road was looking great.

Mr. Lutz indicated the aprons were being worked on before the traffic is shifted over.

Mr. Ousley indicated he has received a number of emails as to when Hadcock was going to be done, and he replies when it's done. He commented the piece of road getting done was very bad and he was glad to see it was getting done so next year the rest of the job can get done.

On another issue, Mr. Ousley asked about distributing sixty pounds of weight on the inside of the trash container that is in the lobby so people know exactly what the can is going to weigh and know what it feels like to pull it and move it around.

Mr. Carl interjected people are moving trash cans now.

Mr. Ousley indicated there are residents that are not going to be able to pull the large containers.

Mr. Lutz advised there are smaller size containers available.

Mr. Carl noted he was not hearing anything about the containers, his residents were happy if they were going to save on the rates.

Mrs. Hanek asked Mr. Lutz when the current contract with Republic Waste expires.

To that, Mr. Lutz indicated June of July of 2016.

In closing, Mr. Ousley brought up catch basin repair project; Mr. Carl noted there are 60 basins in Ward 2 to be repaired.

It was asked by Mr. Ousley if this project started yet, and Mr. Lutz indicated it has not, and the contractor was looking at starting in a couple of weeks.

Mr. Ousley noted that was going to be November and looking at the time of year and weather conditions and the concrete plants the project may have to start over next year at the same price.

ADJOURNMENT:

There being no further business, Mrs. Hanek moved to adjourn at 5:50 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, reading "B. K. Ousley", is displayed on a light gray rectangular background.

Brian Ousley
Chairman

FINANCE COMMITTEE MEETING & PUBLIC HEARING

October 15, 2015

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Vincent Carl, Committee Member Michael Abella Jr., Finance Director Todd Fischer, Brian Ousley, Dave Coleman, City Manager/Safety Director Anthony Bales, Chief Carl DeForest, Chief Jim Baird, Planning & Economic Development Director Grant Aungst, Cable Manager Jeff Neidert, Street Superintendent Ryan Lutz, Parks & Recreation Director John Piepsny, Council Clerk Barbara Ortiz, News Media, Residents.

The meeting convened at 6:05 p.m.

2016 BUDGET PRESENTATION:

Mr. Fischer started by referencing two pieces of proposed legislation; the first piece being the distribution of income tax revenues and the second being the proposed 2016 budget including a two page budget summary as required by the Ohio Revised Code. Mr. Fischer noted there are a number of variables on the amount of money collected from income taxes and without a doubt it will be different than what was being estimated. He pointed out if the distribution allocation is changed it has to come from another department. Mr. Fischer advised the legislation takes into account the changes in the Ohio Revised Code language.

The Administration requests the income tax distribution legislation and budget legislation be placed on the October 26 Council meeting as an emergency for three readings.

Mr. Fischer noted over the last several years there have been a lot of positive strides in the finances of the City through internal efforts and improving relationships with the State and Federal Government. He mentioned there was a lot more money coming into the City from state and federal sources and he mentioned the Center Road resurfacing, the ODOT Slip Ramp, and North Carpenter Road projects. Mr. Fischer noted the annual local government funds have been cut and the money for the infrastructure projects are not guaranteed to continue.

One of the biggest projects in the budget proposal is Hadcock Road Phase V; the project is currently estimated at \$1.2 million dollars with the anticipated need for additional money. The other big project is the ODOT Slip Ramp which has been delayed until 2016; the project is estimated at \$4.6 million dollars and will be paid 100% by the state. Mr. Fischer noted the City has applied for an OPWC grant for \$599,000 for the Hadcock Road Phase V project with the remaining funds coming from the general fund. Mr. Fischer anticipates the grant approval in July 2016.

Mr. Bales interjected the budget focuses on roads and capital items for some departments. He mentioned getting Hadcock Road done was a priority.

Mr. Fischer mentioned the City anticipates collecting \$787,500 from the road levy during 2016, he mentioned the City utilized money from the general fund for 2015.

Mr. Fischer advised the collective bargaining agreements were negotiated in 2014 and go through 2016. Non safety positions are budgeted at 1.75% increase and safety forces are budgeted at a 2% wage increase based on the current negotiations.

Mr. Fischer advised the health care contract is currently one of the most expensive contracts he noted there have been some very high health claims which affect the premiums. At one point the impression was the increase would have been 30%, however after negotiations with different health care companies it was thought the renewal would be at a 15% increase, with additional intense negotiations with the City's Health Care Consultant, it is now likely the increase will be closer to 8%. Mr. Fischer indicated the budget reflects the 15% renewal rate however he was anticipating doing a budget reduction for health insurance in January or February.

Mr. Bales clarified to get the 8% the City is switching health care providers.

Mr. Fischer commented the 8% increase is still a decent amount of money however it is nowhere near what the City was facing based on the City's health claims, he expressed it was a lot better than the initial picture.

Next Mr. Fischer went over the fund summary chart; the chart listed the different funds, estimated revenue, total current appropriation, and he pointed out every fund except for the BTA and court fees shows a negative figure. The main reason the City is proposing to spend 1.2 million in reserves is the City still has not caught up from the downturn of the economy and in essence the capital replacement program was almost eliminated. He mentioned in the last three years the streets department replaced three trucks with plows and prior to that it was 15 years since they were replaced. Mr. Fischer mentioned additional capital items will be discussed later in the budget noting that also had to do with the negative funds. He noted the police, fire, and streets funds total appropriations are the three biggest operations of the City, the budget for those three departments and their capital will be for the first time exceeding the total gross income tax estimates for the City. Mr. Fischer has been saying this day would be coming, he noted it may be possible with some savings that the City will not exceed the actual revenue in the end, however, unless there are significant changes in 2017 the City will be spending more than its bringing in. He noted at some point there has to be one of three things happening; additional revenue sources, cut backs or a change in operation levels. Mr. Fischer stated that is the big hurdle the City is looking at down the road.

Mr. Fischer noted the figures on the chart are based on a 1.88% budgeted increase in income tax receipts, he mentioned in his view at the moment Brunswick has a positive looking economy the City was experiencing a 3.5% increase in revenues for the first 8 months. Mr. Fischer mentioned the significant changes in how and what the City can tax starting January 1, 2016.

Mr. Fischer advised property taxes were totally flat, although he noted there is \$787,500 relating to the road levy which is in the second year.

Additionally in the budget proposal is a \$200,000 emergency road repair item that is not dedicated to any specific road, he mentioned the upcoming North Carpenter Road project, as well as road issues throughout the City. Also for the first time the budget proposal has \$700,000 for stormwater related projects, he noted it has never been that high in the history of the City and it does not involve borrowing money.

Continuing, Mr. Fischer advised the City has maintained the safety level forces as promised in the safety levy and that will continue, he did point out in 2016 the income tax levy will generate \$8.4 million dollars for police and fire, however the appropriation in the budget for the police and fire departments combined

is 12.7 million. Also in the proposed budget the number of lieutenants will be increasing in the Fire Department from three to six, he noted it was proposed in the 2015 budget however due to health issues going on in the Fire Department and the increase in overtime the plan was temporarily cut out for 2015.

Further, Mr. Fischer clarified there are no new full time positions included in the proposed budget however, staffing changes are being considered by the City Manager given several pending retirements.

Mr. Fischer noted the City was notified they lost their group rating with workers compensation due to increased injuries and claims, with that there is an anticipated increase of \$113,000 in expenses related to workers compensation, and with the way the state is changing their billing system from one year in the rear to one year in advance in essence the City will be paying for three years, however the state has agreed to pay for one of those three years.

Mr. Fischer advised in the proposed budget \$50,000 was built in for an economic development inducement program and a two year carry over of the local bed taxes of \$27,341 earmarked for economic development programs in 2016.

Mr. Fischer explained in 2015 the City established the Department of Community and Economic Development, Mr. Aungst oversees the new department, with his main focus economic development; previously the main focus was planning and engineering. Also, he mentioned the Service Director now oversees the Department of Engineering.

Mr. Fischer talked about the refuse hauler contract next, and noted at the moment it was unpredictable since it was based on tipping fees and a number of other factors, and a recycling program was also being discussed. He did point out that when the City reduced the rates as a result of the tipping fees going down, the residents collectively saved \$250,000 with the temporary rate reduction.

Mr. Fischer addressed the most significant infrastructure projects and planned capital purchases in the proposed 2016 budget; of the \$700,000 in stormwater \$102,000 is earmarked for Fox Drive from 2015 discussions. The Police Department has requested \$264,406 for the replacement of 5 police vehicles; and various equipment. The recreation center has \$240,000 set aside for parking lot improvements that is shared with the schools; and \$55,000 for a HVAC system and \$40,000 for the replacement of a hot water tank. The Fire Department has \$250,000 proposed to replace a 2004 ambulance, and \$70,000 to replace expiring turnout gear. Also, in the budget proposal is \$60,000 to replace the bridge on Magnolia that was washed out years ago. He pointed out there was left over money from Venus Park however it was tied into a grant and remains to be seen how that money will be spent. The Parks Department has proposed \$30,000 for replacement of a 1997 vehicle, and \$30,000 for North Park parking lot improvements. He also mentioned left over money from the Army Corps of Engineers however any left money has to be used for projects that follow the overall Army Corps of Engineers plan. The Streets Department has proposed \$306,000 to replace a plow/spreader dump truck, replacement of a pickup truck, and an asphalt roller. Also, with the focus being to get more electronic and utilize more software and mobile offices, the Building Department has proposed \$100,000 for software. Additionally for stormwater, there is the request for \$375,000 to replace the current sewer vacuum truck and \$52,000 for the purchase of a leaf vacuum.

Mr. Ousley thought the sewer vacuum and leaf vacuum were just replaced.

Addressing Mr. Ousley, it was noted by Mr. Fischer that the sewer vector has not been replaced, the City has been saving for it for years, and there was a recent purchase of a sewer camera, and the leaf vacuum will be an additional vacuum increasing the total number of leaf vacuums to 4.

Also, Mr. Fischer advised there was a proposal for \$20,000 for Animal Control for a vehicle replacement. There is a proposal for \$12,700 to upgrade a new conference room with electronic presentation capabilities, and \$325,000 for general road repair and maintenance improvements for the Service Department. Mr. Fischer mentioned the City was still setting aside for Grafton and W. 130th street project although it may be another year or two away, also the City is still planning for the Boyer Drive based on a Committee of the Whole motion made years ago. Also, there is \$17,000 proposed for mobile tablets for the Administration and Council to access information during meetings.

Mr. Bales indicated he received a response from one Council member already, he noted it was up to Council if they want them or not.

Mrs. Hanek did not want one.

Mr. Abella interjected that he and Mrs. Hanek were out, they did not want them.

Mr. Fischer advised this has come up in the past, if Council did not want them it can be removed from the budget, however looking to improve efficiencies and electronic processes software is the way to do it, and the way to access the information is through tablets.

Mr. Bales advised the proposal is in the budget and decisions can be made at a later date as to who does or does not want them.

Mr. Fischer noted parts of the phone system have to be upgraded, as well as the Microsoft network products.

It was also noted by Mr. Fischer that the Building Department has requested \$23,000 for a vehicle to establish an annual program to replace vehicles which are about 10 years old now. Also, the Building Department was looking for mobile tablets and the replacement of department office chairs.

Mr. Fischer indicated \$32,500 is proposed relating engineering inspections relating to Judita Drive, this project is associated with the CDBG grant, if awarded the City needs to have local funds for engineering inspections.

Mr. Bales also mentioned a vehicle purchase for the Administration.

Mr. Fischer elaborated on that purchase; he advised in an Economic Development meeting there was discussion about a vehicle for the Administration and splitting it out 50% for Economic Development and 50% for the rest of the City. This vehicle would be used for City business with the focus for economic development but part of the rationale was to split out the budget for other Administration use. He pointed out there were only three members of Council at that meeting not seven, but it is included in the proposal.

At this time Mr. Fischer asked if anyone had questions on the operational part of the 2016 budget.

Mr. Carl brought up the police vehicle repairs and asked about looking into doing that in house.

Mr. Bales noted you have to consider the salaries and benefits; however it can be looked at after this year.

Mr. Fischer interjected it would be close to \$20,000 more expensive based on the current volume, further he noted the vehicles get replaced and the repairs vary. Right now Mr. Fischer indicated the City was better off with contracting the work out than hiring an additional mechanic because the hire would come from the streets department and not through the Police Department.

Mr. Carl brought up the supplement to the general fund not covered by the levy.

Mr. Fischer explained the safety specific levy and general fund money; he further noted safety levy money cannot be used to fund an employee. Mr. Fischer pointed out the Police Department graph and noted if he pulled out the money from that department and hired a mechanic it would put an additional hole in the Police Department budget.

There was discussion with Chief DeForest regarding the vehicles and maintenance and exploring options next year.

Mr. Carl brought up the point that money was put in the budget to be able to engineer the streets sooner; it is a double edge sword if engineered too soon the weather is a factor.

Mr. Ousley commented Council spoke about getting ahead of the game instead of always being behind, and if an emergency comes up it will be taken care of.

In conclusion Mr. Fischer went over the futuristic graphs for police, fire, and streets; he noted these graphs have been presented in the budget for a few years now. He pointed out the departments have done a good job of not spending the entire appropriation, however the bottom line is the City only has so much money, and in the last couple of years the City has expanded infrastructure programs beyond the revenue sources that were asked for. He noted the road projects getting done Grafton Road and Hadcock Road, those funds were not coming from the road levy money it was coming from the operational funds in an indirect way. Mr. Fischer pointed out the graph that showed for the first time the City was overspending 1.2 million dollars based on the 2016 budget proposal that was basically the cost of the Hadcock Road project. He noted that was something that the City can do as long as the fund balance reserves are sufficient, but he would not suggest it continues on for more than a year or two, because eventually the City will be in the same situation it was in a decade ago.

Mr. Fischer noted the graphs for police, fire, and streets are predicated on a reduced but still a continued one major road project every year.

Mr. Bales noted this would be the last year to see this kind of spending on roads and capital projects, 2017 will have to be pulled back.

Mr. Ousley noted within the next year or so most of the major roads will be done and more of the back streets will be hit.

Mr. Fischer noted there are a lot of positives that the City has done and it's been done without borrowing money, and that takes a collaborative effort throughout the entire City and departments taking less to run. Mr. Fischer also pointed out the police and fire graphs as the only ones increasing, he pointed out the four biggest non safety departments combined amount of money was budgeted \$50,000 less in 2016 than what

was spent for the same department in 2007. He stated the City has made a lot of tough choices tightened their belts and it was done without losses of taxes. However, he noted a lot of the non safety departments had significant reduction in full time equivalents some up to 50%; the parks department had a 60% reduction for full time equivalents.

Mr. Fischer thanked the residents for their support and their voting approvals on the safety levy and road levy.

As a closing comment Mr. Bales added a good job has been done but there is a long way to go.

Mr. Abella thought Council should start thinking about the safety levy coming up in 2017 as to what Council has to do to plan for supporting it and think about extending it, and get the residents thoughts.

Mrs. Hanek mentioned a permanent safety levy.

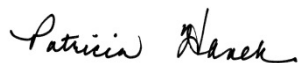
Mr. Ousley thought maybe visiting it the year before it expires.

Chief Baird noted last time they revisited it a year before expiration for the first renewal.

ADJOURNMENT:

There being no further business, Mr. Abella moved to adjourn at 7:15 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patricia Hanek".

Patricia Hanek
Chairwoman

FINANCE COMMITTEE MEETING

October 26, 2015

IN ATTENDANCE: Chairwoman Patricia Hanek, Member Michael Abella Jr., Finance Director Todd Fischer, Brian Ousley, Dave Coleman, Anthony Capretta, City Manager/ Safety Director Anthony Bales, Council Clerk Barbara Ortiz, Residents, News Media.

The meeting convened at 6:19 p.m.

Mr. Abella moved to excuse Mr. Carl for just cause. Vote – 2 Ayes, 0 Nays.

REVIEW LEGISLATION:

ORD. NO. 93-15 – An emergency ordinance to adopt the annual appropriation budget for expenditures of the City of Brunswick for the year beginning January 1, 2016 and ending December 31, 2016

Mr. Fischer advised this legislation represents the appropriation budget for 2016. The Administration requests the legislation to be placed on the Council Agenda as an emergency for three readings.

Mr. Abella moved this ordinance to tonight's Council Agenda of October 26, 2015 as an emergency for three readings. Vote – 2 Ayes, 0 Nays.

ORD. NO. 95-15 – An emergency ordinance amending section 1 of Ordinance No. 107-14 to provide for a revised allocation of municipal income tax receipts during the period from January 1, 2016 through December 31, 2016

Mr. Fischer advised this legislation represents the annual municipal income tax allocation. The Administration is anticipating an increase in income tax receipts.

Mr. Abella moved this ordinance to tonight's Council Agenda of October 26, 2015 as an emergency for three readings. Vote – 2 Ayes, 0 Nays.

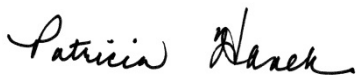
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

There being no further business, Mr. Abella moved to adjourn at 6:21 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Patricia Hanek
Chairwoman

COMMITTEE OF THE WHOLE MEETING

October 26, 2015

IN ATTENDANCE: Vice Mayor Pro Tem David Coleman, Patricia Hanek, Brian Ousley, Michael Abella Jr., Anthony Capretta, Alex Johnson, City Manager/Safety Director Anthony Bales, Service Director Patrick McNamara, Finance Director Todd Fischer, Engineer Matt Jones, Law Director Kenneth Fisher, Mayor Ron Falconi, Dino Sciulli, Council Clerk Barbara Ortiz, Residents, News Media.

The meeting convened at 6:25 p.m.

Mr. Capretta moved to excuse Mr. Carl and Mr. Johnson for just cause. Vote – 5 Ayes, 0 Nays.

Mr. Johnson was seated at 6:30 p.m.

DINO SCIULLI TO DISCUSS AND ANSWER QUESTIONS REGARDING RESOLUTION NO. 96-15 AND RESOLUTION NO. 97-15

Dino Sciulli of DS Benefits Group presented renewal information and comparisons for both medical and dental insurance. Currently the City was with United Health Care and they presented an option of 15.5% increase. In early October he received ratings on groups less than 100. He pointed out claims were at a 97% loss ratio and now were up over 100% of premium. He advised competitive quotes were received; Medical Mutual presented a 7.4% change, and they have done a great job in the past when the City was with them.

Mr. Sciulli noted for Dental Insurance quotes were received from Assurant, Principal, Guardian, and Mutual of Omaha. He noted Mutual of Omaha was the only one that could match the benefits exactly.

Mr. Abella asked about the medical insurance and employee monthly contributions. He pointed out the current monthly contribution for a family was \$281.00 through United Health Care, and the Medical Mutual option showed \$299.00.

Mr. Sciulli indicated that was correct, he pointed out the overall savings and pointed out the increase of 7.4%, and originally United Health Care was 15.5%.

Mr. Bales acknowledged Mr. Sciulli for doing a great job.

DISCUSSION OF THE JEDD:

Mayor Falconi asked if there were any questions regarding the JEDD, he mentioned that over the next couple of weeks he will be meeting with the Administration and if Council has any questions, comments, or modifications to let him know.

REVIEW LEGISLATION:

RES. NO. 91-15 – An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.4562 acre parcel of land (PPN 001-02B-07-021) on North Carpenter Road

Mr. Fisher explained the amended petition as submitted by Katie A. Gilder owner of 445 North Carpenter Road for annexation of property to the City of Brunswick from Brunswick Hills Township. The hearing date is December 15, 2015 before the Medina County Commissioners.

This legislation as required by law states the intention to provide municipal services to the subject territory that is going to be considered for annexation on December 15.

Mrs. Hanek moved this resolution to tonight's Council Agenda of October 26, 2015 as an emergency for two readings. Vote – 6 Ayes, 0 Nays.

RES. NO. 96-15 – An emergency resolution authorizing the City Manager to enter into a one (1) year contract with Medical Mutual of Ohio for the provision of Medical and Prescription Insurance coverage for all full-time employees from January 1, 2016 to December 31, 2016

RES. NO. 97-15 – An emergency resolution authorizing the City Manager to enter into a one (1) year contract with Mutual of Omaha for the provision of Dental Insurance coverage for all full-time employees from January 1, 2016 to December 31, 2016

Mr. Ousley moved Resolution No. 96-15 and Resolution No. 97-15 to tonight's Council Agenda of October 26, 2015 as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Bales noted under executive session, it was no longer necessary to discuss the possible expenditure of public funds to be made in connection with an economic development project necessary to protect the interest of the applicant.

EXECUTIVE SESSION:

Mrs. Hanek moved to go into Executive Session to discuss pending litigation and as well as the appointment, employment, dismissal, discipline, demotion or compensation of a public employee, seconded by Mr. Johnson. Roll Call – Ayes – 6 – Mr. Coleman, Mr. Abella, Mr. Capretta, Mr. Johnson, Mrs. Hanek, Mr. Ousley. Nays – 0. Motion Carried.

Mr. Ousley moved to adjourn out of Executive Session, seconded by Mrs. Hanek. Roll Call – Ayes – 6, Mrs. Hanek, Mr. Ousley, Mr. Johnson, Mr. Abella, Mr. Capretta, Mr. Coleman. Nays – 0. Motion Carried.

ADJOURNMENT:

There being no further business, Mr. Abella moved to adjourn the Committee of the Whole meeting at 7:30 p.m. Vote – 6 Ayes, 0 Nays.

Respectfully submitted,

Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Ken Fisher, Director

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 88-15** - A resolution to renew existing agreement with the Medina County Public Defender Commission to provide Defense Counsel for indigent defendants in Medina Municipal Court for municipal code violations from January 1, 2016 through December 31, 2016 - **3rd Reading**
(Committee-of-the-Whole, *Administration/ Kenneth Fisher*)

BACKGROUND: Resolution 72-11 authorized City Manager to enter into Agreement with the Medina County Public Defender Commission to provide indigent defense services for calendar year 2012. Resolution 100-12 authorized renewal of the Agreement for calendar year 2013. Resolution No. 86-13 authorized renewal of the Agreement for calendar year 2014. Resolution No. 82-14 authorized renewal of the Agreement for calendar year 2015.

PURPOSE AND EXPLANATION: Renewal of the Agreement for calendar year 2016.

IMPLEMENTATION SCHEDULE: January 1, 2016 through December 31, 2016 upon adoption of Resolution by Council.

FINANCIAL INFORMATION: 8000 - 001-0600-54233 - - - -

FINANCIAL SUMMARY: \$100.00 per case for violation of City Ordinance that results in a plea before trial.
\$125.00 per case for Trial of violation of City Ordinance.

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:**

\$100.00 per case for violation of City Ordinance that results in a plea before trial
\$125.00 per case for Trial of violation of City Ordinance.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 88-15

BY: Committee-of-the-Whole

A RESOLUTION RATIFYING AND CONFIRMING THE RENEWAL
OF THE EXISTING AGREEMENT WITH THE MEDINA COUNTY
PUBLIC DEFENDER COMMISSION AND THE MEDINA COUNTY
COMMISSIONERS FOR INDIGENT DEFENSE SERVICES IN
MEDINA MUNICIPAL COURT FOR MUNICIPAL CODE
VIOLATIONS FROM JANUARY 1, 2016 THROUGH DECEMBER 31,
2016.

WHEREAS: The Ohio Public Defender is requiring that the Medina County Public Defender Commission enter into an updated agreement with the City for the provision of indigent defense services in Medina Municipal Court for municipal code violations containing a recognizable term and necessary clauses required by Ohio Administrative Code Section 120-1-09;

WHEREAS: On October 10, 2011, this Council adopted Resolution No. 72-11, which authorized the City Manager to enter into such Agreement from January 1, 2012 through December 31, 2012;

WHEREAS: On October 22, 2012, this Council adopted Resolution No. 100-12, which authorized the renewal of the existing Agreement from January 1, 2013 through December 31, 2013;

WHEREAS: On October 28, 2013, this Council adopted Resolution No. 86-13, which authorized the renewal of the existing Agreement from January 1, 2014 through December 31, 2014;

WHEREAS: On October 27, 2014, this Council adopted Resolution No. 82-14, which authorized the renewal of the existing Agreement from January 1, 2015 through December 31, 2015; and

WHEREAS: The Agreement must be renewed annually by Resolution of this Council pursuant to the requirements of the Ohio Public Defender's Office.

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

SECTION 1: This Council hereby ratifies and confirms the renewal of the exiting Agreement with the Medina County Public Defender and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2016 through December 31, 2016.

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: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Grant Aungst, Community and Economic Development Director

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 92-15** - A resolution authorizing the City Manager to enter into a grant agreement with Lowbrow Customs, LLC - **3rd Reading** (Economic Development Committee, *Administration/Grant Aungst*)

BACKGROUND: City Administration has been in discussions with a potential purchaser of an existing building in the City's industrial park regarding relocating the business to the City and potential upgrades to the existing structure and site, including additional staffing. Discussions involved economic development incentives that may be available.

PURPOSE AND EXPLANATION: The City has in place an economic development program to promote the creation of jobs and stimulate economic growth. As part of the agreement, the City shall provide Lowbrow with an annual grant in an amount equal to ten percent of Municipal Income Tax Receipts, for each \$100,000 of annual employee payroll, provided such annual employee payroll exceeds \$700,000, not to exceed one hundred percent of Municipal Income Tax Receipts. Such grant shall be payable solely from City Non-Tax Revenues. The grant shall continue for five consecutive years. In order to receive and retain the grant Lowbrow shall retain all of its business operations in the City for a minimum period of ten years and maintain a minimum annual payroll of \$700,000 during such ten year period.

IMPLEMENTATION SCHEDULE: Pending Council approval, as soon as the business receives occupancy permit from the City for business operations.

FINANCIAL INFORMATION: Financial - 001-0490-54285 - \$18,500.00 - 001-0490-54285 - -

FINANCIAL SUMMARY: Fiscal approval for this agreement and each applicable year will be done through an annual purchase order, subject to Council's appropriation and the applicable tax rate in existence at the time. The \$18,500 amount is the calculated not to exceed maximum amount for the first year of the agreement provided all applicable conditions in the agreement are met, tax rates remain the same and sufficient appropriations have been passed by Council. The 2016 Budget is expected to be passed by Council in November or December of 2015.

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
Administration is requesting two readings by City Council with suspension of the rules and passage by emergency to allow the purchaser the opportunity to finalize negotiations and proceed with purchase and relocation in a timely manner.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 92-15

BY: Mr. Carl, Mrs. Hanek and Mr. Capretta

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
A GRANT AGREEMENT WITH LOWBROW CUSTOMS, LLC.

WHEREAS: In accordance with applicable Ohio law, the City has developed a program to promote the creation of jobs and stimulate economic development in the City;

WHEREAS: The City is desirous of entering into a Grant Agreement with Lowbrow Customs, LLC to promote the creation of jobs and stimulate economic development in the City.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into the Grant Agreement with Lowbrow Customs, LLC, as attached hereto as Exhibit "A".

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

GRANT AGREEMENT

THIS GRANT AGREEMENT (the "Agreement") is entered into by and between the City of Brunswick, Ohio, a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio (the "City"), and Lowbrow Customs, LLC, an Ohio limited liability company ("Lowbrow Customs").

RECITALS:

WHEREAS, in accordance with applicable Ohio law as detailed in Ohio Revised Code Section 718.15, as may be amended from time to time, the City has developed a program to promote the creation of jobs and stimulate economic development in the City; and

WHEREAS, the City hereby enters into this Agreement to promote the creation of jobs and stimulate economic development in the City.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and intending to be legally bound, the Parties hereto agree as follows:

A. Lowbrow Customs, LLC – Representations, Covenants and Warranties.

1) Lowbrow Customs, or a corporate entity affiliated with Lowbrow Customs, shall effectuate the purchase of the commercial real property located at 2873 Interstate Parkway, Brunswick, Ohio (the "Property") and relocate all business operations of Lowbrow Customs to the Property;

2) Lowbrow Customs shall cause any necessary renovations to the Property to be completed and commence business operations at the Property no later than January 1, 2016. The date that Lowbrow Customs commences business operations at the Property, and so notifies the City in writing, shall be known as the "Commencement Date".

3) In order to receive and retain the grants as described in Section B below, Lowbrow Customs shall retain all of its business operations in the City for a minimum period of ten (10) years and maintain a minimum annual employee payroll of \$700,000.00 during such ten (10) year period. If Lowbrow Customs relocates all or any portion of its business operations outside of the corporate limits of the City prior to the expiration of the ten (10) year commitment or fails to maintain a minimum annual employee payroll of \$700,000.00 during such ten (10) year period, any and all grants provided pursuant to this Agreement shall be deemed refundable and Lowbrow Customs shall repay the City the full value of all grants received hereunder immediately upon the relocation of all or any portion of its business operations outside of the corporate limits of the City or failure to maintain a minimum annual employee payroll of \$700,000.00.

B. Grants.

- 1) The City shall provide Lowbrow Customs with an annual grant (the "Grant") in an amount equal to ten percent (10%) of Municipal Income Tax Receipts, as defined hereinbelow, for each \$100,000.00 of annual employee payroll, provided such annual employee payroll exceeds \$700,000.00, not to exceed one hundred percent (100%) of Municipal Income Tax Receipts. Such Grant shall be payable solely from City Non-Tax Revenues, as defined hereinbelow.

For example, in the event that the employee payroll of Lowbrow Customs for the first year of this Agreement is \$800,000.00, then the Grant payable to Lowbrow Customs shall equal eighty percent (80%) of Municipal Income Tax Receipts actually received by the City for such year.

“Municipal Income Tax Receipts”, as used herein, means the municipal income taxes actually received by the City during the twelve (12) month period commencing on the Commencement Date, and each twelve (12) months thereafter for the term of this Agreement, derived from the employees of Lowbrow Customs.

“Non-Tax Revenues”, as used herein, means all moneys of the City which are not moneys raised by taxation, to the extent available for the purpose of making any payments required hereunder, including, but not limited to, the following: (a) grants from the United States of America and the State of Ohio; (b) payments in lieu of taxes now or hereafter authorized by State statute to the extent not pledged to pay debt charges on other City indebtedness; (c) fines and forfeitures which are deposited in the City’s General Fund; (d) fees deposited in the City’s General Fund for services provided and from properly imposed licenses and permits; (e) investment earnings on the City’s General Fund; (f) investment earnings on other funds of the City that are credited to the City’s General Fund; (g) proceeds from the sale of assets which are deposited in the City’s General Fund; (h) gifts and donations; and (i) all rental payments which are deposited in the City’s General Fund.

Nothing herein shall be construed as requiring the City to use or apply to the payment of its obligation hereunder any funds or revenues from any source other than Non-Tax Revenues; provided, however, that nothing herein shall be deemed to prohibit the City, at its sole discretion, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Agreement. The obligation to make any

Grant hereunder shall terminate immediately if Lowbrow Customs ceases business operations within the corporate limits of the City or otherwise fails to fulfill its obligations under this Agreement.

2) The annual Grant set forth above shall continue for a period of five (5) consecutive years from the Commencement Date unless earlier terminated as set forth in this Agreement.

3) The Grant required hereunder shall be made to Lowbrow Customs upon the occurrence of the following: (a) the City's actual receipt of Municipal Income Tax Receipts; (b) the City's actual receipt of all necessary municipal tax returns from Lowbrow Customs; and (c) the City's receipt, review and approval of any requested supporting documentation as required herein.

Any Grant payment required hereunder shall be made by check payable to Lowbrow Customs, to be forwarded by regular U.S. mail within ninety (90) days of filing all necessary municipal tax returns with the City, to the notice address provided in Section C below, as may be updated by written notice to the City from time to time.

C. Additional Covenants and General Conditions.

1) This Agreement is specifically conditioned upon enactment by the Brunswick City Council of a Resolution approving this Agreement.

2) Lowbrow Customs may not assign its rights under this Agreement without the express written consent of the City.

3) Lowbrow Customs agrees to provide the City with information reasonably

requested by the City to evaluate Lowbrow Customs' compliance with this Agreement and to calculate the amount due hereunder.

4) A notice, demand, or other communication that may be provided or is otherwise required under this Agreement shall be sufficiently given or delivered if it is mailed by registered or certified mail, postage prepaid, return receipt requested, or delivered personally as follows:

To the City:

City of Brunswick
Attn: City Manager
Brunswick City Hall
4095 Center Road
Brunswick, OH 44212

To Lowbrow Customs:

Mr. Tyler Malinky
2305 Ridge Rd
Hickley, OH 44256

- 5) This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio.
- 6) This Agreement may be executed in several counterparts, each of which shall be deemed to be an original but altogether shall constitute only one and the same instrument. Signatures or counterparts delivered by email, facsimile or other electronic means shall be deemed binding originals.

[SIGNATURE PAGE TO FOLLOW]

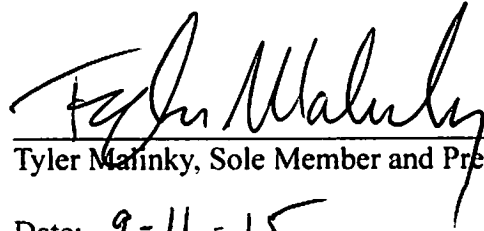
WHEREFORE, the Parties hereto have caused this Grant Agreement to be executed as of the dates indicated below.

CITY OF BRUNSWICK, OHIO

LOWBROW CUSTOMS, LLC

Anthony J. Bales, City Manager

Date: _____



Tyler Malinky, Sole Member and President

Date: 9-16-15

Approved as to form:

Kenneth J. Fisher, Law Director

Date: _____

This Grant Agreement has been approved by Brunswick City Council per Resolution No. _____ adopted on _____, _____, 2015.

Barbara Ortiz, Clerk of Council

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 91-15

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 1.4562 ACRE PARCEL OF LAND (PPN 001-02B-07-021) ON NORTH CARPENTER ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owner was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick, and

WHEREAS: The City of Brunswick does not object to this Petition.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 1.4562 acres of land on North Carpenter Road (PPN 001-02B-07-021), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owner, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the December 15, 2015 hearing date. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

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

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara Ortiz

AMENDED PETITION FOR REGULAR ANNEXATION
ON APPLICATION OF OWNERS

TO: Board of County Commissioners of Medina County, Ohio
144 North Broadway
Medina, Ohio 44256

2015 OCT 21 PM 2:03

I, the undersigned, being the sole owner of real estate in the territory hereinafter described, hereby petition for the regular annexation of the territory set forth in Exhibit "A" to the City of Brunswick, Medina County, Ohio, said property being owned by the undersigned in Brunswick Hills Township:

- I. Katie A. Gilder, 445 N. Carpenter Road, Brunswick, Ohio 44212 - Owner of parcel identified as PPN 001-02B-07-021.

The above-described territory is adjacent to and contiguous with the said City of Brunswick.

Petitioners have attached and made a part of this petition, an accurate map showing the boundaries of the territory sought to be annexed, marked "Map of Territory to be Annexed to the City of Brunswick."

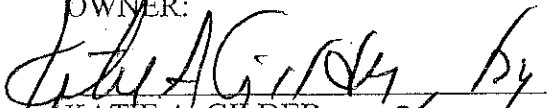
There is one (1) owner of the real estate in the above-described territory which is sought to be annexed to the City of Brunswick as set forth below herein.

Attached hereto as Exhibit "B" is the list of the owner, mailing addresses and Permanent Parcel Numbers of all parcels adjacent to the territory being annexed in these within proceedings.

Further attached hereto as Exhibit "C" is an 8.5 x 11 copy of the subject mylar.

David S. Riehl, Attorney at Law, 3695 Center Road, Brunswick, Ohio 44212 is hereby appointed agent for the undersigned petitioner pursuant to separate document.

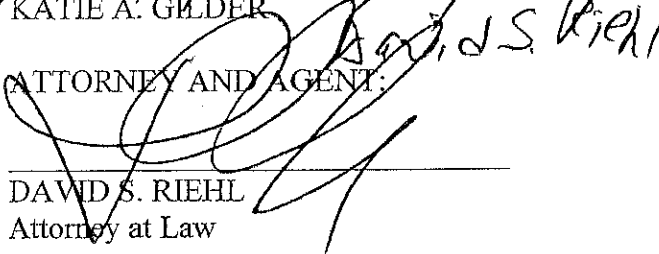
OWNER:


KATIE A. GILDER

DATE

10/21/15

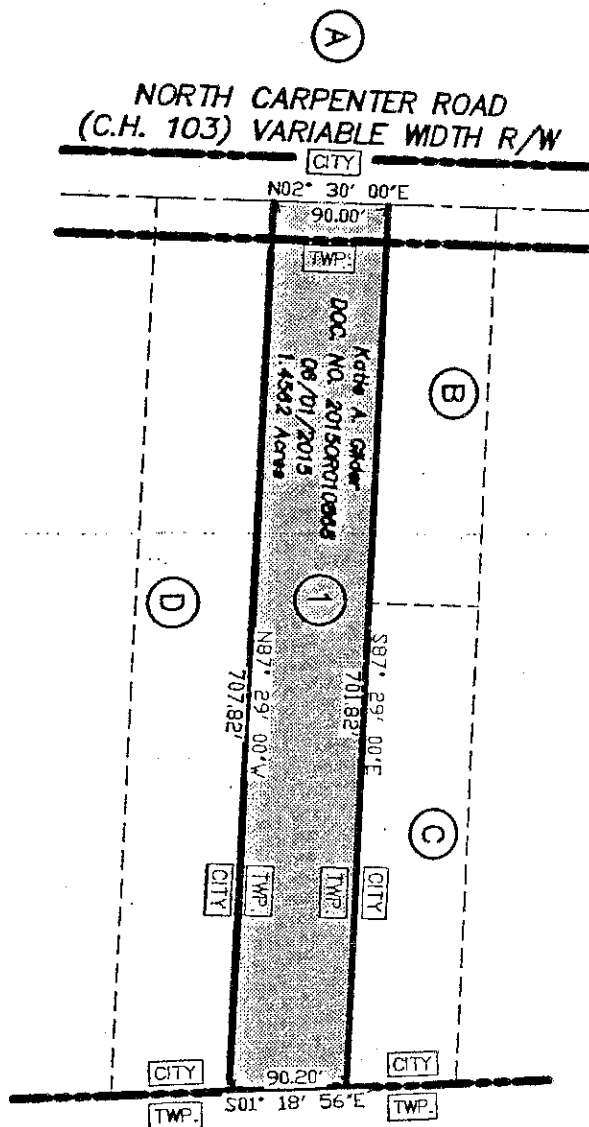
ATTORNEY AND AGENT:


DAVID S. RIEHL
Attorney at Law

DATE

10/21/15

MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF BRUNSWICK



State of Ohio
 8.92 Ac.
 D.V. 298, Pg. 404
 12-12-1962

INTERSTATE 71

EXHIBIT A

445 North Carpenter Road

Brunswick, OH 44212

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and known as being part of original Brunswick Township Lot No. 23, Tract 2, being more fully described as follows:

Commencing at Monument found at the Southwest corner of Original Brunswick Township Lot No. 23, also being the centerline intersection of T.H. 42, Grafton Road, and T.H. 103, Carpenter Road;

thence North 02 degrees 30'00" East 942.08 feet along said Carpenter Road Centerline to a point therein and being the principal place of beginning of the parcel described herein;

thence continuing along said Carpenter Road centerline North 02 degrees 30'00" East 90.00 feet to a point therein;

thence South 87 degrees 29'00" East, 701.82 feet to an iron pin found in the West right-of-way of Interstate 71 while passing through an iron pin set 30.00 feet from Carpenter Road centerline;

thence South 01 degrees 18'56" East 90.20 feet along said Interstate right-of-way to an iron pin set therein;

thence North 87 degrees 29'00" West 707.82 feet to the principal place of beginning and passing through an iron pin set 30.00 feet therefrom and containing therein 1.4562 acres of land as surveyed in July 1985 by Charles A. Rolling registered surveyor No. 5569, be the same more or less.

Permanent Parcel Number: 001-02B-07-021

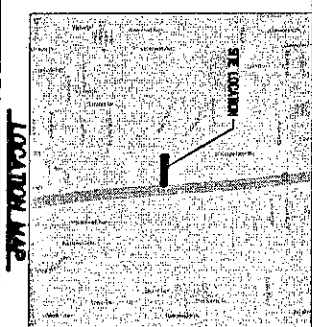
EXHIBIT B
ANNEXATION OF 445 N. CARPENTER ROAD
BRUNSWICK HILLS TOWNSHIP
LIST OF OWNERS, MAILING ADDRESSES AND
PERMANENT PARCEL NUMBERS OF
ALL PARCELS ADJACENT TO TERRITORY BEING ANNEXED

1. Concord Meadows & Greenbelt Association, Inc., P.O. Box 185, Brunswick, Ohio 44212, Permanent Parcel No. 003-18B-15-051;
2. Jay Kurowski, 431 N. Carpenter Road, Brunswick, Ohio 44212, Permanent Parcel No. 003-18B-15-098;
3. Jay Kurowski, 431 N. Carpenter Road, Brunswick, Ohio 44212, Permanent Parcel No. 003-18B-15-099;
4. James D. and Christine A. Tharp, 453 N. Carpenter Road, Brunswick, Ohio 44212, Permanent Parcel No. 003-18B-15-148.

REGULAR ANNEXATION OF 1.4668 ACRES, INTO THE CITY OF BRUNSWICK FROM BRUNSWICK HILLS TOWNSHIP SITUATED IN THE TOWNSHIP OF BRUNSWICK HILLS, COUNTY OF MEDINA AND STATE OF OHIO, ALSO KNOWN AS PART OF ORIGINAL BRUNSWICK TOWNSHIP LOT NO. 23, TRACT NO. 2.

ADJACENT PROPERTIES

OWNER'S NAME	TRANSFER DATE	INSTRUMENT NO.	PANEL NO.	PROPERTY ADDRESS	TAX MAPING ADDRESS
A Concord Meadows & Greenbelt Association, Inc.	01/04/1991	OR Vol. 597, Page 31	003-188-15-081	Parbrook Court, Brunswick, Ohio 44212	P.O. Box 185, Brunswick, Ohio 44212
B Jay Kuepfer	12/10/2013	Doc. No. 20130603535	003-188-15-085	N. Carpenter Road, Brunswick, Ohio 44212	431 N. Carpenter Road, Brunswick, Ohio 44212
C Jay Kuepfer	12/10/2013	Doc. No. 20130603535	003-188-15-099	N. Carpenter Road, Brunswick, Ohio 44212	431 N. Carpenter Road, Brunswick, Ohio 44212
D James D. & Christine A. Tharp	02/28/1992	OR Vol. 676, Page 518	003-188-15-148	463 N. Carpenter Road, Brunswick, Ohio 44212	463 N. Carpenter Road, Brunswick, Ohio 44212



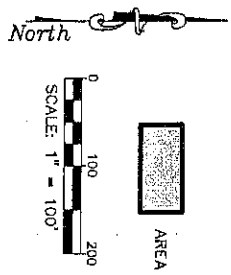
ANNEXED PROPERTY

OWNER'S NAME	TRANSFER DATE	INSTRUMENT NO.	OLD PARCEL NUMBER	NEW PARCEL NUMBER	OLD PROPERTY ADDRESS	NEW PROPERTY ADDRESS	AREA	TAX MAPING ADDRESS
Kate A. Gilder	06/01/2015	Doc. No. 20150601066	001-028-07-021	445	Carpenter Road, Brunswick, Ohio 44212	445 Carpenter Road, Brunswick, Ohio 44212	1.4668 Ac.	445 Carpenter Road, Brunswick, Ohio 44212

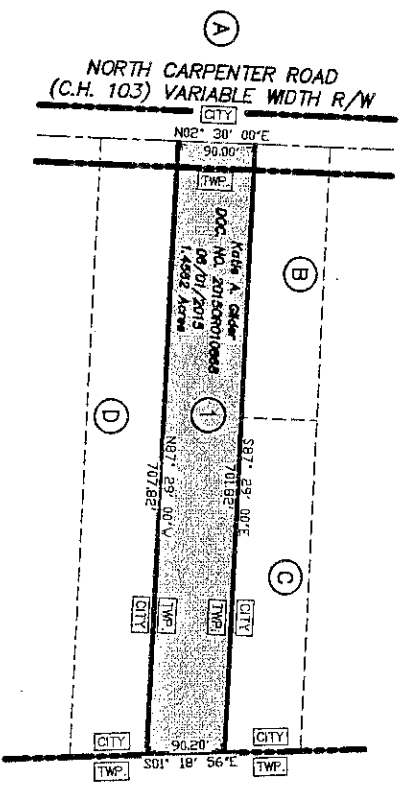
SEPTEMBER 2015

ROLLING HILLS, INC.
A Division of
CIVIL ENGINEERING & SURVEYING
237 SOUTH COURT STREET
SUITE 6
MEDINA, OHIO 44126
PHONE: (330)723-1828
FAX: (330)723-6637
PROJECT NO. 31.628

DWG FILE: J1628_Annexation.dwg



AREA TO BE ANNEXED



State of Ohio
0.92 Ac.
D.V. 208, Pg. 404
12-12-1982

INTERSTATE 71

CERTIFICATION:

I HEREBY CERTIFY THIS DRAWING TO HAVE BEEN CREATED BASED ON INFORMATION OF RECORD MADE BY ME AND/OR UNDER MY DIRECT SUPERVISION AND TO BE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

ANDREW G. PLANET, REG. SURVEYOR NO. 5-7802
DATE _____

ACCEPTANCE:

I, THE UNDERSIGNED OWNER OR DULY APPOINTED REPRESENTATIVE THEREOF OF THE LANDS EMBRACED WITHIN THIS PLAT, HEREBY ACKNOWLEDGE THIS PLAT TO BE MY FREE ACT AND DEED, I CERTIFY THAT THERE ARE NO DELINQUENT TAXES OR ASSESSMENTS AGAINST THESE LANDS.

KATE A. GILDER
STATE OF OHIO
MEDINA COUNTY
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED _____ WHO ACKNOWLEDGE THAT SHE DID SIGN THE FOREGOING INSTRUMENT AND THAT THE SAME IS HIS FREE ACT AND DEED, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT THIS _____ DAY OF _____, 2015.

NOTARY PUBLIC

ACCEPTANCE:

ACCEPTED BY THE CITY OF BRUNSWICK BY CITY COUNCIL RESOLUTION / ORDINANCE NO. _____ AT A REGULAR MEETING OF SAME HELD ON THIS _____ DAY OF _____, 20____ BY CLERK OF COUNCIL.

CLERK OF COUNCIL

APPROVALS:

APPROVED FOR THE MEDINA COUNTY BOARD OF COMMISSIONERS ON THIS THIS _____ DAY OF _____, 20____ BY:

MEDINA COUNTY COMMISSIONER - PRESIDENT

MEDINA COUNTY COMMISSIONER

MEDINA COUNTY COMMISSIONER

APPROVED FOR TRANSFER _____ DAY OF _____, 20____

RECEIVED FOR TRANSFER _____ DAY OF _____, 20____

COUNTY AUDITOR

RECEIVED AND RECORDED _____ DAY OF _____, 20____ AT _____

MEDINA COUNTY RECORDER

NOTICE OF FILING OF AMENDED ANNEXATION PETITION

DATE: October 21, 2015

TO: Clerk of City of Brunswick

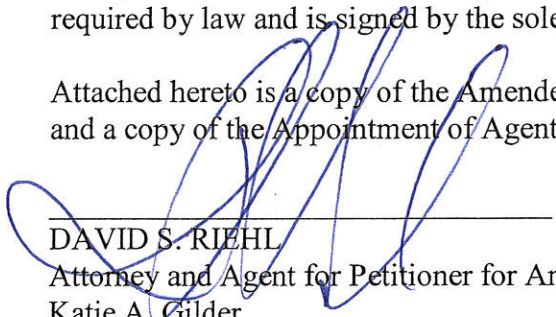
You will hereby take notice that certain petitioners seeking the annexation of certain territory located in the Township of Brunswick Hills, County of Medina, State of Ohio, to the City of Brunswick, County of Medina, State of Ohio, filed an amended petition for the annexation of such territory in the office of the Board of County Commissioners of Medina County, Ohio, on the 21st day of October, 2015.

The Board of Medina County Commissioners has scheduled this matter for hearing on the 15th day of December, 2015 at 10:30 a.m. in the Medina County Administration Building, 144 N. Broadway, Medina, Ohio.

This notice is given by the undersigned agent of such petitioner pursuant to O.R.C. §709.03.

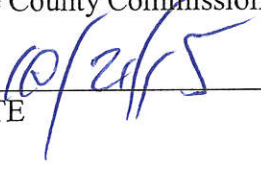
Said petition contains a full description of the territory to be annexed and other matters required by law and is signed by the sole owner of the real estate in such territory.

Attached hereto is a copy of the Amended Petition for Annexation, a copy of the plat map and a copy of the Appointment of Agent as filed with the County Commissioners.



DAVID S. RIEHL

Attorney and Agent for Petitioner for Annexation:
Katie A. Gilder



DATE

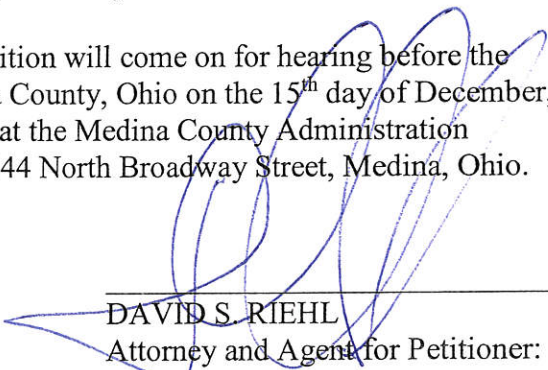
TRANSMITTAL OF NOTICE OF AMENDED PETITION FOR ANNEXATION

DATE: October 21, 2015

TO: Clerk of City of Brunswick

You will hereby take notice that the undersigned as agent for the certain petitioner seeking the annexation of certain territory located in the Township of Brunswick Hills, County of Medina, State of Ohio, to the City of Brunswick, County of Medina, State of Ohio, is causing a notice containing the substance of the petition and the time and place wherein said petition will be heard by the Board of County Commissioners of Medina County, Ohio to be published as required by law, and that a copy of such notice is hereby attached and delivered to you as required by O.R.C. §709.031.

The matters contained in the annexation petition will come on for hearing before the Board of County Commissioners of Medina County, Ohio on the 15th day of December, 2015, 10:30 a.m. Said hearing will be held at the Medina County Administration Building, County Commissioners' Office, 144 North Broadway Street, Medina, Ohio.



DAVID S. RIEHL
Attorney and Agent for Petitioner:
Katie A. Gilder

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Todd Fischer, Finance Director

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 93-15** - An emergency ordinance to adopt the annual appropriation budget for expenditures of the City of Brunswick for the year beginning January 1, 2016 and ending December 31, 2016 - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: Each year and in accordance with Ohio Revised Code Section 5705 Council is required to adopt an annual appropriation budget.

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

IMPLEMENTATION SCHEDULE: The 2016 Budget presentation was presented and discussed with the Finance Committee and other members of Council on October 15th, 2015. This budget legislation is anticipated to be moved to the October 26, 2015 Council agenda as an emergency for three readings. Recommended action for approval is requested for November 23, 2015 with emergency clause. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2016.

FINANCIAL INFORMATION: Schedule of Fund Appropriations - See Exhibit A - 01/01/2016 - See Exhibit A - Various - - 53906688.93

FINANCIAL SUMMARY: The total 2016 appropriation budget for all funds (including all book internal transfers, agency funds, etc.) equals \$53,906,688.93.

RECOMMENDED ACTION:

One Reading	Yes
-------------	-----

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

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

The 2016 Budget presentation was presented and discussed with the Finance Committee and other members of Council on October 15th, 2015. This budget legislation is anticipated to be moved to the October 26, 2015 Council agenda as an emergency for three readings. Recommended action for approval is requested for November 23, 2015 with emergency clause.

The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2016.

**ADDITIONAL
INFORMATION:**

See Exhibit A.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 93-15



By: Mrs. Hanek, Mr. Abella and Mr. Carl

AN EMERGENCY ORDINANCE ADOPTING THE ANNUAL APPROPRIATION BUDGET FOR EXPENDITURES OF THE CITY OF BRUNSWICK FOR THE YEAR BEGINNING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016

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

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

WHEREAS: City Council has publicly reviewed the 2016 Operating and Capital Budget and is desirous to comply with local and State Laws.

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

SECTION 1: That to provide for expenditures of the City of Brunswick, Ohio during the fiscal year beginning January 1, 2016 and ending December 31, 2016, the 2016 Operating and Capital Budget, as attached hereto and incorporated herein as Exhibit "A", is hereby adopted.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that Ohio law prescribes time limitations on the adoption and certification of the 2016 Operating and Capital Budget. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____
2nd Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

City of Brunswick, Ohio
Exhibit "A" - Schedule of Fund Appropriations
For the Budget Year Ending December 31, 2016

Fund Number	Fund Name / Department	Personal Service	Other	Total
General Fund				
001	General Fund			
	City Council	174,353.00	87,064.00	\$ 261,417.00
	Mayor	76,398.00	83,829.00	\$ 160,227.00
	City Manager	164,011.00	122,556.00	\$ 286,567.00
	Information Technologies	126,355.00	182,955.00	\$ 309,310.00
	Engineering	20,741.00	350,669.00	\$ 371,410.00
	Building Department	290,178.00	255,414.00	\$ 545,592.00
	Cemetery Maintenance	-	15,100.00	\$ 15,100.00
	Janitorial Contract	-	17,503.50	\$ 17,503.50
	City Hall Building & Grounds	15,512.00	49,932.00	\$ 65,444.00
	Administrative Services	88,659.00	64,721.00	\$ 153,380.00
	Economic Development	96,765.00	155,434.00	\$ 252,199.00
	Animal Control	60,258.00	77,582.00	\$ 137,840.00
	Law Department	169,645.00	264,293.00	\$ 433,938.00
	Finance Department	202,690.00	189,573.00	\$ 392,263.00
	Income Tax Department	174,084.00	174,697.00	\$ 348,781.00
	Parks & Recreation Director	79,599.00	60,063.00	\$ 139,662.00
	Senior Activities	-	-	\$ -
	General Fund Administration	-	826,417.00	\$ 826,417.00
	Development Director & CBO	47,346.00	54,822.00	\$ 102,168.00
	Board of Building Appeals	359.00	1,267.00	\$ 1,626.00
	Board of Zoning Appeals	2,629.00	4,716.00	\$ 7,345.00
	Board of Civil Service	12,558.00	21,946.00	\$ 34,504.00
	Board of Ethics	2,780.00	2,025.00	\$ 4,805.00
	Board of Charter Review	-	-	\$ -
	Board of Commemorative Affairs	-	16,000.00	\$ 16,000.00
	General Fund Transfers / Advances	-	15,096,878.25	\$ 15,096,878.25
001	Total General Fund	\$ 1,804,920.00	\$ 18,175,456.75	\$ 19,980,376.75
Special Revenue Funds:				
110	Court Computerization Fund	9,251.00	17,331.00	\$ 26,582.00
111	FEMA Grant Fund	-	-	\$ -
114	Police Wages Fund	4,015,614.00	3,971,229.27	\$ 7,986,843.27
115	Fire Fund	2,167,428.00	2,597,215.00	\$ 4,764,643.00
116	Drug Enforcement Fund	-	135,000.00	\$ 135,000.00
117	Street Repair & Maintenance Fund	980,289.00	1,960,704.00	\$ 2,940,993.00
118	State Highway Fund	-	129,725.00	\$ 129,725.00
119	Law Enforcement Fund	-	3,743.00	\$ 3,743.00
120	Brunswick Transit Alternative (BTA) Fund	32,315.00	417,917.00	\$ 450,232.00
121	RLF / CDBG Fund	-	-	\$ -
123	Brunswick Area Television (BAT) Fund	139,745.00	206,931.00	\$ 346,676.00
127	Parks Fund	191,205.00	338,842.00	\$ 530,047.00
129	Department of Justice Federal Grant Fund	-	216,074.54	\$ 216,074.54
130	DUI Enforcement & Education Fund	-	15,654.00	\$ 15,654.00
131	Recreation Center Fund	498,602.00	681,979.64	\$ 1,180,581.64
132	CHIP Grant Fund (CDBG)	-	-	\$ -
133	Home Improvement Grant Fund (CDBG)	-	-	\$ -
137	Medina County Safe Communities Federal Grant	-	34,991.03	\$ 34,991.03
Enterprise Funds:				
223	Refuse Fund	57,028.00	2,586,194.00	\$ 2,643,222.00
224	Storm Water Management Fund	22,709.00	1,922,681.03	\$ 1,945,390.03
Capital Improvement Funds:				
300	General Permanent Improvement Fund	-	561,900.00	\$ 561,900.00

City of Brunswick, Ohio
Exhibit "A" - Schedule of Fund Appropriations
For the Budget Year Ending December 31, 2016

Fund Number	Fund Name / Department	Personal Service	Other	Total
332	Road Levy Fund		1,826,649.80	\$ 1,826,649.80
333	Road Improvement Fund	-	1,927,189.77	\$ 1,927,189.77
334	Traffic Control Fund	-	-	\$ -
335	Public Square Fund	-	-	\$ -
336	City Building Improvement Fund	-	1,036.42	\$ 1,036.42
337	EPA Grant Fund		177,779.04	\$ 177,779.04
339	Fire Improvement Fund	-	-	\$ -
341	Park Improvement Fund	-	60,000.00	\$ 60,000.00
345	Ohio Environmental Infrastructure Grant Fund	-	590,991.01	\$ 590,991.01
347	North Carpenter Road Improvement Fund	-	493,567.88	\$ 493,567.88
348	Boston Road Improvement Fund	-	215,774.72	\$ 215,774.72
349	Applewood Storm Sewer Improvement Fund	-	-	\$ -
353	I-71 / Rt. 303 Enhancement Fund	-	(0.00)	\$ (0.00)
358	Storm Sewer Improvement Fund	-	-	\$ -
359	South Industrial Parkway Improvement Fund	-	-	\$ -
360	Brunswick Lake Improvement Fund	-	1,662,671.06	\$ 1,662,671.06
361	Highland Drive Storm Sewer Improvement Fund	-	-	\$ -
362	OPWC North Carpenter Road Improvement Fund	-	-	\$ -
363	OPWC El Dorado Storm Water Improvement Fund	-	-	\$ -
364	OPWC Grafton/Hadcock Road Improvement Fund	-	-	\$ -
365	OPWC Hadcock Rd Reconstruction Phase II Fund	-	-	\$ -
366	OPWC Pearl Rd Improvement Fund	-	-	\$ -
367	OPWC Hadcock Rd Reconstruction Fund		1,198,000.00	\$ 1,198,000.00
368	OPWC Grafton Road Improvement Fund		547,283.00	\$ 547,283.00
369	OPWC Center Road Resurfacing Fund		513,972.48	\$ 513,972.48
Debt Service Funds:				
771	General Obligation Bond Retirement Fund	-	-	\$ -
777	Special Assessment BRF: Crosscreek Road	-	-	\$ -
778	Special Assessment BRF: Carpenter Road	-	-	\$ -
779	Special Assessment BRF: Laurel West Waterline	-	-	\$ -
780	Special Assessment BRF: Grafton Phase III	-	3,237.00	\$ 3,237.00
781	Special Assessment BRF: South Industrial Parkway	-	107,750.00	\$ 107,750.00
782	Special Assessment BRF: Laurel Road (2006)	-	42,287.50	\$ 42,287.50
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,998.81	\$ 18,998.81
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,826.18	\$ 11,826.18
Agency Funds:				
880	Recreation Programs Agency Fund	-	-	\$ -
881	General Trust Agency Fund	-	500,000.00	\$ 500,000.00
882	Unclaimed Money Agency Fund	-	20,000.00	\$ 20,000.00
883	Twelve Step Agency Fund	-	-	\$ -
884	Family Violence Agency Fund	-	-	\$ -
885	Flexible Spending Agency Fund	-	75,000.00	\$ 75,000.00
886	Non-Residential 3% Building Permit Agency Fund	-	10,000.00	\$ 10,000.00
887	Residential 1% Building Permit Agency Fund	-	10,000.00	\$ 10,000.00
			Grand Total	\$ 53,906,688.93

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Todd Fischer, Finance Director

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO 95-15** - An emergency Ordinance amending Section 1 of Ordinance No.107-14 to provide for a revised allocation of municipal income tax receipts during the period from January 1, 2016 through December 31, 2016 - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: Codified Ordinance Section 880.01 (e) requires Council to pass an Ordinance to amend the distribution of municipal income taxes to various funds. Generally occurs at the beginning of the year or "as needed". The estimated income tax collections and distribution of net income taxes as written have also been set to comply with the levy language of the City's two income tax specific safety levies.

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

City Council has determined that the allocation formula during the period from January 1, 2016 through December 31, 2016, should maximize the amounts provided for municipal services and improvements; and

In order to carry out that purpose subject to and consistent with the requirements of Section 880.01 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 107-14;

IMPLEMENTATION SCHEDULE: The proposed 2016 income tax allocation draft legislation and 2016 appropriation budget was presented and discussed with the Finance Committee and other members of Council on October 15th, 2015. This 2016 income tax allocation legislation is anticipated to be moved to the October 26, 2015 Council agenda as an emergency for three readings. Recommended action for approval is requested for November 23, 2015 with emergency clause. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2016.

FINANCIAL

INFORMATION:

FINANCIAL

SUMMARY:

This piece of legislation adopts the distribution requirements for municipal income taxes and imposes a ceiling or maximum of income tax dollars that can be received in specifically listed funds. The estimated income tax collections and distribution of net income taxes as written have also been set to comply with the levy language of the City’s two income tax specific safety levies. Note: The actual income taxes received ultimately relate to the fiscal impact, however, actual income tax amounts cannot be determined until the fiscal year is over and actual income tax collection receipts and related expenses are known.

RECOMMENDED

ACTION:

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

If emergency or suspension of the rules, why the request?
The proposed 2016 income tax allocation draft legislation and 2016 appropriation budget was presented and discussed with the Finance Committee and other members of Council on October 15th, 2015. This 2016 income tax allocation legislation is anticipated to be moved to the October 26, 2015 Council agenda as an emergency for three readings. Recommended action for approval is requested for November 23, 2015 with emergency clause. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2016.

ADDITIONAL

INFORMATION:

None.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 95-15



By: Mrs. Hanek, Mr. Abella and Mr. Carl

AN EMERGENCY ORDINANCE AMENDING SECTION 1 OF
ORDINANCE NO. 107-14 TO PROVIDE FOR A REVISED ALLOCATION
OF MUNICIPAL INCOME TAX RECEIPTS DURING THE PERIOD FROM
JANUARY 1, 2016 THROUGH DECEMBER 31, 2016

- WHEREAS: In accordance with Section 880.01(e) of the City of Brunswick Codified Ordinances, this Council is required to pass Ordinances from time to time to provide for the allocation of income tax receipts as required and permitted by Codified Ordinance Section 880.01; and
- WHEREAS: This Council has determined that the allocation formula during the period from January 1, 2016 through December 31, 2016 should maximize the amounts provided for municipal services and improvements; and
- WHEREAS: In order to carry out such purpose, subject to and consistent with the requirements of Section 880.01 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 107-14;
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:
- SECTION 1: That Section 1 of Ordinance No. 107-14, adopted on December 8, 2014, be and is hereby amended to read as follows:

“SECTION 1. Subject to and consistent with the provisions of Section 880.01 of the Codified Ordinances, during the period from January 1, 2016 through December 31, 2016, the income tax receipts collected under the provisions of Chapter 880 of the Codified Ordinances each month, after provision for costs of administering and enforcing the provisions of that Chapter, shall be allocated to and deposited in or transferred to the following funds in the following percentage allocations notwithstanding the tax year to which they are attributable, at the close of each month:

Fund	Allocation
Police Fund	49.25%
Fire Fund	26.50%
Street Repair & Maintenance Fund	7.50%
BTA Fund	1.00%
Parks Fund	3.50%
Capital Improvement Fund	2.50%
General Fund	9.75%

; provided that when amounts allocated to a fund reach the designated annual maximum for that fund for 2016 set forth below, no additional income tax receipts will be deposited into that fund in 2016. Any amounts in excess of such maximum allocations shall be allocated to the General Fund.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 95-15



The annual maximum allocations for the various funds for 2016 shall be as follows:

Fund	Maximum Allocation
Police Fund	\$6,750,000
Fire Fund	\$3,800,000
Street Repair & Maintenance Fund	\$1,125,000
BTA Fund	\$145,000
Parks Fund	\$520,000
Capital Improvement Fund	No Limit
General Fund	No Limit

This Council finds and determines that, based on the City's estimated income tax receipts for 2016, the allocation percentages and maximum allocations set forth in this Section are consistent with the requirements of paragraphs (b), (c) and (d) of Section 880.01 of the Codified Ordinances. This Council shall act promptly to revise the foregoing allocation percentages and or maximum allocations if, as and when such revisions are necessary to ensure continuing compliance with the requirements of Section 880.01 of the Codified Ordinances.

The Finance Director/Income Tax Administrator shall provide Council with monthly financial reports reflecting amounts of the prior month's allocations to the various funds and year to date allocations to the various funds and confirming the City's continuing compliance with the requirements of Section 880.01 of the Codified Ordinances.

SECTION 2: That Section 1 of Ordinance No. 107-14, as adopted on December 8, 2014, be and is hereby repealed.

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

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

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

ADOPTED:

CITY OF BRUNSWICK, OHIO
ORDINANCE NUMBER 95-15



_____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Julie Murawski, Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 99-15** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles, acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Julie Murawski*)

BACKGROUND: For the past several years we have utilized the internet auction for sale of personal property of the City of Brunswick. City Council is required to adopt an annual resolution permitting the City to utilize the internet auction provisions of O.R.C. Section 721.15.

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

IMPLEMENTATION SCHEDULE: The legislation would be effective for the year 2016.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: If the City were to use this avenue to sell obsolete or unfit personal property, we would realize an amount of income.

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 99-15

BY: Committee-of-the-Whole

A RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED FOR THE YEAR 2016.

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

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

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

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2016.

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

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

SECTION 4: That the City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the

auction site. Minimum price or reserve may be set, but is not required by law.

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

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

SECTION 7: That the highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice. Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

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

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

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

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

SECTION 11: That this 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: 11/09/2015

TO: Vice Mayor Vince Carl and Members of City Council

FROM: Anthony J. Bales, City Manager
Julie Murawski, Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. #100-15** - An emergency resolution authorizing the City Manager to renew the agreement with My Office Products for the provision of office supplies for a period of one (1) year from January 1, 2016 through December 31, 2016 - **1st Reading** (To be brought from Committee of the Whole. *Administration/Julie Murawski*)

BACKGROUND: We are currently in a one year contract with My Office Products for office supplies. This contract has one remaining one (1) year renewal option. We are asking Council to authorize the renewal option.

PURPOSE AND EXPLANATION: My Office Products of 807 S. Broadway, Akron, Ohio has been providing us with office supplies through their contract that was effective January 1, 2014. There have not been any issues with their products and service.

IMPLEMENTATION SCHEDULE: The current contract expires on December 31, 2015. We ask that Council authorize the renewal option of a one (1) year contract from January 1, 2016 to December 31, 2016.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Each department is charged with their office supply expense while remaining within their budgets. Appropriations are legally established by Council legislative action. Each Department is required to live within those established appropriations as outlined in ORC Section 5705.38 (C).

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?

There is sufficient time to read the legislation three times. However, if we wait the thirty (30) days after the last reading, the contract would not be effective until January 6, 2016.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 100-15

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE AGREEMENT WITH MY OFFICE PRODUCTS FOR THE PROVISION OF OFFICE SUPPLIES FOR A PERIOD OF ONE (1) YEAR FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.

WHEREAS: Upon compliance with public bidding requirements, on November 25, 2013, City Council adopted Resolution No. 96-13 authorizing the City Manager to enter into a one (1) year agreement with My Office Products, the lowest and best bidder, for the provision of office supplies in an amount not to exceed submitted bid prices with two (2) one (1) year renewal options;

WHEREAS: On December 8, 2014, City Council adopted Resolution No. 104-14 exercising the first renewal option with My Office Products from January 1, 2015 through December 31, 2015 in an amount not to exceed submitted bid prices; and

WHEREAS: The City wishes to exercise its second and final renewal option with My Office Products from January 1, 2016 through December 31, 2016 in an amount not to exceed submitted bid prices.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to renew the Agreement with My Office Products for the provision of office supplies in an amount not to exceed submitted bid prices.

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 emergency passage is necessary to ensure that the renewal of the Agreement with My Office Products is effective as of January 1, 2016. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

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

ADOPTED: _____ AYES _____ NAYS _____

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