



BRUNSWICK CITY COUNCIL AGENDA

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

MAY 22, 2017

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated May 8, 2017.
 - (a) Council Meeting Minutes dated May 8, 2017.
5. Mayor's Report:
 - (a) Proclamations for Eagle Scouts Chase Robert Saeger and Kyle Douglas Willette;
 - (b) Motion to approve the Mayor's recommendation to appoint John C. Egan to the Building Board Code of Appeals;
 - (c) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development.....Mr. Johnson

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

(38) Services Committee Meeting Minutes dated May 8, 2017

Finance Committee.....Mrs. Hanek

Safety & Environment.....Mr. Hanek

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

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

(37) Parks & Rec Committee Meeting Minutes dated May 8, 2017

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

(39) Building Code Committee Meeting Minutes dated May 8, 2017
8. Other Boards and Commissions

- (a) Committee of the Whole Meeting Minutes dated May 8, 2017
9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

ORD. NO. 32-17 - An ordinance establishing Section 1440.27 of the City of Brunswick Codified Ordinances by providing for Residential Rental Dwelling Unit Registration - **2nd Reading** (Building & Building Code Committee, Revised 5-5-17, *Administration/Ken Fisher*)

ORD. NO. 35-17 - An ordinance establishing the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **2nd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*)

ORD. NO. 36-17 - An ordinance establishing the pay range for the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **2nd Reading** (Parks, Recreation & Community Committee, Revised 5-9-17, *Administration/John Piepsny*)

c. 1st Reading(s)

ORD. NO. 37-17 - An emergency Ordinance amending Ordinances #84-16 and #15-17 to include amendments to the appropriations budget for the year ending December 31, 2017 as incorporated in Exhibit A attached hereto- **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 38-17 - An ordinance approving the preliminary subdivision plan for the Fairways Subdivision Phase 8 subject to the conditions recommended by the Planning Commission and any other conditions imposed by Council - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 39-17 - An emergency Ordinance to transfer and advance funds - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 40-17 - An emergency resolution establishing a blanket purchase order amount limit as required by Ohio Revised Code 5705.41(d)(3) - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

RES. NO. 41-17 - An emergency resolution authorizing the City Manager to purchase two (2) storage servers from Evolve IP in an amount not to exceed \$65,000.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, MAY 8, 2017

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

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

CORRESPONDENCE: THERE WAS NONE.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES DATED APRIL 24, 2017.

PATRICIA HANEK MOVED TO APPROVE THE COUNCIL MEETING MINUTES DATED APRIL 24, 2017, SECONDED BY NICHOLAS HANEK. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

MAYOR'S REPORT:

Mayor's Court Financial Report for the month ending April 2017 will be posted on the website and added to the minutes for the record.

Proclamation to Designate May 19-20, 2017 as Buddy Poppy Days:

Mayor Falconi presented a proclamation to the VFW to designate May 19-20, 2017 as Poppy Days in the City of Brunswick.

Proclamation for the Month of May as Business Appreciation Month in the City of Brunswick:

A proclamation for the Month of May as Business Appreciation Month in the City of Brunswick was presented to the Chamber of Commerce.

Motion to approve the Mayor's recommendation to reappoint Peter Lukic to the Ethics Board:

Nicholas Hanek moved to approve the Mayor's recommendation to reappoint Peter Lukic to the Ethics Board, seconded by Patricia Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mayor's recommendation to appoint John C. Egan to the Building Board Code of Appeals:

The Mayor advised if Council had any questions about John Eagan to let him know before the next Council Meeting.

CLERK OF COUNCIL’S REPORT: MRS. ORTIZ ANNOUNCED THE ECO-ARTS CHALK FESTIVAL WILL TAKE PLACE THIS COMING SATURDAY, MAY 13, 2017 AT THE SUSAN HAMBLEY NATURE CENTER. THE HOURS WILL BE FROM 10:00 A.M. UNTIL 2:00 P.M. ALL AGES WERE WELCOME AND IT WAS A FREE EVENT. SQUARES COULD BE CHALKED BY INDIVIDUALS OR GROUPS.

COUNCIL COMMITTEE REPORTS:

Economic Development.....Mr. Johnson:

Alex Johnson had no report this evening.

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

Joseph Salzgeber moved to approve the formal report dated April 24, 2017 as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Patricia Hanek had no formal report tonight.

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

Nicholas Hanek had no formal report this evening.

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

Brian Ousley moved to approve the formal report dated April 20,2017 as written, seconded by Alex Johnson. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

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

Michael Abella Jr. had no formal report tonight.

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

Anthony Capretta had no formal report this evening.

OTHER BOARDS AND COMMISSIONS:

PATRICIA HANEK MOVED TO APPROVE THE COMMITTEE-OF-THE-WHOLE MEETING MINUTES DATED APRIL 24, 2017 AS WRITTEN, SECONDED BY JOSEPH SALZGEBER. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX

JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

PETITIONS FROM THE PUBLIC ON LEGISLATION: THERE WAS NONE.

READING OF LEGISLATION AND ACTION ON LEGISLATION: PATRICIA HANEK MOVED TO AMEND THE PAY RANGE TO \$10 TO \$14 AN HOUR IN ORDINANCE NO. 36-17, SECONDED BY JOSEPH SALZGEBER. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

3RD READING(S)

RES. NO. 28-17 - A resolution designating the Month of May 2017 as Local Business Appreciation and Economic Development Month in the City of Brunswick - **3rd Reading** (Economic Development Committee, *Administration/Alex Johnson*):

RES. NO. 28-17 - Alex Johnson moved to adopt, seconded by Patricia Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mr. Johnson noted that when you buy from a "Mom and Pop" business you were not helping a CEO buy a third vacation home. You were helping a little girl get dance lessons, or a little boy get his team jersey, or help Mom and Dad to put something good on the table, to help pay mortgage, or even pay a student's college tuition. The residents in Brunswick were shareholders and they were the ones that local businesses must try to keep happy. As the Chairperson of Economic Development he urged everyone to shop local, shop often and keep your local stock strong in Brunswick.

2ND READING(S)

1ST READING(S)

ORD. NO. 32-17 - An ordinance establishing Section 1440.27 of the City of Brunswick Codified Ordinances by providing for Residential Rental Dwelling Unit Registration - **1st Reading** (To be brought from Building & Building Code Committee, Revised 5-5-17, *Administration/Ken Fisher*):

ORD. NO. 32-17 - Anthony Capretta moved this ordinance to a second reading.

RES. NO. 33-17 - An emergency resolution authorizing the City Manager to enter into an agreement with Specialized Construction, Inc. for the 2017 Asphalt Road Program in an amount not to exceed \$138,920.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

RES. NO. 33-17 - Joseph Salzgeber moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mr. Jones stated this was the annual Asphalt Road Program funded with road levy dollars. The City was looking to award a contract to Specialized Construction, the lowest and best bidder. They were available to start in June and we anticipated the project to take approximately forty-five days to complete.

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

RES. NO. 34-17 - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, Inc. for the 2017 Concrete Repair Program in an amount no to exceed \$571,120.00 - 1st Reading (To be brought from Services, Utilities, Technologies & Cable Committee, *Administration/Matt Jones*):

RES. NO. 34-17 - Joseph Salzgeber moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mr. Jones stated this was the annual levy-funded Concrete Repair Program. It was citywide on residential streets. The City was looking to award the contract to Konstruction King, the lowest and best bidder. They were available to start in June and it was anticipated they will finish in September.

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

ORD. NO. 35-17 - An ordinance establishing the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - 1st Reading (To be brought from Parks, Recreation & Community Committee, *Administration/John Piepsny*):

ORD. NO. 35-17 - Michael Abella Jr. moved this ordinance to a second reading.

ORD. NO. 36-17 - An ordinance establishing the pay range for the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - 1st Reading (To be brought from Parks, Recreation & Community Committee, Revised 5-9-17, *Administration/John Piepsny*):

ORD. No. 36-17 - Michael Abella Jr. moved this ordinance to a second reading.

CITY MANAGER'S REPORT:

CHIEF DEFOREST THANKED THE COMMUNITY FOR SUPPORTING THE SAFETY LEVY LAST TUESDAY. VOTERS WENT OUT AND SUPPORTED THE SAFETY LEVY WHICH GAVE A SOLID FOUNDATION FOR POLICE AND FIRE FUNDING UNTIL THE END OF 2022. IT WAS GREATLY APPRECIATED. HE APPRECIATED THE VOLUNTEERS AND STAFF MEMBERS WHO SACRIFICED THEIR TIME, ENERGY AND EFFORT TO GET THE MESSAGE OUT. THE VOTERS SUPPORTED US AND GAVE US THE FAITH WE DESERVED AND EARNED.

HE ALSO MENTIONED THAT ROTARY STARTED A PROGRAM AT THE LOCAL KINDERGARTEN CLASSES CALLED JOSH THE WATER OTTER. JOSH THE WATER OTTER WAS AN EDUCATIONAL PROGRAM FOR KINDERGARTENERS TO LEARN ABOUT WATER SAFETY AND FIRST TO FLOAT AND THEN TO SWIM. IT WAS DEDICATED TO JOSHUA CULLINGSWORTH WHO DROWNED AT THE AGE OF TWO AND A HALF IN 2008. HIS

FAMILY WANTED TO DO SOMETHING TO RUN INTERFERENCE IN THE NUMBER ONE CAUSE OF DEATH FOR CHILDREN AGED ONE THROUGH FOUR. SEVERAL YEARS AGO THE LOCAL ROTARY CLUB TOOK UPON THEMSELVES TO DEVELOP THIS PROGRAM AND PRESENT IT LOCALLY. IT WAS A NATIONAL PROGRAM. EVERY CHILD WENT HOME WITH A BOOK AND DVD.

HE WOULD LIKE TO WELCOME PEOPLE INTO THE RECREATION CENTER ON MAY 24 TO THE INAUGURAL PICKLE BALL DOUBLE ELIMINATION TOURNAMENT. IF YOU DID NOT KNOW WHAT PICKLE BALL WAS YOU COULD GOOGLE IT. THE TOURNAMENT WILL BE HELD ON WEDNESDAY, MAY 24 STARTING AT 8:00 A.M. AND THE COST WAS \$5.00 PER PLAYER.

ADMINISTRATIVE DEPARTMENTS:

MR. FISCHER HAD THREE ITEMS. HE WANTED TO THANK THE RESIDENTS FOR VOTING FOR THE SAFETY LEVY. THE CITY HAD THE ACCOUNTABILITY OF THE TAX PAYERS' DOLLARS AT HAND AND THEY DO A GOOD JOB WITH DOING THIS. THE GROSS TAX RATE WILL GO FROM 1.85% TO 2% BEGINNING ON JANUARY 1, 2018. OUT OF THIS MONEY 1% WILL BE DEPOSITED AND ACCOUNTED FOR IN THE POLICE AND FIRE FUNDS AS REQUIRED BY BALLOT LANGUAGE. HE WISHED TO LET EVERYONE KNOW THAT THEY WERE WORKING DILIGENTLY TO TRY AND GET THE INCOME TAX REFUNDS OUT. THEY HAD ABOUT 18,000 TAX FORMS AND TWO FULL-TIME PEOPLE AT THE MOMENT. ALONG WITH A COUPLE PART-TIME PEOPLE THEY WERE PUTTING ALL THOSE FORMS INTO THE SYSTEM. IT DID TAKE SOME TIME. THEY WERE WORKING DILIGENTLY AND HAVE DONE SEVERAL HUNDREDS OF REFUNDS IN THE LAST WEEK. IF YOU WERE LOOKING FOR A REFUND, HE ASKED EVERYONE TO BE PATIENT.

IN ADDITION, THEY WERE LOOKING THROUGH THE INVESTMENT PORTFOLIO TO MAKE SURE THE CITY HAD ENOUGH CASH ON HAND TO PAY FOR THE ROAD PROJECTS THIS SEASON. THERE WERE QUITE A FEW ROAD PROJECTS. SOME OF THEM BEING GRAFTON ROAD, SKYVIEW DRIVE, AND MANY DIFFERENT NEIGHBORHOOD PROJECTS. THEY WERE WORKING TO GET ALL THE MONEY IN HAND TO GET THOSE PROJECTS PAID.

MR. BARNETT RELATED THAT PATCHING WAS ONGOING. THE CREWS WERE DOING HOT MIX ASPHALT PATCHING AND WERE APPROXIMATELY ONE THIRD OF THE WAY THROUGH THE CITY. THEY WERE GOING ON EVERY SINGLE STREET MAKING IT THROUGH THE CITY. THEY ALSO HAD THE POTHOLE KILLER THAT WAS IN TOWN. THEY WERE NOT HERE THIS WEEK AND WILL BE BACK NEXT WEEK. THEY HAD SOME EMERGENCIES THEY HAD TO DEAL WITH. THEY WERE 25% OF THE WAY DONE. THERE WERE A FEW MORE WEEKS WITH THEM. THE CITY WAS VERY HAPPY THAT GRAFTON ROAD WILL BE TAKEN CARE OF SOON. THE RECONSTRUCTION PROJECT WILL BEGIN FROM US 42 JUST WEST OF HADCOCK. THIS WILL START LATE SUMMER OR EARLY FALL. IT WILL BE A TOTAL RECONSTRUCTION WITH A NEW CONCRETE ROADWAY. SKYVIEW WILL BE DONE FROM US 42 TO WOODHOLLOW IN MID-SUMMER. THE LAST SECTION OF ROCKLYN FROM APPLEWOOD TO FERNWOOD WILL BE RESURFACED IN JUNE OR JULY. A COUPLE MODIFIED ASPHALT PROJECTS WILL BE DONE. IT WAS NOT YOUR OLD TIME CHIP SEALS BUT CLOSE. RESIDENTS WILL SEE A CHIP SEAL WITH A SEAL COAT ON TOP OF IT. IT WILL BE HARD PRESSED TO TELL IF IT WAS CHIP SEAL OR ASPHALT. HE HAS SEEN IT IN A NUMBER OF COMMUNITIES AND HELD UP VERY WELL. THEY WILL BE DOING IT HERE IN BRUNSWICK. THEY WILL GET A LOT OF BANG FOR THE BUCK WITH THIS PROGRAM. IT WILL BE DONE ON JEFFERSON, WILSON TO CLEVELAND AND A SMALL SECTION OF CHARLES AND GANYARD. THERE WERE A COUPLE OF SECTIONS THAT WERE VERY BAD. THEY WILL GO IN AND SEE HOW LONG THIS LASTS. AS IT WAS NOT A PERMANENT FIX.

CONTINUING, HE NOTED THAT THE CONCRETE PANELS WILL START IN JUNE. THE CATCH BASINS WILL BE COMING UP NEXT. IT WILL BE IN FRONT OF COUNCIL IN A FEW WEEKS. IT WAS HOPED THAT THIS PROJECT WILL START IN MIDSUMMER.

MR. CALAWAY STATED THAT THIS YEAR SO FAR THE CITY HAD 22 NEW HOME STARTS. WE WERE DOWN A LITTLE FROM LAST YEAR. HOWEVER HE WAS CONFIDENT THAT WE WILL CATCH UP THIS YEAR. HE DID A REPORT AS TO HOW MANY CONTRACTORS WERE REGISTERED THIS YEAR. TO DATE WE WERE AT 373 CONTRACTORS. THIS WAS A TEN-YEAR HIGH FOR THIS TIME OF YEAR. HE BELIEVED THE COMMERCIAL END WAS PICKING UP AND THE RESIDENTIAL END FLATTENED OUT A BIT. HE MENTIONED THAT THEY WERE STILL REGISTERING CONTRACTORS. ALSO, THIS WAS THE TIME OF YEAR FOR HIGH GRASS AND WEEDS. THE PROPERTY MAINTENANCE DEPARTMENT HAS BEEN VERY BUSY. HIS HANDS WERE FULL AT THIS TIME.

MR. SALZGEBER ASKED WHEN THE GRAFTON PROJECT WILL COMMENCE FROM HADCOCK WEST TO PEARL ROAD.

MR. BARNETT CLARIFIED THAT THIS PROJECT WILL START IN LATE SUMMER OR EARLY FALL. IT WAS AN OPWC PROJECT AND CANNOT BE AWARDED UNTIL AFTER JULY.

OPEN FORUM:

J.R. RUSSELL OF 917 BRANDYWINE DRIVE, MEDINA - MR. RUSSELL CAME TO INTRODUCE HIMSELF AS A CANDIDATE FOR JUDGE AT THE MEDINA MUNICIPAL COURT. THE MUNICIPAL COURT HANDLED MISDEMEANORS, PRELIMINARY HEARINGS FOR FELONIES AND CIVIL CASES FOR \$15,000 OR LESS. THE JURISDICTION HANDLED THE CITY OF MEDINA, THE CITY OF BRUNSWICK AND THE ELEVEN TOWNSHIPS AND TWO VILLAGES ESSENTIALLY IN THE NORTHERN PART OF MEDINA COUNTY. HE HAS BEEN GOING TO ALL OF THE CITY COUNCIL AND TOWNSHIP MEETINGS WITHIN THE JURISDICTION TO FIND OUT THE THINGS THAT WERE IMPORTANT TO THESE COMMUNITIES.

HE WAS ALSO HERE TO COMMEND THE SAFETY FORCES AND MEMBERS OF COUNCIL FOR ALL THE WORK THEY DID RELATING FOR ISSUE 1. HE KNEW EVERYONE WORKED INCREDIBLY HARD TO GET THE INFORMATION OUT TO THE VOTERS. A WONDERFUL JOB WAS DONE TO INSURE IT PASSED LAST TUESDAY.

UNFINISHED BUSINESS: THERE WAS NONE.

NEW BUSINESS: MRS. HANEK THANKED THE RESIDENTS FOR THE PASSAGE OF THE SAFETY LEVY. SHE ALSO MENTIONED AND CONGRATULATED BARB ORTIZ FOR BEING HONORED BY NOPEC FOR HER WORK AS COUNCIL CLERK.

MR. JOHNSON ALSO CONGRATULATED THE RESIDENTS FOR TRUSTING THE CITY AND PASSING THE SAFETY LEVY FOR THE SAFETY FORCES. IT WAS TEAMWORK FROM THE SEED THAT WAS PLANTED WAY BACK IN NOVEMBER. HE ALSO THANKED CHIEF DEFOREST FOR HELPING TO ORGANIZE EVERYTHING AND FOR GETTING THINGS GOING.

COUNCIL HAD NO OBJECTIONS TO THE STOCK LIQUOR PERMIT FOR MORAN FOODS LLC, DBA SAVE A LOT, LOCATED AT 1085 PEARL ROAD, BRUNSWICK, OHIO 44212.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 8:00 P.M.

A handwritten signature in blue ink that reads "Barbara J. Ortiz, CMC". The signature is fluid and cursive, with the initials "CMC" written in a slightly larger, more distinct font at the end.

Respectfully submitted,

Barbara J. Ortiz, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME JOHN C EGAN PHONE 330-273-3836
STREET 3073 HOLLY DR CELL 216-780-3534

Years of Residency 38

Registered Brunswick Voter: YES X NO

POSITIONED DESIRED: BUILDING BOARD OF APPEALS EMAIL OHIOGOODGUYS@YAHOO.COM

EDUCATION

DEGREE YEAR GRADUATED

HIGH SCHOOL VALLEY FORGE HS DIPLOMA 1967 1992

COLLEGE CUYAHOGA COMMUNITY COLLEGE ASSOCIATES IN REAL ESTATE

SPECIAL TRAINING IBEW LOCAL 38 TATC TOURNEY MAN ELECTRICIAN 1981

CURRENT EMPLOYMENT

LOFASO REAL ESTATE SERVICES 4118 CENTER RD BROKER 1/1/15 TO PRESENT
Company Address Title Dates

RELEVANT PAST EMPLOYMENT

IBEW LOCAL 38 1590 E 23RD ST CLEVELAND TOURNEY MAN 8/77-7/05
Company Address Title Dates

Company Address Title Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

MEDINA BOARD OF REALTORS ST AMBROSE CHURCH CURRENTLY
AM INVOLVED IN EUCHARISTIC MINISTERS, ACCOLYTE, COUPLE TO
COUPLE MINISTRY, WELCOMING COMMITTEE

REFERENCES (other than relation):

NAME	ADDRESS	PHONE
1. BRIAN BUSLEY	3185 LAUREL RD BRUNSWICK	440-666-2938
2. SAM LOFASO	3377 JAMES BLVD BRUNSWICK	440-342-2945
3. FATHER BOB STEC	929 PEARL RD BRUNSWICK	330-460-7300
STAN SOCHA	66 WOODHOLLOW BRUNSWICK	330-725-9170

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

SEE ATTACHED

ATTACH RESUME IF DESIRED.

Signature: [Signature]

Date: 4/17/17

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

I have been married to Charlene since April 16, 1977. We had one son who unfortunately passed almost 2 years ago. I have been a resident of Brunswick since 1978 and have watched our city grow from a sleepy little burgh to the bustling city it is now. Shortly before moving here I began my apprenticeship as an inside wireman with IBEW local 38, graduating in 1981, and finally retiring in 2005. I was able to work various forms of construction from new builds to total remodels. In 1985, I decided to expand my horizons and became a licensed realtor. There I've dealt with the sale of existing homes and new builds. In 2008 after completing my course work I became a licensed Broker in the State of Ohio.

I feel my varied background in construction and real estate give me the background to accomplish the job I'm applying for. After all these years in the city it is my desire to give back of my talents and time. If there are any questions feel free to give me a call.

John Egan

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

May 8, 2017

IN ATTENDANCE: Chairman Joseph Salzgeber, Committee Member Brian Ousley, Committee Member Nicholas Hanek, Alex Johnson, Patricia Hanek, Anthony Capretta, Michael Abella Jr., Acting City Manager/Safety Director Chief Carl DeForest, Law Director Kenneth Fisher, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Finance Director Todd Fischer, Engineer Matt Jones, Chief Building Official Cliff Calaway, Community & Economic Development Director Grant Aungst, Council Clerk Barbara Ortiz, NOPEC Representative Patrick McNamara, News Media.

In the absence of Mr. Salzgeber, Mr. Ousley called the meeting to order at 6:37 p.m.

Mr. Salzgeber was seated at 6:39 p.m.

REVIEW LEGISLATION:

RES. NO. 33-17 – An emergency resolution authorizing the City Manager to enter into an agreement with Specialized Construction, Inc. for the 2017 Asphalt Road Program in an amount not to exceed \$138,920.00

Mr. Jones noted Specialized Construction was the low bidder, he mentioned the scope of work was discussed previously; the last section of Rocklyn Drive will be resurfaced, and portions of Jefferson, Ganyard, and Charles Drive. This is a levy funded program, which will start in June with the completion in approximately 45 days. Mr. Jones noted some crack sealing will be done as well.

Mr. Hanek moved this resolution to tonight's council Agenda of May 8, 2017 as an emergency with suspension of the rules. Vote – 2 Ayes, 0 Nays.

RES. NO. 34-17 – An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, Inc. for the 2017 Concrete Repair Program in an amount not to exceed \$571,120.00

This legislation is for the concrete repair program, Konstruction King was the low bidder. He noted the scope of work is similar to that of previous years. The program is for various joint and slab repairs throughout the City, and again this program is levy funded.

Mr. Jones noted the start date for this program will be mid to late June with a completion date around September.

Mr. Hanek moved this resolution to tonight's Council Agenda of May 8, 2017 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Ousley asked to be excused from the Services Committee meeting of May 11, he is unavailable that evening.

Mr. Capretta asked if a dumpster can be placed at the Royal Court Condominiums; he noted there is a lot of debris blowing around in the area, and animals getting into the garbage bags.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:40 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Salzgeber". The signature is stylized with a large, circular initial "J" and a long, sweeping horizontal stroke extending to the right.

Joseph Salzgeber
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

May 8, 2017

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Anthony Capretta, Committee Member Joseph Salzgeber, Patricia Hanek, Brian Ousley, Nicholas Hanek, Alex Johnson, Parks & Recreation Director John Piepsny, Acting City Manager/Safety Director Chief Carl DeForest, Law Director Kenneth Fisher, Service Director Paul Barnett, Chief Building Official Cliff Calaway, Finance Director Todd Fischer, Community & Economic Development Director Grant Aungst, Engineer Matt Jones, Council Clerk Barbara Ortiz, NOPEC Representative Patrick McNamara, News Media.

The meeting convened at 6:40 p.m.

REVIEW LEGISLATION:

ORD. NO. 35-17 – An ordinance establishing the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation

ORD. NO. 36-17- An ordinance establishing the pay range for the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation

Mr. Piepsny noted these two pieces of legislation go together; Ordinance No. 35-17 establishes the position of part time lifeguard opener and Ordinance No. 36-17 establishes the pay range. Currently the City does not have a specific opener position; the idea behind this is to create a differential pay range as an incentive for life guards coming in at 4:30 a.m.

Mr. Piepsny noted the established pay range for the position is between \$10.00 and \$14.00 per hour.

It was noted by Mr. Abella the legislation states the pay range as \$10.00 to \$16.00 per hour; Mr. Piepsny noted that will have to be amended.

Mr. Fisher advised a motion can be made on the Council Floor, and the law department will amend Section 1; to amend the pay range from \$16.00 as the maximum to \$14.00, for the second reading.

Mr. Salzgeber moved Ordinance No. 35-17 and Ordinance No. 36-17 to tonight's Council Agenda of May 8, 2017 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 6:45 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Abella Jr.", is placed over a light gray rectangular background.

Michael Abella Jr.
Chairman

BUILDING AND BUILDING CODE COMMITTEE

May 8, 2017

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Brian Ousley, Nicholas Hanek, Alex Johnson, Patricia Hanek, Community & Economic Development Director Grant Aungst, Acting City Manager/Safety Director Chief Carl DeForest, Law Director Kenneth Fisher, Engineer Matt Jones, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Chief Building Official Cliff Calaway, Council Clerk Barbara Ortiz, NOPEC Representative Patrick McNamara, News Media.

The meeting convened at 6:31 p.m.

REVIEW LEGISLATION:

ORD. NO. 32-17 – An ordinance establishing Section 1440.27 of the City of Brunswick Codified Ordinances by providing for Residential Rental Dwelling Unit Registration

Mr. Fisher advised this ordinance establishes section 1440.27 providing registration requirements for single, duplex, and triplex residential rental units, it does not apply to apartment complexes. This is a registry only with no inspection or permit fees. A first offense would be a minor misdemeanor subject to fine only and would go to Mayors Court. The purpose would be to obtain the compliance of the property owner to fill out the registration form; subsequent offenses after a first offense would be a fourth degree misdemeanor.

Mr. Fisher stated this has been discussed on numerous occasions having meetings with realtors and other interested stake holders. This is in the least intrusive mechanism; and it still allows the City to be able to protect the public health, safety, and welfare interest, and maintain peace and tranquility.

Mr. Abella moved this ordinance to tonight's Council Agenda of May 8, 2017 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Capretta mentioned he would like to talk with Mr. Aungst after the meeting to follow up on property maintenance issues from last year.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 6:35 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta
Chairman

COMMITTEE OF THE WHOLE MEETING

May 8, 2017

IN ATTENDANCE : Vice Mayor Patricia Hanek, Joseph Salzgeber, Brian Ousley, Nicholas Hanek, Alex Johnson, Michael Abella Jr., Anthony Capretta, Acting City Manager/Safety Director Chief Carl DeForest, Law Director Kenneth Fisher, Engineer Matt Jones, Finance Director Todd Fischer, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Community & Economic Development Director Grant Aungst, Chief Building Official Cliff Calaway, Council Clerk Barbara Ortiz, NOPEC Representative Patrick McNamara, News Media.

The meeting convened at 6:45 p.m.

Mrs. Hanek announced an addition to the agenda and introduced Patrick McNamara of NOPEC.

Mr. McNamara handed out flyers to Council and advised NOPEC was hosting several events this year, one being the Lake County Captains games, and free tickets were available. NOPEC is also sponsoring the Rockin' on the River Concerts and tickets are available for those concerts as well. He encouraged the Administration and Council to come to the Rockin' on the River VIP events to meet NOPEC staff and enjoy an evening out.

Mr. McNamara stated the real reason he was here this evening was to celebrate a very special employee Barbara Ortiz. He noted NOPEC recognizes Council Clerks, and he was here this evening to recognize Council Clerk Barbara Ortiz as *Council Clerk of the Week*; she was nominated by Vice Mayor Hanek. Mr. McNamara presented a certificate and gift bag to Mrs. Ortiz.

DISCUSSION OF ESTABLISHING DATES/TIMES OF PUBLIC MEETINGS FOR RESIDENTIAL WASTE AND RECYCLABLES:

Mr. Barnett advised during the committee meetings when this was discussed, the committee suggested having public meetings.

Mr. Salzgeber mentioned this was discussed at length at Service Committee meetings, and it was the consensus of the committee to hold public meetings for residents to discuss recycling options. Originally Mr. Barnett presented five options to the Service Committee, and the committee came down to two possibly three options to present to Council and the public for consideration. Option #1 is to do nothing and keep the program as it is recycling would be voluntary with recycle bins at locations throughout the City, option #2 is to go with one blue push cart for recyclables only, and option #3 is to phase in a second green cart for trash along with the recyclable cart.

Mr. Barnett noted the City can set rules and regulations; some communities have very stringent regulations and others are very open. He mentioned the City of Akron was open because they did not want a problem with illegal dumping. Mr. Barnett noted the City can set the number of free large volume pickups per year. He indicated on a normal weekly pickup everything has to be in the cart, and a resident can have up to three trash carts, however he mentioned one trash cart is equivalent to the volume of three trash cans. Also, he recommends the City maintain ownership of the carts, so if a resident moves out the carts stay, he noted the carts will have Brunswick embossed on them.

Mrs. Hanek suggested the public hearings be held sometime in June on either a Tuesday or Wednesday.

Mr. Ousley suggested having two back to back meetings, and Mr. Salzgeber suggested having one afternoon meeting, one evening meeting.

Mr. Johnson asked about putting this out to the voters in such a way that they have three valid choices, and if it does not go that way possibly set up the City website to get input from the residents.

Mr. Barnett interjected his experience has been when something like this is taken to a vote, it will be voted down.

Mr. Abella was not in total agreement with that comment; he stated garbage is one of the top three for residents, he did note there would be a cost associated with going to the ballot, and having options on a ballot could be tough.

Mr. Fisher commented this was not a typical referendum matter; it is a non-binding expression only. Mr. Fisher stated the issue is not legislative, and typically a referendum is. It was more directive than anything else and it is a decision that Council and the Administration would jointly make. The law department has no problem with having public meetings, or if Council wanted to do an informal survey or questionnaire to get input from the residents, he understood the importance of that. However, the idea of a vote was self-defeating. He noted getting information from residents could be very helpful in formulating a constructive plan going forward. Again, he stressed it was difficult to explain to an elector that the issue is on the ballot but the vote is not a vote that Council or the Administration must follow, unlike other truly referendum matters.

Getting back to what Mr. Johnson and Mr. Abella suggested, about having a poll on the website or information on the next refuse bill asking for a response to the website. Mr. Abella interjected it was tough to judge a website poll.

Mr. Abella asked the law director about referendum votes happening before.

Mr. Fisher was not saying it can't be done, however it was non-binding, non-directive, and in this situation it would be hard to explain. He noted input from the community is important but doing it in the form of a vote does not serve the City's purposes, the City loses flexibility and the ability to make the best policy decision for the residents.

Mr. Abella stated this was a big decision for many people, but he was not sure about there being a lot of participation at the meetings.

Mr. Johnson brought up cost; and Mr. Barnett advised the cost for option #1 would be \$49.00 a quarter which is what it is currently, option #2 would be \$61.00 a quarter for one blue recyclable cart and option #3 would be \$55.00 per quarter for the two cart system.

Mrs. Hanek asked what the City was paying when we were paying tipping fees, and Mr. Barnett indicated \$61.00 per quarter.

Mr. Hanek commented one of the discussions in the Service Committee was about the carts; he noted the committee discussed a lot of complicated factors during their hours of discussion. In regard to the carts

he thought that once the City owns the carts the costs would go down. He explained going to the cart program essentially eliminates a lot of workers comp costs for the companies and it seems to be the industry standard. This type of recycling seems to be what most communities are going to. He noted there are longer term multi-year considerations in play, and having public meetings would be a good thing.

Mr. Salzgeber added during the discussions at the Service Committee meetings Mr. Barnett advised once the carts are paid for the quarterly costs will drop, also, the carts are on a five year program but have a life of fifteen years. Also, large pick- ups were discussed and it was suggested to have a large pick up for everybody the week after Christmas.

Mr. Fisher explained some communities require the residents to buy the carts, however he noted if the City goes with the \$55.00 option the carts are included in the \$55.00 fee.

Mr. Barnett mentioned the proposal he put together would be for a five year contract with option years after that. He further explained the contract would be written so that the amortization of the cart purchase would be within the first five years, and then the cost would go down.

The dates for the public hearings were set for Wednesday June 14 at City Hall, and Tuesday June 20 at the Recreation Center both will start at 7:00 p.m.

In conclusion, Mr. Barnett mentioned the different options will be discussed at the next Services Committee meeting on Thursday May 11.

MOTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR PUBLIC BIDS FOR THE 2017 CATCH BASIN REPAIR PROGRAM:

Mr. Jones noted the scope for this program is similar to the program from the last two years, with a similar budget also. The number of catch basins and locations are not yet determined. The anticipated start date is around August 1.

It was also noted this program is in addition to the Service Department catch basin program.

Mr. Ousley moved to authorize the City Manager to advertise for public bids for the 2017 Catch Basin Repair Program. Vote – 7 Ayes, 0 Nays.

MOTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR PUBLIC BIDS FOR THE GRAFTON ROAD RECONSTRUCTION PROJECT PHASE 4

Mr. Jones explained this is an Ohio Public Works Commission (OPWC) project. The project will begin west of Hadcock Road and continue to Pearl Road. The project is being partially funded with a \$610,000 dollar grant from OPWC and the remainder of the funding will come from the road improvement fund.

Mr. Ousley asked if there was going to be a turn lane at Grafton/Pearl Road, and Mr. Jones indicated a turn lane at Grafton/Pearl currently exists and it will go back in at its current configuration.

Mr. Salzgeber moved to authorize the City Manager to advertise for public bids for the Grafton Road Reconstruction Project Phase 4. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Salzgeber moved to go into Executive Session for the purpose to discuss the appointment, employment, dismissal, discipline, demotion or compensation of a public employee, seconded by Mr. Hanek. Roll Call – Ayes – 7, Mr. Hanek, Mr. Salzgeber, Mr. Abella, Mr. Capretta, Mr. Johnson, Mrs. Hanek, Mr. Ousley. Nays – 0. Motion Carried.

Mr. Hanek moved to adjourn out of Executive Session, seconded by Mr. Salzgeber. Roll Call – Ayes – 7, Mrs. Hanek, Mr. Hanek, Mr. Ousley, Mr. Johnson, Mr. Abella, Mr. Capretta, Mr. Salzgeber. Nays – 0. Motion Carried.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn the Committee of the Whole Meeting at 7:20 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/22/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 32-17** - An ordinance establishing Section 1440.27 of the City of Brunswick Codified Ordinances by providing for Residential Rental Dwelling Unit Registration - **2nd Reading** (Building & Building Code Committee, Revised 5-5-17, *Administration/Ken Fisher*)

BACKGROUND: Building & Building Code Committee has recommended that residential rental dwelling unit registration regulations be registered with the City. Registration will provide the city with property owner contact information and identify residential rental units in the City.

PURPOSE AND EXPLANATION: To establish residential rental dwelling unit registration regulations by establishing Section 1440.27 of the City of Brunswick Codified Ordinances.

IMPLEMENTATION SCHEDULE: First reading on May 8, 2017.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

ADDITIONAL INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

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

WHEREAS: To preserve and maintain the public health, safety and welfare, the Building & Building Code Committee of Council has recommended that residential rental dwelling unit registration regulations be promulgated as provided herein; and

WHEREAS: The residential rental dwelling unit registration regulations as provided herein are in the best interest of the public health, safety and welfare as they will provide the City with property owner contact information and identify residential rental dwelling units in the City.

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

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

(a) Residential Rental Dwelling Unit Registration. After the effective date of this Section, it shall be unlawful for the owner, agent, or person in charge of any single, duplex or triplex residential rental dwelling unit to rent, lease, or permit any residential rental dwelling unit within said structure to be occupied, without registering same with the Division of Building. Registration shall be made on a form provided by the Division of Building and shall be updated by the owner, agent or person in charge within fifteen days of any change in any information contained therein.

(b) Existing Occupancies. Within thirty days of the effective date of this Section, the owner, agent or person in charge of any single, duplex or triplex residential rental dwelling unit shall submit a Registration to the Division of Building.

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

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barb Ortiz

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 32-17

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

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

WHEREAS: To preserve and maintain the public health, safety and welfare, the Building & Building Code Committee of Council has recommended that residential rental dwelling unit registration regulations be promulgated as provided herein; and

WHEREAS: The residential rental dwelling unit registration regulations as provided herein are in the best interest of the public health, safety and welfare as they will provide the City with property owner contact information and identify residential rental dwelling units in the City.

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

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

(a) Residential Rental Dwelling Unit Registration. After the effective date of this Section, it shall be unlawful for the owner, agent, or person in charge of any single, duplex or triplex residential rental dwelling unit to rent, lease, or permit any residential rental dwelling unit within said structure to be occupied, without registering same with the Division of Building. Registration shall be made on a form provided by the Division of Building and shall be updated by the owner, agent or person in charge within fifteen days of any change in any information contained therein.

(b) Existing Occupancies. Within thirty days of the effective date of this Section, the owner, agent or person in charge of any single, duplex or triplex residential rental dwelling unit shall submit a Registration to the Division of Building.

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

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barb Ortiz

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 32-17

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

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

WHEREAS: To preserve and maintain the public health, safety and welfare, the Building & Building Code Committee of Council has recommended that residential rental dwelling unit registration regulations be promulgated as provided herein; and

WHEREAS: The residential rental dwelling unit registration regulations as provided herein are in the best interest of the public health, safety and welfare as they will provide the City with property owner contact information and identify residential rental dwelling units in the City.

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

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

(a) Residential Rental Dwelling Unit Registration. After the effective date of this Section, it shall be unlawful for the owner, agent, or person in charge of any single, duplex or triplex residential rental dwelling unit to rent, lease, or permit any residential rental dwelling unit within said structure to be occupied, without registering same with the Division of Building. Registration shall be made on a form provided by the Division of Building and shall be updated by the owner, agent or person in charge within fifteen days of any change in any information contained therein.

(b) Existing Occupancies. Within thirty days of the effective date of this Section, the owner, agent or person in charge of any single, duplex or triplex residential rental dwelling unit shall submit a Registration to the Division of Building.

(c) Penalty. Any person or entity who violates any provision of this Section shall be guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for any subsequent violations.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/22/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 35-17** - An ordinance establishing the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **2nd Reading** (Parks, Recreation & Community Committee, Administration/John Piepsny)

BACKGROUND: The City Recreation Center has had the position of lifeguard for many years. Due to a national trend of a shortage of lifeguard, we are asking for an opener position to be created that would have a higher starting pay for those lifeguards willing to work the opening hours prior to 7:45am shift start time.

PURPOSE AND EXPLANATION: The opener lifeguard position would be created, along with a new pay range, to attract certified lifeguards for the early morning shifts.

IMPLEMENTATION SCHEDULE: Once adopted by City Council

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This legislation creates a position title. This legislation has no financial impact. A separate piece of legislation would need to be adopted a pay range for this position.

Any and all scheduling of recognized positions are subject to the appropriation limits set forth in the adopted budget by Council.

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?

It would be the recommendation to adopt this resolution to create the opener lifeguard position.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 35-17

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

AN ORDINANCE ESTABLISHING THE POSITION OF PART-TIME
LIFEGUARD OPENER IN THE DEPARTMENT OF PARKS AND
RECREATION.

WHEREAS: The Department of Parks and Recreation has requested approval to create a part-time Lifeguard Opener position for the Brunswick Community Recreation and Fitness Center (the "Rec Center").

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

SECTION 1: That the position of part-time Lifeguard Opener within the Department of Parks and Recreation is hereby established, subject to a pay range to be established by Ordinance and approved by the City Manager.

SECTION 2: 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 Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/22/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 36-17** - An ordinance establishing the pay range for the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **2nd Reading** (Parks, Recreation & Community Committee, Revised 5-9-17, *Administration/John Piepsny*)

BACKGROUND: This resolution would be created to allow for a pay range to be established for the Life Guard Opener position.

PURPOSE AND EXPLANATION: This resolution will be created to establish a pay range for the Life Guard Opener position.

IMPLEMENTATION SCHEDULE: Once adopted by City Council after 3 readings and 30 days it would be implemented.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The pay range would fall within the City Council 2017 approved budget.

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?
It would be the recommendation of the Parks and Recreation Director to pass this resolution following 3 readings and 30 days.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO

ORDINANCE NO. 36-17

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

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF PART-TIME LIFEGUARD OPENER IN THE DEPARTMENT OF PARKS AND RECREATION.

WHEREAS: Council has established the position of part-time Lifeguard Opener in the Department of Parks and Recreation by separate Ordinance; and

WHEREAS: Council wishes to establish a pay range for the position of part-time Lifeguard Opener in the Department of Parks and Recreation.

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

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

<u>POSITION</u>	<u>RANGE</u>
Lifeguard Opener	\$10.00/hour - \$16.00/hour

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO

ORDINANCE NO. 36-17

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

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF PART-TIME LIFEGUARD OPENER IN THE DEPARTMENT OF PARKS AND RECREATION.

WHEREAS: Council has established the position of part-time Lifeguard Opener in the Department of Parks and Recreation by separate Ordinance; and

WHEREAS: Council wishes to establish a pay range for the position of part-time Lifeguard Opener in the Department of Parks and Recreation.

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

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

<u>POSITION</u>	<u>RANGE</u>
Lifeguard Opener	\$10.00/hour - \$14.00/hour

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barb Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/22/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 37-17-** An emergency Ordinance amending Ordinances #84-16 and #15-17 to include amendments to the appropriations budget for the year ending December 31, 2017 as incorporated in Exhibit A attached hereto- **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: 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 the 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.

PURPOSE AND EXPLANATION: See fiscal section and related attachments for additional information.

IMPLEMENTATION SCHEDULE: Discuss at the May 22, 2017 Finance Committee meeting and move to the May 22, 2017 Council agenda as an emergency with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The total financial impact of this legislation is a net increase to the overall City appropriation budget by \$212,542.21. \$179,440 of the proposed increases relate to capital set asides otherwise shown as intra-fund transfers. The intra-fund transfers are merely a movement of money from one operational subfund to the same fund's capital set aside subfund. These transfers will be used for future capital replacement plans and the transfers themselves are not expenditure of funds. The most significant remaining item relates to the capital purchase of a replacement server that was old and damaged in a recent power outage. This piece of equipment needs to be replaced to continue computer operations. All other items are less significant in dollar amount but detailed out in the attached Exhibits.

Exhibit A is the legal document required to be reviewed and adopted by Council pursuant to Ohio Revised Code Section 5705 for these budget amendments to be adopted.

Exhibit B is provided for informational and review purposes only. This document lists out the explanations and amounts for each proposed budget amendment.

It's important to note that this legislation only has budgetary impact and actual expenditures or transfers of City funds and approvals of those expenditures or transfers are still subject to state and local laws.

**RECOMMENDED
ACTION:**

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

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

Recommended approval as an emergency with suspension of the rules. The emergency clause is 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 to keep the budget as up-to-date as possible in order to provide accurate accountability to the City's financial readers and interested parties.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER



By:

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #84-16 AND #15-17 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2017 AS INCORPORATED IN EXHIBIT "A" ATTACHED HERETO.

WHEREAS: Ordinance #84-16 adopted appropriations for 2017; and Ordinance #15-17, regarding amendments to the 2017 appropriation budget, were previously adopted by Council; and

WHEREAS: "Exhibit A" reflects the appropriations as required by the Ohio Revised Code Section 5705.38(C); and

WHEREAS: The amendments are described in detail and attached hereto as "Exhibit B" for informational purposes only; and

WHEREAS: In order to properly budget in accordance with State law for expenditures presently anticipated it is necessary to amend Ordinances #84-16 and #15-17.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: Ordinances #84-16 and #15-17 is hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit "A."

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the usual daily operation of a municipal government and for the additional reason that Council wishes to maintain accurate appropriations. 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

EXHIBIT A

May 22, 2017

Fund Number	Fund Name / Department	Personal Service	Other	Total
General Fund				
001	General Fund			
	City Council	176,035.00	84,984.13	\$ 261,019.13
	Mayor	93,349.65	85,985.70	\$ 179,335.35
	City Manager	143,714.88	133,787.07	\$ 277,501.95
	Information Technologies	141,332.31	335,573.26	\$ 476,905.57
	Engineering	21,208.00	308,671.00	\$ 329,879.00
	Building Department	268,817.00	189,674.22	\$ 458,491.22
	Cemetery Maintenance	-	15,850.00	\$ 15,850.00
	Janitorial Contract	-	17,503.50	\$ 17,503.50
	City Hall Building & Grounds	15,861.00	48,982.00	\$ 64,843.00
	Administrative Services	94,389.45	59,963.91	\$ 154,353.36
	Economic Development	98,942.00	148,777.00	\$ 247,719.00
	Animal Control	65,636.00	58,445.03	\$ 124,081.03
	Law Department	167,589.00	283,188.00	\$ 450,777.00
	Finance Department	222,738.00	194,993.63	\$ 417,731.63
	Income Tax Department	178,295.00	169,074.00	\$ 347,369.00
	Parks & Recreation Director	81,390.00	57,061.00	\$ 138,451.00
	General Fund Administration	-	899,353.50	\$ 899,353.50
	Development Director & CBO	42,425.00	104,121.99	\$ 146,546.99
	Board of Building Appeals	344.00	1,215.00	\$ 1,559.00
	Board of Zoning Appeals	2,416.00	4,649.00	\$ 7,065.00
	Board of Civil Service	12,841.00	38,530.00	\$ 51,371.00
	Board of Ethics	2,840.00	2,005.00	\$ 4,845.00
	Board of Commemorative Affairs	-	14,000.00	\$ 14,000.00
	General Fund Transfers / Advances	-	17,811,087.11	\$ 17,811,087.11
001	Total General Fund	\$ 1,830,163.29	\$ 21,067,475.05	\$ 22,897,638.34
Special Revenue Funds:				
110	Court Computerization Fund	9,459.00	16,616.32	\$ 26,075.32
114	Police Wages Fund	4,035,771.00	3,928,409.28	\$ 7,964,180.28
115	Fire Fund	2,204,121.00	2,362,966.10	\$ 4,567,087.10
117	Street Repair & Maintenance Fund	1,028,941.00	1,895,715.99	\$ 2,924,656.99
118	State Highway Fund	-	123,050.00	\$ 123,050.00
119	Law Enforcement Fund	-	5,165.00	\$ 5,165.00
120	Brunswick Transit Alternative (BTA) Fund	-	157,486.43	\$ 157,486.43
121	RLF / CDBG Fund	-	-	\$ -
123	Brunswick Area Television (BAT) Fund	163,189.00	186,618.00	\$ 349,807.00
127	Parks Fund	195,570.00	430,551.00	\$ 626,121.00
129	Department of Justice Federal Grant Fund	-	105,519.82	\$ 105,519.82
130	DUI Enforcement & Education Fund	-	3,500.00	\$ 3,500.00
131	Recreation Center Fund	507,476.00	697,294.64	\$ 1,204,770.64
132	CHIP Grant Fund (CDBG)	-	-	\$ -
Enterprise Funds:				
223	Refuse Fund	56,659.00	2,255,287.00	\$ 2,311,946.00
224	Storm Water Management Fund	29,416.00	1,766,584.24	\$ 1,796,000.24
Capital Improvement Funds:				
300	General Permanent Improvement Fund	-	453,950.00	\$ 453,950.00
332	Road Levy Fund	-	2,362,127.34	\$ 2,362,127.34
333	Road Improvement Fund	-	3,391,760.08	\$ 3,391,760.08
334	Traffic Control Fund	-	-	\$ -
335	Public Square Fund	-	-	\$ -
337	EPA Grant Fund	-	133,214.20	\$ 133,214.20
339	Fire Improvement Fund	-	-	\$ -

341	Park Improvement Fund	-	80,000.00	\$	80,000.00
345	Ohio Environmental Infrastructure Grant Fund	-	48,401.54	\$	48,401.54
347	North Carpenter Road Improvement Fund	-	493,567.88	\$	493,567.88
348	Boston Road Improvement Fund	-	93,519.24	\$	93,519.24
360	Brunswick Lake Improvement Fund	-	352,471.16	\$	352,471.16
367	OPWC Hadcock Rd Reconstruction Fund	-	680,090.23	\$	680,090.23
368	OPWC Grafton Road Improvement Fund	-	1,220,000.00	\$	1,220,000.00
369	OPWC Center Road Resurfacing Fund	-	256,986.48	\$	256,986.48

Debt Service Funds:

771	General Obligation Bond Retirement Fund	-	-	\$	-
780	Special Assessment BRF: Grafton Phase III	-	3,077.00	\$	3,077.00
781	Special Assessment BRF: South Industrial Parkway	-	103,189.00	\$	103,189.00
782	Special Assessment BRF: Laurel Road (2006)	-	46,487.50	\$	46,487.50
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,948.81	\$	18,948.81
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,826.18	\$	11,826.18

Agency Funds:

881	General Trust Agency Fund	-	500,000.00	\$	500,000.00
882	Unclaimed Money Agency Fund	-	20,000.00	\$	20,000.00
885	Flexible Spending Agency Fund	-	100,000.00	\$	100,000.00
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				\$	55,452,620.80

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #2 - For informational purposes only

For the Budget Year Ending December 31, 2017

5/22/2017

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
General (#001)			
CITY MANAGER PS	001-0300-51030	(23,974.42)	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director. Allows for 1 pay transition.
LONGEVITY	001-0300-51199	1,626.30	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director.
DEFERRED COMP.	001-0300-52222	4,283.08	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director. Allows for 1 pay transition.
PERS - CITY MANAGER OFFICE	001-0300-52223	(1,791.45)	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director. Allows for 1 pay transition.
VACATION PAYOUT	001-0300-52240	1,859.00	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director and retirement as Chief.
HOSPITALIZATION	001-0300-52275	197.35	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director.
VEHICLE ALLOWANCE	001-0300-52290	(1,570.00)	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director.
INSURANCE	001-0300-54272	1,000.00	Proposed reductions or increases in existing appropriations for Resolution #27-17 to appoint Carl DeForest as City Manager/Safety Director.
INFO. TECHNOLOGY & SECURITY OFFICER	001-0302-51088	(38,662.69)	Position and wage range legislation had to be in place prior to new hire. New hire anticipated in May 2017 versus originally projected for January 2017.
PERS	001-0302-52223	(9,279.05)	Position and wage range legislation had to be in place prior to new hire. New hire anticipated in May 2017 versus originally projected for January 2017.
MEDITAX	001-0302-52226	(560.61)	Position and wage range legislation had to be in place prior to new hire. New hire anticipated in May 2017 versus originally projected for January 2017.
Transfer Out to Capital (IT Dept)	001-0302-55239	45,000.00	Setaside operational dollars to capital account. Not an expenditure of funds. Transfer Out will be matched by an offset transfer in.
Capital Outlay	904-0302-56252	45,000.00	Old server equipment damaged from power outage which doubled the costs for replacement. Cost for new server, power supply, etc. need \$45,000 additional.
CLERK II PT PS	001-0461-51170	3,736.45	Due to resignation of part-time assistant - additional hours requested per week to train and find a suitable replacement not included in original budget.
PERS	001-0461-52223	1,073.84	OPERS on additional hour request for part-time replacement plus OPERS, if eligible on vacation pay requirement described below.
MEDITAX	001-0461-52226	64.88	Meditax on additional hour request for part-time replacement plus vacation payout requirement described below.
WORKER'S COMP - ADM SERVICES	001-0461-52274	134.23	Estimated worker's Comp on additional hours request for part-time replacement plus on vacation payout requirement described below.
RET LEAVE PAYOUT	001-0461-52280	737.87	PT Adm Asst resigning to take a full-time position for another employer. Payout of 42 hours of earned vacation time not used.
E.D. INDUCEMENT PROGRAM	001-0490-54285	20,000.00	Increase Economic Development Inducement Program plans from the original budget. Considerations based on variables pertaining to employer job expansion plans.
REPAIR AND MAINTENANCE	001-0880-54243	2,500.00	Potential battery replacement for tornado warning sirens. May not happen until 2018 but a possibility may be needed in 2017.
STREET LIGHTS	001-0880-54271	5,000.00	Repair of damaged street lights from accidents either not covered by insurance or unknown offenders.
AUDIT CONTRACT	001-0880-54282	2,460.00	Additional audit costs for unanticipated audit costs pertaining to the City's accounting and informational technology systems. Change previously approved by COW
General Fund Total		58,834.78	
Police Fund (#114)			
POLICE CAPITAL	961-0520-56252	1,023.80	Received new JAG Grant for Police equipment. This is the grant 10% grant match to come from the Police Capital subfund #961 to repay temporary reallocated funds.
Police Fund Total		1,023.80	
Fire Fund (#115/952)			
SEASONAL PT (FIRE HYDRANT PAINTING)	115-0510-51170	3,000.00	To assist the adopt a fire hydrant program and also allow for additional budget to repaint various faded out firehydrants throughout the City.
FIRE PERS	115-0510-52223	420.00	To assist the adopt a fire hydrant program and also allow for additional budget to repaint various faded out firehydrants throughout the City.
MEDITAX	115-0510-52226	43.50	To assist the adopt a fire hydrant program and also allow for additional budget to repaint various faded out firehydrants throughout the City.
WORKER'S COMP	115-0510-52274	77.09	To assist the adopt a fire hydrant program and also allow for additional budget to repaint various faded out firehydrants throughout the City.
TRANSFER OUT TO CAPITAL #952	115-0510-99999	75,000.00	To continue capital plan to set aside EMS charges for service funds for next ambulance replacement in 2018, subject to Council approval. Net affect \$0 on fund bal.
Fire Fund Total		78,540.59	
Street R & M Fund (#117)			
TRANSFER OUT TO CAP #953	117-9000-80100	34,440.00	Set aside anticipated proceeds from the sale of excess salt to Hinkley Township for future capital purchases for the Streets Department.
Street R & M Fund Total		34,440.00	
BTA Fund (#120)			
ADVERTISING AND PROMOTIONAL	120-0480-54255	2,722.04	Refund of Southwest advertising revenue received but not earned on buses. The wrapped bus was decommissioned on Dec 9, 2016 by the City thus requiring a refund.
BTA Fund Total		2,722.04	
Parks Fund (#127/960)			
KIDS CITY - SUPPLIES & MATERIALS	127-0810-55297	400.00	Request to increase appropriations for \$400 in kid city donations received as of April 24, 2017.
INTRAFUND TRANSFER OUT	127-0810-99999	25,000.00	Capital set aside for future park equipment or park improvements
Parks Fund Total		25,400.00	
DOJ Federal Grant Fund (#129)			
VIDEO CAMERA - JAG GRANT (ARRA)	129-0544-56254	9,214.20	Received new JAG Grant for Police equipment. This is the grant portion or 90% of the amount with the other 10% to come from the Police Capital subfund #961
EQUITABLE SHARING GRANT	129-0544-56255	2,366.80	City is anticipating receiving \$2,366.80 or possibly 40% of that amount as a result of joint jurisdictional effort on a police matter.
DOJ Federal Grant Fund Total		11,581.00	

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER



By: Mrs. Hanek, Mr. Johnson and Mr. Salzgeber

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #84-16 AND #15-17 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2017 AS INCORPORATED IN EXHIBIT "A" ATTACHED HERETO.

WHEREAS: Ordinance #84-16 adopted appropriations for 2017; and Ordinance #15-17, regarding amendments to the 2017 appropriation budget, were previously adopted by Council; and

WHEREAS: "Exhibit A" reflects the appropriations as required by the Ohio Revised Code Section 5705.38(C); and

WHEREAS: The amendments are described in detail and attached hereto as "Exhibit B" for informational purposes only; and

WHEREAS: In order to properly budget in accordance with State law for expenditures presently anticipated it is necessary to amend Ordinances #84-16 and #15-17.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: Ordinances #84-16 and #15-17 is hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit "A."

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the usual daily operation of a municipal government and for the additional reason that Council wishes to maintain accurate appropriations. 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

MAYOR
RON FALCONI

CITY OF BRUNSWICK

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
NICHOLAS HANEK
PATRICIA HANEK
ALEX V. JOHNSON
BRIAN K. OUSLEY
JOSEPH SALZGEBER

ACTING CITY MANAGER
CARL S. DEFOREST

May 8, 2017

Jim O'Connor
Drees Homes
6860 West Snowville Road
Suite 105
Brecksville, OH 44141

RE: The Fairways Subdivision – Phase 8
LaCosta Circle & Player Court

Dear Mr. O'Connor:

The Brunswick City Planning Commission, at their meeting on May 4, 2017, voted to **recommend approval** to City Council of the preliminary subdivision plan, home models, and amended conditional zoning certificate (copy attached), subject to the following:

1. The Board of Zoning Appeals, at their meeting on February 28, 2017, granted variances to allow nine lots (Sublots 1, 4, 5, 6, 7, 8, 9, 11, and 12) to have less than the minimum 0.5-acre (21,780 sq. ft.) lot size required by Section 1252.05(a). Additionally, the Board granted variances on Sublots 1 through 16 to allow a lot width of 75', where Section 1252.05(b) requires a minimum width of 100'; and to allow a rear yard setback of 25', where Section 1252.05(e) requires a minimum of 45'. The proposed lot sizes and setbacks are in keeping with the dimensions of the other seven phases of the subdivision.
2. The following home models have been approved for Phase 8: Elevation "A" of the "Fairborn", "Northwood", "Buchanan", "Celestial", "Rowan", "Harper", and "Lyndhurst"; and Elevation "B" of the "Belleville", which shall have a minimum size of 2,731 sq. ft. ranging to 3,549 sq. ft.



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

CITY HALL PHONE: (330) 225-9144 - FAX: (330) 273-8023 - POLICE & FIRE PHONE: (330) 225-9111 - FAX: (330) 225-6002
<http://www.brunswick.oh.us>

3. The Planning Commission has granted a variance to Sections 1230.01(a)(E) and 1230.01(b)(6)(A), (B), and (C) of the Subdivision Regulations, regarding the installation of street trees. As the other phases of the subdivision do not have street trees, other than those planted by individual homeowners, the Commission as permitted by Section 1222.07, has made the following findings:
 - (a) Finds that unusual topographical or exceptional physical conditions exist, due to the cul-de-sac, staggered front setbacks of the homes, curved road, and that the property is partially impacted by a riparian zone.
 - (b) Finds that strict compliance with these Regulations would create an extraordinary hardship as a result of exceptional conditions, as stated above in Section (a).
 - (c) Permits any modification of these Regulations only to the extent necessary to remove the extraordinary hardship, whereby the same amount of trees will be installed in Phase 8, but will be planted in the individual lot yards, instead of the street right-of-way. In accordance with Item 27 of the original conditional zoning certificate (copy attached) dated February 3, 1994, two trees shall be provided in the front yard outside of the street right-of-way.
 - (d) Finds that any modification granted will not be detrimental to the public interest nor in conflict with the intent and purpose of these Regulations.
 - (e) Requires such other conditions to be met by the proposed plan or plat as the Commission may find necessary to accomplish the purposes of these Regulations when modified; i.e., the same amount of trees will be planted, as stated in Section (c) above.
 - (f) The above modification must be noted on the plat submitted to City Council.
4. A crossing at the riparian zone on LaCosta Circle shall be provided on the preliminary subdivision plan, subject to engineering approval.

Pursuant to Section 1224.04(d)(4) of the Subdivision Regulations, three readings before City Council of the proposed legislation is required. The first reading is scheduled for Monday, May 22, 2017. Please contact Barb Ortiz, Clerk of Council, at (330) 558-6845 for meeting times.

Please **sign and return** the enclosed amended conditional zoning certificate; a copy will be sent to you after Planning Commission signatures have been obtained.

If you have any questions, please contact me at (330) 558-6865.

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator

Enc.

c: City Council
Carl DeForest, Acting City Manager
Ken Fisher, Law Director
Grant Aungst, Community & Economic Dev. Director
Matt Jones, Consulting City Engineer
Cliff Calaway, Chief Building Official

**AMENDED
CONDITIONAL ZONING CERTIFICATE
CITY OF BRUNSWICK**

NO. 20170029

PROJECT NAME: The Fairways – Phase 8

NAME OF PROPERTY OWNER: Richard Coots

NAME OF APPLICANT - IF DIFFERENT: Drees Homes

LOCATION AND ADDRESS OF PROPERTY: LaCosta Circle and Player Court

extensions, PP # 003-18C-03-168
(Address or Description)

ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: R-L

DATE OF ISSUE: May 4, 2017 **TIME LIMIT:** Section 1274.06(b)

CONDITIONALLY PERMISSIBLE USE: Planned Unit Development, with exception that Phase 8 will be developed in the R-L District subject to variances granted by BZA.

GENERAL CONDITIONS TO BE COMPLIED WITH:

1. The proposed use shall be harmonious with the existing or intended community character of the neighborhood.
2. The proposed use shall not have an adverse impact on the use of adjacent property or the community as a whole.
3. The proposed use shall be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sewer, or schools.
4. The proposed use shall be in accord with the general and specific objectives of the Zoning Code and Comprehensive Plan, and any other applicable plans and ordinances of the City of Brunswick.
5. The proposed use shall be consistent with a use specifically listed as a conditionally permitted use in the zoning district in which it is proposed to be located.
6. The site plan, as signed by the Planning Commission and the applicant, shall be part of the conditional zoning certificate.

CONDITIONAL ZONING CERTIFICATE (cont.)

PROJECT NAME: The Fairways – Phase 8

NO. 20170029

PAGE 2 of 2

**SPECIFIC CONDITIONS TO BE COMPLIED WITH:
(attach separate sheets if necessary)**

AMENDMENT TO CONDITIONAL ZONING CERTIFICATE NO. 1124-94 DATED
FEBRUARY 3, 1994.

1. Regarding the park, basketball courts, and playground equipment that were required to be installed prior to Phase 8, as stated in the 2006 approval, the Fairways Homeowners Association understands Drees Homes does not own the property where the park and recreation improvements were proposed. Therefore, these recreation improvements will not be installed by Drees Homes.
2. The Board of Zoning Appeals, at their meeting on February 28, 2017, granted variances to allow nine lots (Sublots 1, 4, 5, 6, 7, 8, 9, 11, and 12) to have less than the minimum 0.5-acre (21,780 sq. ft.) lot size required by Section 1252.05(a). Additionally, the Board granted variances on Sublots 1 through 16 to allow a lot width of 75', where Section 1252.05(b) requires a minimum width of 100'; and to allow a rear yard setback of 25', where Section 1252.05(e) requires a minimum of 45'. The proposed lot sizes and setbacks are in keeping with the dimensions of the other seven phases of the subdivision.
3. The Planning Commission grants a variance to the Subdivision Regulations of the Codified Ordinances of the City of Brunswick due to unusual and exceptional factors or conditions that require such modifications, and the Commission finds, pursuant to Section 1222.07(a) through (f), that the requirements of the variance and conditions have been met.

The applicant and/or owner do(es) hereby agree to the conditional use of the above described property subject to the provisions of the Brunswick Zoning Ordinance and to the conditions herein specified.

THIS CERTIFICATE IS AUTOMATICALLY REVOKED IF ANY OF THE CONDITIONS SPECIFIED HERE ARE NOT MET.

Applicant's Signature

Date

Owner's Signature, if different

Date

Planning Commission Chairman

Date

Planning Commission Secretary

Date

PROJECT NAME: The Fairways

PAGE 6 of 6

SPECIFIC CONDITIONS TO BE COMPLIED WITH:
(attach separate sheets if necessary)

AMENDMENTS APPROVED SEPTEMBER 20, 2001

Condition 22 is amended as follows:

22. The recreation fee required by this subdivision by Chapter 1232 is \$288 per single family lot, as shown on attached Exhibit A. This fee includes the full two-thirds credit for private recreation credits. Prior to approval of the Phase II plat, the Planning Commission shall approve site plans for the recreation improvements. The clubhouse, as shown on the approved site plans, shall be completed and available for occupancy by December 25, 1997. The pool adjacent to the clubhouse shall be completed and available for use by May 30, 1998. The developer shall provide a letter of credit or cash deposit equal to 100 per cent of the projected cost of the clubhouse, pool and related improvements if the December 25, 1997 and May 30, 1998 dates are not met. ~~The recreation improvements near the southwest corner of the subdivision shall be installed with the Phase VIII improvements.~~ Excess credits may be applied to the proposed multiple family units, up to the two-thirds maximum. Fees for the remaining lots may be increased if audited construction costs are less than the full credits shown on Exhibit A.

Condition 22a is approved as follows:

- 22a. The site plan for the recreation area located west of the clubhouse and pool is approved on this date. The improvements on this plan shall be installed prior to Planning Commission action on the plat for Phase 8 of the Fairways Subdivision.

The applicant and/or owner do(es) hereby agree to the conditional use of the above described property subject to the provisions of the Brunswick Zoning Ordinance and to the conditions herein specified.

THIS CERTIFICATE IS AUTOMATICALLY REVOKED IF ANY OF THE CONDITIONS SPECIFIED HERE ARE NOT MET.

T H M Ent Inc
Applicant's Signature

Alan R. Wolf 9/25/01
Planning Commission Chairman

9/25/01
Date

[Signature]
Owner's Signature, if different

Marsha J. Pappalardo
Planning Commission Secretary

9-25-01.

CONDITIONAL ZONING CERTIFICATE
BRUNSWICK, OHIO

Amended 7-11-96

NO. 1124-94

Project Name: The Fairways

Name of property owner: THM Enterprise Inc.

Name of applicant - if different: --

Location and address of property: west of Rte. 42, across from Neura Park

(Address or Description)

Zoning District in which property is located: R-3

Date of issue: February 3, 1994 Time limit: None

Conditionally permissible use: Planned Unit Development

GENERAL CONDITIONS TO BE COMPLIED WITH:

1. Will be harmonious with and in accordance with the general objectives or with any specific objective of the City of Brunswick Land Use and Thoroughfare Plan of current adoption.
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. Will not be detrimental to property in the immediate vicinity or to the community as a whole.
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
6. All structures, roads, and utilities shall be in compliance with the City of Brunswick Subdivision Regulations, the Board of Health Standards, and the City Building Code.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

PROJECT NAME: The FairwaysPAGE 2 of 4SPECIFIC CONDITIONS TO BE COMPLIED WITH:
(attach separate sheets if necessary)

8. The preliminary subdivision plan as signed by the Planning Commission, City Council and the applicant shall be part of this conditional zoning certificate.
9. The developer shall comply with all applicable requirements of Title 12 of the Codified Ordinances, including the improvement specifications in Chapter 1230, the requirements of the Storm Water Drainage Manual, the construction agreement and the construction guarantee.
10. The developer shall comply with the erosion control recommendations of the Medina County Soil and Water Conservation District.
11. Upon completion of all improvements, or no later than October 1st of each construction year, any land that has been disturbed must be seeded or mulched to avoid erosion.
12. A two-car garage and paved driveway are required for each single family lot. All driveways exiting directly to Center Road (S.R. 303) shall include a turn-around with a minimum depth of 17 feet per Section 1273.06
13. The developer shall install street lights at each intersection. Street light locations and details shall be shown on the construction plans approved by the City Engineer.
14. Each lot shall include a yard light.
15. Lots shall be surveyed and pinned by the building permit holder for each lot.
16. There shall be a minimum of three different home designs.
17. Underground utilities shall be required.
18. Except for Phase I, the front setbacks shall vary between 35 and 45 feet, to maintain an average of 40 feet, for each phase of the subdivision. On straight street sections, not more than three adjacent setbacks shall be the same.
19. The deeds for lots with frontage on Center Road shall include a statement that these lots may in the future be subject to assessments for improvement of Center Road. Sidewalks shall be required for the lots with frontage on Center Road.

PROJECT NAME: The FairwaysPAGE 3 of 4SPECIFIC CONDITIONS TO BE COMPLIED WITH:
(attach separate sheets if necessary)

20. The retention basin adjacent to lots 18-20 shall be part of the Phase I improvements. This basin shall be covered by an easement in favor of the homeowners' association.
21. It is the intent of the Planning Commission and City Council in approving this subdivision that there shall be properly designed and improved private recreation areas in this development. The recreation areas shall be owned by an association with mandatory membership by all lot owners and owners of the multiple family units. All covenants and declarations for the association shall be approved by the Law Director and recorded when the Phase I plat is recorded.
22. The recreation fee required by this subdivision by Chapter 1232 is \$288 per single family lot, as shown on attached Exhibit A. This fee includes the full two-thirds credit for private recreation credits. Prior to approval of the Phase II plat, the Planning Commission shall approve site plans for the recreation improvements. The recreation improvements located north of Muirfield Avenue, as shown on the approved site plans, shall be constructed with the Phase IV subdivision improvements; the recreation improvements near the southwest corner of the subdivision shall be installed with the Phase VII improvements. Excess credits may be applied to the proposed multiple family units, up to the two-thirds maximum. Fees for the remaining lots may be increased if audited construction costs are less than the full credits shown on Exhibit A.
23. Prior to plat approvals for Phases I-VI, a cash deposit shall be provided for the recreation credits in that phase, less the value of the recreation improvements installed with the prior phase. The cash deposits for the successive phases shall be held until the recreation improvements are complete, at which time the deposits shall be returned to the developer, with interest. The cash deposits may be drawn against construction of the recreation improvements.
24. Congressional Avenue between Center Road and Muirfield Avenue shall be constructed with Phase IV of the subdivision, or at the time of the multiple family units, whichever comes first. All access to the multiple family units shall be from Congressional Avenue.
25. No construction shall enter the subdivision from streets in the Brunswick Heights allotment. Congressional Avenue shall be used for construction traffic during Phase IV.
26. The subdivision improvements shall include vertical curbs as approved by the City Engineer.

PROJECT NAME: The Fairways

PAGE 4 of 4

SPECIFIC CONDITIONS TO BE COMPLIED WITH:

(attach separate sheets if necessary)

27. Two trees shall be provided for each lot as prescribed by Section 1230.01(b)(6). These shall be located in the front yard, outside of the street right-of-way, where there are no existing trees in the front yard.
28. Water lines and hydrants shall be installed as required by the City Engineer and the City of Cleveland.
29. The emergency access easement on lot 36 shall be automatically vacated when the final plat for Phase IV is recorded. The emergency access between Troon Avenue and McKinley Avenue shall be improved with a stone base approved by the City Engineer, and unauthorized access shall be prevented by a chain and mounds. These improvements shall be removed by the developer when the easement is vacated.
30. The final plats for each phase shall indicate which lots cannot have basements.
31. The roadway improvements to Center Road shown on the Phase I construction plans shall be constructed with the Phase III subdivision improvements.
32. During the review of the final plat for each phase, the developer shall prove to the satisfaction of Planning Commission and Council that each lot will provide an acceptable, usable building site which will not require variances in order to be buildable. Lots which are found by the Planning Commission and Council to be unbuildable may be eliminated from the plat for that phase.

The applicant and/or owner do(es) hereby agree to the conditional use of the above described property subject to the provisions of the Brunswick Zoning Ordinance and to the conditions herein specified.

THIS CERTIFICATE IS AUTOMATICALLY REVOKED IF ANY OF THE CONDITIONS SPECIFIED HERE ARE NOT MET.

I H M. Ford Inc
Applicant's Signature
7/28/94
Date
7/28/94
Owner's Signature, if different
Date

Alan R. Wynn
Planning Commission Chairman
8/7/94
Date
John L. Smith
Planning Commission Secretary
August 18, 1994
Date

PROJECT NAME: The FairwaysPAGE 5 of 6

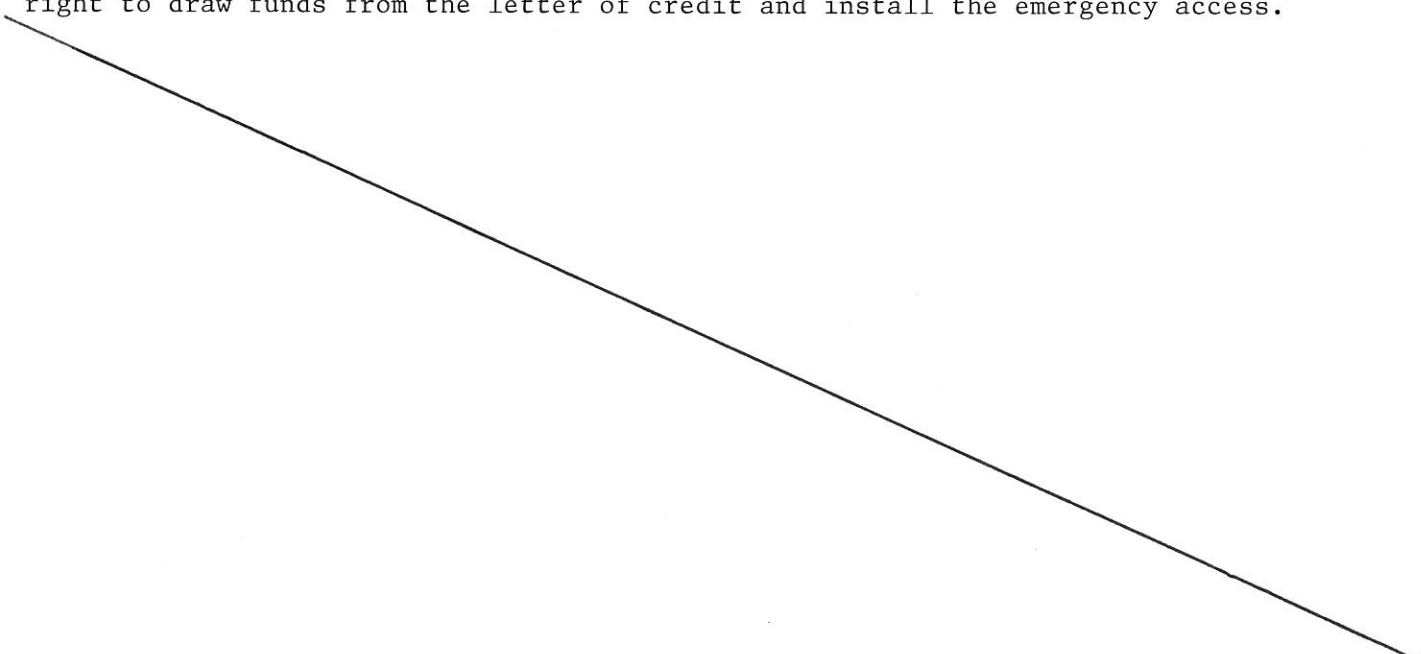
SPECIFIC CONDITIONS TO BE COMPLIED WITH:
(attach separate sheets if necessary)

AMENDMENTS APPROVED JULY 11, 1996 AND FEBRUARY 20, 1997

22. The recreation fee required by this subdivision by Chapter 1232 is \$288 per single family lot, as shown on attached Exhibit A. This fee includes the full two-thirds credit for private recreation credits. Prior to approval of the Phase II plat, the Planning Commission shall approve site plans for the recreation improvements. The clubhouse, as shown on the approved site plans, shall be completed and available for occupancy by December 25, 1997. The pool adjacent to the clubhouse shall be completed and available for use by May 30, 1998. The developer shall provide a letter of credit or cash deposit equal to 100 per cent of the projected cost of the clubhouse, pool and related improvements if the December 25, 1997 and May 30, 1998 dates are not met. The recreation improvements near the southwest corner of the subdivision shall be installed with the Phase VIII improvements. Excess credits may be applied to the proposed multiple family units, up to the two-thirds maximum. Fees for the remaining lots may be increased if audited construction costs are less than the full credits shown on Exhibit A.

23. Prior to plat approvals for Phases I-VII, a cash deposit shall be provided for the recreation credits in that phase, less the value of the recreation improvements installed with the prior phase. The cash deposits for the successive phases shall be held until the recreation improvements are complete, at which time the deposits shall be returned to the developer, with interest. The cash deposits may be drawn against construction of the recreation improvements.

29a. Prior to issuance of building permits in Phases II and III of the subdivision, the developer shall provide a letter of credit for the cost of installing the emergency access drive required by Condition 29. The letter of credit shall be in a form approved by the Law Director and for an amount approved by the City Engineer. The letter of credit shall state that by October 1, 1996, the developer shall construct either the emergency access drive or the streets in Phase IV of the subdivision. If neither of these are completed by that date, the City of Brunswick will have the right to draw funds from the letter of credit and install the emergency access.



PROJECT NAME: The Fairways

PAGE 6 of 6

SPECIFIC CONDITIONS TO BE COMPLIED WITH:
(attach separate sheets if necessary)

JULY 11, 1996 AND FEBRUARY 20, 1997 AMENDMENTS CONT.

31. The roadway improvements to Center Road shown on the Phase I construction plans shall be constructed prior to July 31, 1997 or prior to approval for building of the 11th lot in Phase IV, whichever comes first. At the same time as the Center Road improvements, the developer shall move the Neura Park driveway to a location opposite Troon Avenue. The City shall be responsible for removing the existing drive.

The applicant and/or owner do(es) hereby agree to the conditional use of the above described property subject to the provisions of the Brunswick Zoning Ordinance and to the conditions herein specified.

THIS CERTIFICATE IS AUTOMATICALLY REVOKED IF ANY OF THE CONDITIONS SPECIFIED HERE ARE NOT MET.

Applicant's Signature

Alan R. Noffs

Planning Commission Chairman

6/5/97

Date

Date

Owner's Signature, if different

Michael J. Hagen

Planning Commission Secretary

6/5/97

Date

Date

EXHIBIT A

CHAPTER 1232 FEE CALCULATION

1. 216 single family lots x 3.6 persons per lot = 778 residents
2. 778 residents x .01 acres per person = 7.78 acres for public recreation, or fee equivalent
3. 7.78 acres x \$8000 per acre assumed land value = \$62,240 land fee
4. \$62,240 land fee x 2 = \$124,480 development fee
5. Gross fees \$62,240 + \$124,480 = \$186,720
6. Maximum credits for private recreation = two-thirds of total fee = \$124,480
7. Credit for each lot = \$124,480 ÷ 216 lots = \$576 credits per lot
8. Fee for each lot = \$186,720 - \$124,480 = \$62,240 ÷ 216 lots = \$288 per lot

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE APPROVING THE PRELIMINARY SUBDIVISION PLAN FOR THE FAIRWAYS SUBDIVISION PHASE 8 SUBJECT TO THE CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION AND ANY OTHER CONDITIONS IMPOSED BY COUNCIL.

WHEREAS: At a public hearing held on May 4, 2017, the Brunswick City Planning Commission recommended approval to City Council of a Preliminary Subdivision Plan, house elevations and amended Conditional Zoning Certificate for The Fairways Subdivision Phase 8, subject to certain enumerated conditions.

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

SECTION 1: That the Preliminary Subdivision Plan for The Fairways Subdivision Phase 8, as attached hereto as Exhibit "A", is hereby approved subject to the conditions enumerated by the Planning Commission, as attached hereto as Exhibit "B", and any other conditions imposed by this Council.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 38-17

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

AN ORDINANCE APPROVING THE PRELIMINARY SUBDIVISION PLAN
FOR THE FAIRWAYS SUBDIVISION PHASE 8 SUBJECT TO THE
CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION AND
ANY OTHER CONDITIONS IMPOSED BY COUNCIL.

WHEREAS: At a public hearing held on May 4, 2017, the Brunswick City Planning Commission recommended approval to City Council of a Preliminary Subdivision Plan, house elevations and amended Conditional Zoning Certificate for The Fairways Subdivision Phase 8, subject to certain enumerated conditions.

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

SECTION 1: That the Preliminary Subdivision Plan for The Fairways Subdivision Phase 8, as attached hereto as Exhibit "A", is hereby approved subject to the conditions enumerated by the Planning Commission, as attached hereto as Exhibit "B", and any other conditions imposed by this Council.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/22/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 39-17** - An emergency Ordinance to transfer and advance funds - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705 transfers and advances may become necessary as certain financial situations arise. Transfers and Advances may also occur as a result of the City's Fund Balance Reserve Policy passed by Council via Ordinance #96-12. A transfer is the permanent movement of money from one fund to another. An advance is the temporary movement of money from one fund to another fund that will be repaid upon the completion of an anticipated event. The process of transferring and advancing funds is required by law in certain financial situations and is audited under the direction of the Auditor of State for compliance every year. Transfers and Advance legislation is generally presented two to three times a year or more, if deemed necessary.

PURPOSE AND EXPLANATION: In order to comply with the Ohio Revised Code Section 5705 transfers and advances may become necessary as certain financial situations arise. Transfers and Advances may also occur as a result of the City's Fund Balance Reserve Policy passed by Council via Ordinance #96-12. A transfer is the permanent movement of money from one fund to another. An advance is the temporary movement of money from one fund to another fund that will be repaid upon the completion of an anticipated event. The process of transferring and advancing funds is required by law in certain financial situations and is audited under the direction of the Auditor of State for compliance every year. Transfers and Advance legislation is generally presented two to three times a year or more, if deemed necessary.

IMPLEMENTATION

SCHEDULE: Discuss at the May 22, 2017 Finance Committee meeting and move to the May 22, 2017 Council agenda as an emergency with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

Transfers and advances do not have a financial impact on the City funds as a collective whole. Transfers and advances are merely the movement of money from one fund to another and are defined in the Ohio Revised Code Section 5705 and in the Auditor of State Compliance Supplement.

Transfers and advances are required to be included in the City's adopted budget and are also required to be approved by City Council.

**RECOMMENDED
ACTION:**

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

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

Recommended approval as an emergency with suspension of the rules. Emergency clause necessary to allow funding to be in place to administer plans and/or purchase orders for various projects, grants, etc.

**ADDITIONAL
INFORMATION:**

None.



CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER

By:

AN EMERGENCY ORDINANCE TO TRANSFER AND ADVANCE FUNDS

- WHEREAS: The City of Brunswick wishes to transfer funds from the General Fund #001 to the Road Capital Projects Fund #333 in order to comply with the City's fund balance reserve policy and set aside funds for road improvement projects; and
- WHEREAS: The City of Brunswick wishes to transfer funds from the General Fund #001 to the Capital Projects Improvement Fund #300 for various capital improvements as determined or may be authorized by Council; and
- WHEREAS: The City of Brunswick wishes to transfer the remaining balance of funds from the Ohio Environmental Infrastructure Program Section 594 Federal Grant Fund (#345) to the Stormwater Management Enterprise Fund/Stormwater Management Enterprise Bond Retirement Subfund (#990) pursuant to Ohio Revised Code Section 5705.14 (A); and
- WHEREAS: The City of Brunswick wishes to return previously advanced monies from the Brunswick Lake Fund #360 to the General Fund #001 as a result of proceeds received from the sale of Brunswick Lake land parcels.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following funds are hereby transferred:

FROM: General Fund (#001)
TO: Road Capital Projects Fund (#333)
AMOUNT: \$1,318,344.00

FROM: General Fund (#001)
TO: Capital Projects Improvement Fund (#300)
AMOUNT: \$290,331.11

FROM: Ohio Environmental Infrastructure Program Section 594 Federal Grant Fund (#345)
TO: Stormwater Management Enterprise Fund/Stormwater Management Enterprise Bond Retirement Subfund (#990)
AMOUNT: \$48,401.54



CITY OF BRUNSWICK, OHIO
ORDINANCE NUMBER

SECTION 2: That the following funds are hereby advanced:

FROM: Brunswick Lake Fund (#360)
TO: General Fund (#001)
AMOUNT: \$203,942.80

SECTION 3: This ordinance 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 municipal department, and for the further reason that proper funding sources be transferred and advanced. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: _____

Rules Suspended: AYES NAYS

ADOPTED: _____ AYES _NAYS

ATTEST: _____

Clerk of Council, Barbara J. Ortiz, CMC



CITY OF BRUNSWICK, OHIO
ORDINANCE NUMBER 39-17

By: Mrs. Hanek, Mr. Johnson and Mr. Salzgeber

AN EMERGENCY ORDINANCE TO TRANSFER AND ADVANCE FUNDS

- WHEREAS:** The City of Brunswick wishes to transfer funds from the General Fund #001 to the Road Capital Projects Fund #333 in order to comply with the City's fund balance reserve policy and set aside funds for road improvement projects; and
- WHEREAS:** The City of Brunswick wishes to transfer funds from the General Fund #001 to the Capital Projects Improvement Fund #300 for various capital improvements as determined or may be authorized by Council; and
- WHEREAS:** The City of Brunswick wishes to transfer the remaining balance of funds from the Ohio Environmental Infrastructure Program Section 594 Federal Grant Fund (#345) to the Stormwater Management Enterprise Fund/Stormwater Management Enterprise Bond Retirement Subfund (#990) pursuant to Ohio Revised Code Section 5705.14 (A); and
- WHEREAS:** The City of Brunswick wishes to return previously advanced monies from the Brunswick Lake Fund #360 to the General Fund #001 as a result of proceeds received from the sale of Brunswick Lake land parcels.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following funds are hereby transferred:

FROM: General Fund (#001)
TO: Road Capital Projects Fund (#333)
AMOUNT: \$1,318,344.00

FROM: General Fund (#001)
TO: Capital Projects Improvement Fund (#300)
AMOUNT: \$290,331.11

FROM: Ohio Environmental Infrastructure Program Section 594 Federal Grant Fund (#345)
TO: Stormwater Management Enterprise Fund/Stormwater Management Enterprise Bond Retirement Subfund (#990)
AMOUNT: \$48,401.54



CITY OF BRUNSWICK, OHIO
ORDINANCE NUMBER 39-17

SECTION 2: That the following funds are hereby advanced:

FROM: Brunswick Lake Fund (#360)
TO: General Fund (#001)
AMOUNT: \$203,942.80

SECTION 3: This ordinance 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 municipal department, and for the further reason that proper funding sources be transferred and advanced. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: _____

Rules Suspended: AYES NAYS

ADOPTED: _____ AYES _NAYS

ATTEST: _____

Clerk of Council, Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 05/22/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 40-17** - An emergency resolution establishing a blanket purchase order amount limit as required by Ohio Revised Code 5705.41(d)(3) - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

BACKGROUND:

Ohio Revised Code 5705.41(D)(3) allows political subdivisions to use blanket purchase orders for the payment of lawfully appropriated goods and services of the subdivision in place of regular purchase orders. The City of Brunswick currently does not have a maximum amount allowable for purchase orders established. The Auditor of State made note of this during the City's Fiscal Year 2016.

The Administration recommends the maximum amount of blanket purchase orders not exceed the \$25,000 threshold established in Charter Section 7.09 (b) which requires specific Council approval.

PURPOSE AND EXPLANATION:

Ohio Revised Code 5705.41(D)(3) allows political subdivisions to use blanket purchase orders for the payment of lawfully appropriated goods and services of the subdivision in place of regular purchase orders. The City of Brunswick currently does not have a maximum amount allowable for purchase orders established. The Auditor of State made note of this during the City's Fiscal Year 2016.

The Administration recommends the maximum amount of blanket purchase orders not exceed the \$25,000 threshold established in Charter Section 7.09 (b) which requires specific Council approval.

IMPLEMENTATION SCHEDULE: Adoption on May 22, 2017 as an emergency to ensure compliance with Ohio Revised Code Section 5705.41 (D) (3).

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: None. This legislation merely defines 1) a maximum amount allowed for a blanket purchase order and 2) the process pertaining to purchase orders issued on Council legislation. This legislation does not authorize the expenditure of funds as this process is done through the approval of the purchase order itself, as defined in ORC Section 5705.41.

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
Emergency reason is to ensure compliance with Ohio Revised Code Section 5705.41 (D) (3). The City of Brunswick currently does not have a maximum amount allowable for purchase orders established.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO

RESOLUTION NUMBER



By:

AN EMERGENCY RESOLUTION ESTABLISHING A BLANKET PURCHASE
ORDER AMOUNT LIMIT AS REQUIRED BY OHIO REVISED CODE 5705.41(D)(3) ,
AND DECLARING AN EMERGENCY

WHEREAS: Ohio Revised Code 5705.41(D)(3) allows political subdivisions to use blanket purchase orders for the payment of lawfully appropriated goods and services of the subdivision in place of regular purchase orders; and

WHEREAS: The City of Brunswick currently does not have a maximum amount allowable for purchase orders established; and

WHEREAS: The Administration has recommended a blanket purchase order amount limit not to exceed \$25,000 unless authorized by Ordinance or Resolution of Council; and

WHEREAS: Council desires to establish a blanket purchase order amount limit and related purchase order policy.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: Council hereby establishes a blanket purchase order amount limit not to exceed \$25,000 unless a purchase for a higher amount has been approved by Ordinance or Resolution of Council in accordance with Ohio Revised Code 5705.41(D)(3).

SECTION 2: A purchase order issued pursuant to any Council Ordinance or Resolution shall not exceed the amount stipulated in the Ordinance or Resolution, or when not specified, shall not exceed the appropriation or legal level of control established by Council.

SECTION 3: That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to ensure compliance with the Ohio Revised Code. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____
2nd Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz

CITY OF BRUNSWICK, OHIO

RESOLUTION NUMBER 40-17



By: Committee-of-the-Whole

AN EMERGENCY RESOLUTION ESTABLISHING A BLANKET PURCHASE
ORDER AMOUNT LIMIT AS REQUIRED BY OHIO REVISED CODE 5705.41(D)(3) ,
AND DECLARING AN EMERGENCY

WHEREAS: Ohio Revised Code 5705.41(D)(3) allows political subdivisions to use blanket purchase orders for the payment of lawfully appropriated goods and services of the subdivision in place of regular purchase orders; and

WHEREAS: The City of Brunswick currently does not have a maximum amount allowable for purchase orders established; and

WHEREAS: The Administration has recommended a blanket purchase order amount limit not to exceed \$25,000 unless authorized by Ordinance or Resolution of Council; and

WHEREAS: Council desires to establish a blanket purchase order amount limit and related purchase order policy.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: Council hereby establishes a blanket purchase order amount limit not to exceed \$25,000 unless a purchase for a higher amount has been approved by Ordinance or Resolution of Council in accordance with Ohio Revised Code 5705.41(D)(3).

SECTION 2: A purchase order issued pursuant to any Council Ordinance or Resolution shall not exceed the amount stipulated in the Ordinance or Resolution, or when not specified, shall not exceed the appropriation or legal level of control established by Council.

SECTION 3: That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to ensure compliance with the Ohio Revised Code. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____
2nd Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/22/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Robert Marok

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 41-17** - An emergency resolution authorizing the City Manager to purchase two (2) storage servers from Evolve IP in an amount not to exceed \$65,000.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

BACKGROUND: The City of Brunswick had scheduled to replace one storage server this year and we have also has been experiencing failure on an older storage server after several power issues. This has put some servers and departments into a state where they are not redundant, the cost of repairing the aging storage array would not be cost effective.

PURPOSE AND EXPLANATION: To maintain the City of Brunswick IT infrastructure in a redundant manner, the city needs to replace storage unit as scheduled and to replace the failing unit. This will also serve to expand the space available for departments and their projects

IMPLEMENTATION SCHEDULE: Upon passage, order will be placed and we will deploy as soon as possible.

FINANCIAL INFORMATION: IT infrastructure - 05/22/2017 - - 904-0302-56252 - server replacement - 65000

FINANCIAL SUMMARY: In order for a purchase order to be certified for this Resolution (\$65,000 purchase), it would also require Council legislative action to approve a separate budget amendment Ordinance on May 22, 2017. The budget Amendment Ordinance includes an additional \$45,000 budget amendment that would allow for a purchase up to a maximum of \$70,000 for this Resolution. Absent of Council's legislative action to amend the budget as proposed, the Finance Director would be unable to issue a purchase order by State Law or ORC 5705.41.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No

Emergency	Yes
Suspension of Rules	Yes

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

Due to failure of older equipment, storage and operation of some of the city's information for departments are not redundant and could pose a significant cost and risk if the equipment is not replaced quickly.

**ADDITIONAL
INFORMATION:**

The contracts are as follows: OH State Term Pricing Contract ID- 534515, Evolve IP OAKS ID - 534515-23

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO PURCHASE TWO (2) STORAGE SERVERS FROM EVOLVE IP IN AN
AMOUNT NOT TO EXCEED \$65,000.00.

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

WHEREAS: The State contract under the State Procurement Program has been awarded to
Evolve IP.

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

SECTION 1: That the City Manager is hereby authorized to purchase two (2) storage servers
from Evolve IP in an amount not to exceed \$65,000.00.

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

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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