



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

SEPTEMBER 25, 2017

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated September 11, 2017.
 - (a) Council Meeting Minutes dated September 11, 2017.
5. Mayor's Report:
 - (a) Proclamation to proclaim October 2017 as Filipino-American History Month in the City of Brunswick;
 - (b) Proclamation to proclaim November 1, 2017 to be *Extra Mile Day* in the City of Brunswick;
 - (c) Mayor's recommendation to appoint Andrea Pallotta to the Medina County Health Board to fill the current term until January 2021;
 - (d) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development.....	Mr. Johnson
Services, Utilities, Technology & Cable.....	Mr. Salzgeber
Finance Committee.....	Mrs. Hanek
Safety & Environment.....	Mr. Hanek

 - (42) Safety Committee Meeting Minutes dated September 6, and September 11, 2017

Planning & Zoning Committee.....	Mr. Ousley
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 - (45) Planning & Zoning Committee Meeting Minutes dated September 11, 2017

Parks, Recreation & Community Committee.....	Mr. Abella Jr.
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 - (43) Parks & Recreation Committee Meeting Minutes dated September 11, 2017

Building & Building Code Committee.....Mr. Capretta
(44) Building Code Committee Meeting Minutes dated September 11, 2017

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated September 5, and September 11, 2017

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

RES. NO. 68-17 - A resolution authorizing the City Manager to purchase a new Ford F550 4WD Truck Dump Cab and Chassis and for the Department of Parks and Recreation from Liberty Ford in an amount not to exceed \$36,198.62 **3rd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*)

RES. NO. 69-17 - A resolution authorizing the City Manager to purchase a new Ford F550 4WD Truck Dump Body from Henderson Products for the Department of Parks & Recreation in an amount not to exceed \$24,320.00 - **3rd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*)

ORD. NO. 70-17 - An ordinance establishing Chapter 864 of the City of Brunswick Codified Ordinances to regulate massage establishments - **3rd Reading** (Committee-of-the-Whole, Amended, *Administration/Chief Ohlin*)

ORD. NO. 71-17 - An ordinance establishing Section 1262.04(g) of the Codified Ordinances of the City of Brunswick by including massage establishments as a conditionally permitted use in the C-O Office Commercial Zoning District - **3rd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*)

ORD. NO. 72-17 - An ordinance establishing Section 1260.04(t) of the Codified Ordinances of the City of Brunswick by including massage establishments as a conditionally permitted use in the C-G General Commercial Zoning District - **3rd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*)

ORD. NO. 73-17 - An ordinance amending the Design Guidelines for the Main Street District of the Brunswick Town Center Special Planning District No. 2 by permitting massage establishments as a conditionally permitted use - **3rd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*)

b. 2nd Reading(s)

RES. NO. 80-17 - A resolution authorizing the City Manager to enter into an agreement with Interfinish, LLC for the design and installation of a new track at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,395.00 - **2nd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*)

RES. NO. 81-17 - An emergency resolution authorizing the City Manager to purchase three (3) marked police cruisers for the Division of Police from Statewide Ford in an amount not to exceed \$125,000.00 - **2nd Reading** (Safety & Environment Committee, *Administration/Chief Ohlin*)

c. 1st Reading(s)

RES. NO. 82-17 - An emergency resolution authorizing the City Manager to enter into a reciprocal agreement for backup Chief Building Official services with the City of Medina - **1st Reading** (To be brought from Building & Building Code Committee, *Administration/Grant Aungst*)

RES. NO. 83-17 - An emergency resolution authorizing the City Manager to enter into a three (3) year professional services agreement with the Local Government Services Division of the Auditor of State's Office to assist in the preparation of a Comprehensive Annual Financial Report for the years ending December 31st of 2017, 2018 and 2018 in an amount not to exceed \$36,600.00 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 84-17 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 5.5515 acre parcel of land (PPN 003-18D-03-080) on Center Road - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 85-17 - An emergency resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

RES. NO. 86-17 - A resolution authorizing the City Manager into a five (5) year agreement with the Board of Health for the Medina County Combined General Health District to perform storm water sampling and inspection services in a total amount not to exceed \$20,000.00 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Paul Barnett*)

ORD. NO. 87-17 - An ordinance amending Section 618.29 of the City of Brunswick Codified Ordinances - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Ken Fisher*)

ORD. NO. 88-17 - An emergency ordinance amending Section 1060.02(c) of the City of Brunswick Codified Ordinances to allow the City Manager to extend the hours of garbage collection in the City - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Carl DeForest*)

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, SEPTEMBER 11, 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.

MAYOR FALCONI ASKED FOR A MINUTE OF SILENCE IN MEMORY OF ALL THOSE WHO LOST THEIR LIVES ON SEPTEMBER 11 AND FOR ALL THOSE IMPACTED BY HURRICANES HARVEY AS WELL AS IRMA.

ROLL CALL OF MEMBERS: ROLL CALL 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 JULY 24, 201: PATRICIA HANEK MOVED TO APPROVE, 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.

MAYOR'S REPORT:

Mayor's Court Financial Reports for the month ending July and August 2017 will be posted on the website and added to the minutes for the record::

Recognition of Mike Esber upon his retirement from Michael's Mini Mart.

Mayor Falconi presented a proclamation to Mike Esber for his dedication and service of more than 45 years as the owner and manager of Michael's Mini Mart in the City of Brunswick.

Proclamation to End Prostrate Cancer - Stephanie Mueller.

The Mayor presented a proclamation to Stephanie Mueller to proclaim the month of October 2017 as National Prostate Cancer Awareness Month in the City of Brunswick.

Proclamation for International Week of the Deaf - Casey Ring.

The Mayor and Mrs. HaneK presented a proclamation to Casey Ring to proclaim the week of September 18 through September 24, 2017 as Deaf Awareness Week in the City of Brunswick. An interpreter from Greenleaf Family Care was present to use American Sign Language for Mr. Ring and his family.

CLERK OF COUNCIL'S REPORT: MRS. ORTIZ REMINDED EVERYONE THAT THE GENERAL ELECTION WAS ON NOVEMBER 7, 2017. IF ANYONE WAS INTERESTED IN ABSENTEE BALLOT APPLICATIONS, THERE WERE COPIES AVAILABLE IN CITY HALL LOBBY. ALSO, THERE WAS STILL TIME TO REGISTER TO VOTE.

COUNCIL COMMITTEE REPORTS:

Economic Development.....Mr. Johnson:

Alex Johnson moved to approve the formal report dated July 18, 2017 as written, 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.

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

Joseph Salzgeber moved to approve the formal reports dated July 10 and July 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 moved to approve the formal report dated July 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.

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

Nicholas Hanek moved to approve the formal report dated July 11, 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.

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

Brian Ousley moved to approve the formal report dated July 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. moved to approve the formal report dated July 24, 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.

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

Anthony Capretta moved to approve the formal report dated July 10, 2017 as written, seconded by Brian Ousley. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

OTHER BOARDS AND COMMISSIONS: PATRICIA HANEK MOVED TO APPROVE THE COMMITTEE-OF-THE-WHOLE MINUTES DATED JULY 10 AND JULY 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:

3RD READING(S)

2ND READING(S)

RES. NO. 68-17 - A resolution authorizing the City Manager to purchase a new Ford F550 4WD Truck Dump Cab and Chassis and for the Department of Parks and Recreation from Liberty Ford in an amount not to exceed \$36,198.62 **2nd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*):

RES. NO. 68-17 - Michael Abella Jr. moved this resolution to a third reading.

RES. NO. 69-17 - A resolution authorizing the City Manager to purchase a new Ford F550 4WD Truck Dump Body from Henderson Products for the Department of Parks & Recreation in an amount not to exceed \$24,320.00 - **2nd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*):

RES. NO. 69-17 - Michael Abella Jr. moved this resolution to a third reading.

ORD. NO. 70-17 - An ordinance establishing Chapter 864 of the City of Brunswick Codified Ordinances to regulate massage establishments - **2nd Reading** (Committee-of-the-Whole, *Administration/Chief Ohlin*):

ORD. NO. 70-17 - Patricia Hanek moved this ordinance to a third reading.

ORD. NO. 71-17 - An ordinance establishing Section 1262.04(g) of the Codified Ordinances of the City of

Brunswick by including massage establishments as a conditionally permitted use in the C-O Office Commercial Zoning District - **2nd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*):

ORD. NO. 71-17 - Mr. Ousley moved this ordinance to a third reading.

ORD. NO. 72-17 - An ordinance establishing Section 1260.04(t) of the Codified Ordinances of the City of Brunswick by including massage establishments as a conditionally permitted use in the C-G General Commercial Zoning District - **2nd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*):

ORD. NO. 72-17 - Mr. Ousley moved this ordinance to a third reading.

ORD. NO. 73-17 - An ordinance amending the Design Guidelines for the Main Street District of the Brunswick Town Center Special Planning District No. 2 by permitting massage establishments as a conditionally permitted use - **2nd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*):

ORD. NO. 73-17 - Mr. Ousley moved this ordinance to a third reading.

1ST READING(S)

ORD. NO. 77-17 - An ordinance amending Section 1280.01(h) of the City of Brunswick Codified Ordinances by prohibiting medical marijuana cultivators and retail dispensaries in the City - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/ Ken Fisher*):

ORD. NO. 77-17 - Mr. Ousley moved this ordinance to a second reading and referred it back to Planning Commission.

ORD. NO. 78-17 - An ordinance establishing Section 1266.04(g) of the Codified Ordinances of the City of Brunswick by including medical marijuana processors as a conditionally permitted use in the I-L Light Industrial District - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*):

ORD. NO. 78-17 - Mr. Ousley moved this ordinance to a second reading and referred it back to Planning Commission.

ORD. NO. 79-17 - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances; and to repeal ordinances in conflict therewith - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Barb Ortiz*):

ORD. NO. 79-17 - Patricia Hanek moved to suspend the rules, 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.

Mrs. Ortiz explained that this was the City's annual codification that was done with the Walter Drane Company. It was an emergency because the City has all the supplements ready to be distributed so that they can be active right away.

Patricia Hanek moved to adopt, seconded by Alex Johnson. 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. 80-17 - A resolution authorizing the City Manager to enter into an agreement with Interfinish, LLC for the design and installation of a new track at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,395.00 - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/John Piepsny*):

Michael Abella Jr. moved this resolution to a second reading.

RES. NO. 81-17 - An emergency resolution authorizing the City Manager to purchase three (3) marked police cruisers for the Division of Police from Statewide Ford in an amount not to exceed \$125,000.00 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Chief Ohlin*):

Nicholas Hanek moved this resolution to a second reading.

CITY MANAGER'S REPORT: MR. DEFOREST THANKED MIKE ESBER FOR HIS DEDICATION TO THE COMMUNITY; THE CITY OF BRUNSWICK AND BRUNSWICK HILLS TOWNSHIP. SEVERAL YEARS AGO HE ASKED MIKE ESBER TO MAKE DONATIONS TO FUND RAISERS WE WERE HAVING TO RAISE MONEY FOR THE AMERICAN CANCER SOCIETY. EVERY TIME HE CALLED, MR. ESBER ANSWERED YES. HE WAS VERY HELPFUL IN ALL THOSE ENDEAVORS. HE WILL CONTINUE TO WORK WITH HIM AS BEST AS POSSIBLE IN HIS CAPACITY AS BRUNSWICK HILLS TOWNSHIP TRUSTEE. HE ALSO THANKED GRACE BAPTIST CHURCH FOR THE RECENT COLLECTION OF ITEMS THAT FILLED THREE TRACTOR TRAILERS TO SEND DOWN TO HURRICANE VICTIMS. WE HAVE RECEIVED CALLS IF WE HAD ANY INFORMATION ON PLACES PEOPLE COULD MAKE DONATIONS. ON THE CITY'S WEBSITE THERE WAS A LINK TO AN AD COUNCIL TO HAVE THE OPPORTUNITY TO MAKE DONATIONS TO NATIONAL ORGANIZATIONS, LOCAL ORGANIZATIONS AND STATE ORGANIZATIONS.

HE NOTED THE NEXT FEW ITEMS WERE ALSO ON THE WEBSITE. IF ANYONE NEEDED ADDITIONAL INFORMATION THEY COULD CONTACT THE CITY MANAGER'S OFFICE. ON WEDNESDAY, OCTOBER 18 AT 8:00 A.M. AT THE RECREATION CENTER, THE CITY WAS HOSTING A VETERAN'S BREAKFAST. ALL YOU HAVE TO DO IS BE A VETERAN WITH A DD-214. THIS INFORMATION WILL BE ON THE CITY'S WEBSITE. IT WAS AN OPPORTUNITY TO THANK THE MEN AND WOMEN WHO SERVED THEIR COUNTRY IN THE MILITARY. ALSO, THERE WAS A LINK ON THE WEBSITE ABOUT THE FALL BRANCH CHIPPING PROGRAM. IT WILL TAKE PLACE THE WEEK OF SEPTEMBER 18 THROUGH 22, 2017. THERE WAS ALSO GOING TO BE A REFRIGERANT CONTAINING AMNESTY COLLECTION THE WEEK OF SEPTEMBER 18 THROUGH THE 23 AT THE MEDINA COUNTY SOLID WASTE DISTRICT. ON SATURDAY, SEPTEMBER 23 ONLY, IT WILL BE AT THE PLUM CREEK COUNTY MAINTENANCE LOCATION FROM 8:00 AM TO 2:00 P.M. IN ADDITION, THERE WAS ALSO A HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT ON SATURDAY, OCTOBER 14.

HE ALSO ANNOUNCED THAT COUNCILMAN NICK HANEK WILL HOST A WARD 2 TOWN MEETING ON SEPTEMBER 20 AT 6:30 P.M. IN THE COUNCIL CHAMBERS. THERE WILL BE UPDATES FROM THE COUNCIL MEMBERS AND MEMBERS OF THE ADMINISTRATION. IF YOU CAN ATTEND, PLEASE DO SO.

THE GRAFTON ROAD RECONSTRUCTION STARTED TOMORROW MORNING ON SEPTEMBER 12. THE DETOURS WERE POSTED AND PLEASE WHEN USING THE SIDE STREETS BE COGNIZANT OF THE FACT THAT THE SPEED LIMIT THERE WAS 25 MPH. THERE WILL BE POLICE OFFICERS SITTING IN DRIVEWAYS THROUGHOUT THOSE AREAS. THE CITY WANTED TO MAKE SURE THAT PEOPLE ON THE SIDE STREETS AND ESPECIALLY IN AREAS THAT DID NOT HAVE SIDEWALKS WHO WERE USED TO BEING PEDESTRIANS WERE NOT JUMPING INTO THE DITCHES AS A RESULT OF SOMEONE DRIVING 45 MPH THROUGH THOSE AREAS. THE RECONSTRUCTION WILL LAST THROUGH THE FIRST OR SECOND WEEK IN DECEMBER. HATS OFF FOR THE PEOPLE THAT PUT THAT PROGRAM TOGETHER ESPECIALLY MATT JONES, PAUL BARNETT AND TODD FISCHER.

ADMINISTRATIVE DEPARTMENTS :

MR. FISCHER STATED THAT THEY FILED THEIR DISCLOSURE REQUIREMENTS WITH THE REPOSITORY FOR INFORMATION FOR ALL MUNICIPAL BONDS. THIS WAS WHERE YOU WOULD GO TO GET INFORMATION FOR ANYTHING DEALING WITH MUNICIPAL DEBT. THE CITY WAS REQUIRED TO FILE THEIR ANNUAL FINANCIAL INFORMATION WITH THEM EVERY YEAR. IT WAS MORE THAN JUST THE ANNUAL FINANCIAL REPORT. IT WAS AN ADDITIONAL TWENTY TO THIRTY PAGES OF MORE DETAILED INFORMATION THAT WAS REQUIRED. IT TOOK TIME AND THE CITY WORKED WITH THEIR BOND COUNSEL WHO PERFORMED MUCH OF THE LEGAL WORDING SERVICES FOR THE CITY. THE CITY PUT TOGETHER ALL THE FINANCIAL INFORMATION.

CHIEF OHLIN COMMENTED THAT THE DIVISION OF POLICE WAS WORKING ON A PROJECT TO EXPAND THE CANINE UNIT. CURRENTLY THERE WAS ONE POLICE CANINE TEAM CONSISTING OF A POLICE OFFICER AND HIS CANINE PARTNER. THEY WERE LOOKING TO ADD A SECOND TEAM TO EXPAND THEIR ABILITY TO HAVE CANINE COVERAGE ACROSS ADDITIONAL HOURS THROUGHOUT THE DAY. THE CANINE TEAMS WERE A VERY IMPORTANT PART OF THEIR ENDEAVOR IN DRUG ENFORCEMENT. WITH THE EVERY INCREASING DRUG EPIDEMIC ACROSS THE NATION AND CERTAINLY IN THE CITY OF BRUNSWICK, THEY WERE LOOKING TO ENHANCE THEIR ABILITY TO ENFORCE THE LAWS. AS A RESULT OF THEIR INITIATIVE THE CITIZEN VOLUNTEER GROUP HAS TAKEN UPON THEMSELVES TO DO SOME FUND RAISING TO HELP OFFSET THE COST. THEY WERE SHARING INFORMATION ON A FACEBOOK PAGE. THEY HAVE AN EVENT COMING UP ON SEPTEMBER 17 CALLED THE PACK WALK. THEY WILL PARTNER WITH SOME LOCAL BUSINESSES WHO DEAL WITH DOG TRAINING AND THEY WILL HAVE THE EVENT AT BRUNSWICK LAKE. IF ANYONE CHECKED THEIR FACEBOOK PAGE THERE WAS ADDITIONAL INFORMATION ON THAT ENDEAVOR, AS WELL AS OTHER INITIATIVES FOR FUND RAISING. THEY APPRECIATED THE COMMUNITY'S SUPPORT IN THIS PROJECT.

HE ALSO LET THE COMMUNITY KNOW THAT HE HAS WORKED WITH CIVIL SERVICE WHO WILL SOON ANNOUNCE A POLICE OFFICER ENTRANCE EXAM. IT WILL BE ADMINSTRATED ON NOVEMBER 11, 2017. THE TEST ANNOUNCEMENT WILL BE MADE WITH THE REQUIREMENTS FOR THE TESTING PROCESS. THIS WILL ESTABLISH AN ELIGIBILITY LIST FOR HIRING WHEN THERE WERE RETIREMENTS. HE ALSO MENTIONED THAT ON OCTOBER 7 HOME DEPOT WILL HAVE SAFETY DAYS AT THEIR STORE. POLICE AND FIRE WILL BE AVAILABLE AS WELL AS OTHER ENTITIES TO TALK ABOUT DIFFERENT SAFETY INITIATIVES. THIS WILL TAKE PLACE AT 10:00 A.M. ON OCTOBER 7.

ASSISTANT CHIEF BARBER NOTED THAT THE DIVISION OF FIRE WILL ROLL OUT A PROGRAM IN THE NEXT WEEK CALLED RESIDENTIAL LOCK BOX PROGRAM. THIS WILL ALLOW A SECURE METAL LOCK BOX THAT WILL GO OVER A DOOR OR SCREWED TO THE SIDE OF THE STRUCTURE BY THE MAIN DOOR OF A RESIDENCE TO ALLOW THE FIRE DEPARTMENTS TO GET INSIDE IF SOMEONE WAS TO FALL OR COULD NOT GET UP AND

OPEN THE DOOR. BY FRIDAY THE INFORMATION WILL BE ON THE WEBSITE. ALSO INFORMATION WILL BE AT THE FIRE STATIONS, RECREATION CENTER AND SIMILAR PLACES ON HOW TO ORDER THESE BOXES. THEY WERE ABOUT \$30 EACH. PEOPLE COULD BUY THEM FOR THEIR LOVED ONES. THE DIVISION HAS A MASTER KEY FOR THEM TO BE ABLE TO OPEN THEM. IF YOU WERE NOT ABLE TO PURCHASE ONE OF THESE BOXES THEY WILL TREAT THOSE MATTERS CASE BY CASE WITH GUIDELINES FOR INCOME.

ALSO, YOU MAY NOTICE IN MANY BUSINESSES A BRUNSWICK DIVISION OF FIRE LOGO WITH A YEAR SYMBOL IN THEIR WINDOWS OR DOORS. AS ANNUAL SAFETY INSPECTIONS WERE DONE THEY WILL DISPLAY THIS EMBLEM. PEOPLE WILL KNOW THAT THEY WERE IN A SAFE BUILDING THAT HAS BEEN INSPECTED. THEY RECENTLY INSPECTED ALL BRUNSWICK SCHOOL BUILDINGS. IT HAS BEEN WELL RECEIVED BY BOTH THE PARENTS AND THE STUDENTS. THEY WERE NOW WORKING ON THE BUSINESSES.

MR. PIEPSNY ANNOUNCED THAT THEY HAD A SENIOR SOCIAL TAKING PLACE ON THURSDAY, SEPTEMBER 21 AT 1:00 P.M. AT THE RECREATION CENTER. THERE WAS NO COST FOR THIS. THEY WILL HAVE A LIGHT LUNCH AND A POLYNESIAN DANCE PERFORMANCE AS WELL. HE ALSO ANNOUNCED THAT THEY WERE ALSO ACCEPTING REGISTRATIONS FOR YOUTH BASKETBALL LEAGUES FOR THIRD AND FOURTH GRADES ONLY. STARTING OCTOBER 1, THEY WILL ACCEPT REGISTRATIONS FOR FIFTH THROUGH EIGHTH GRADE.

COUNCILMAN CAPRETTA ASKED ASSISTANT CHIEF BARBER IF THERE WAS ANY UPDATES ON THE CONCRETE PROGRAM FOR FIRE STATION II.

ASSISTANT CHIEF BARBER INFORMED THE CHIEF WAS WORKING ON THOSE QUOTES AND SHOULD HAVE THEM SHORTLY.

MR. DEFOREST ADVISED THAT HE HAD AN UPDATE. PART OF THAT CONCRETE REPLACEMENT MAY BE ROLLED INTO THE RECONSTRUCTION OF NORTH CARPENTER WHICH WILL SAVE THE CITY A CONSIDERABLE AMOUNT OF MONEY IF IT CAME TO FRUITION. IT WAS DIFFICULT TO DETERMINE WHETHER OR NOT 30% OR 80% OR 100% WILL BE REDONE AS PART OF THE NORTH CARPENTER ROAD CONSTRUCTION. IT WAS PUT ON HOLD UNTIL THEY DETERMINED CLEARLY IF IT WAS A COST THAT SHOULD BE USED FROM THE CAPITAL FUND.

OPEN FORUM:

JOHN ROCHA OF 989 SUBSTATION ROAD - MR. ROCHA WAS HERE TO THANK COUNCIL AND EVERYONE FOR REMEMBERING SEPTEMBER 11. ALSO, HE WANTED TO COMPLEMENT CHIEF OHLIN AND CITY MANAGER DEFOREST. THERE WAS SOME ACTIVITY THAT TOOK PLACE WHERE THEY WORKED CLOSELY WITH THE FBI, THE SHERIFF'S DEPARTMENT AND MEDWAY. HE COMMENDED ALL OF THESE SAFETY FORCES FOR DOING A GOOD JOB AND KEEPING THE COMMUNITY SAFE. HE ALSO WANTED TO MENTION TO THE PUBLIC THAT IF THEY SAW ANYTHING STRANGE TO PLEASE CALL IT IN.

DEBBIE SONEGO OF 356 BETTIE LANE - SHE NOTED SHE WAS A THIRTY YEAR RESIDENT OF BRUNSWICK. SHE AND HER HUSBAND WERE HAVING A TWO-YEAR FENCE PROBLEM. THERE WAS A CODE IN BRUNSWICK THAT STATED RESIDENTS HAD TO MAINTAIN THEIR FENCE. THIS WAS THE PROBLEM AS SHE WAS UNABLE TO MAINTAIN HER FENCE. THIS WAS CODE 1464.08 THEY WERE TRYING TO PUT UP A NEW FENCE FOR THREE YEARS. THEY HAD A NEIGHBOR BEHIND THEM THAT THEY SHARED TWELVE-FEET OF SPACE. THEY PUT UP A FENCE ON TOP OF THEIR FENCE. SHE COULD NOT FIND ANY LAW TO PROHIBIT THIS. SHE WOULD LIKE TO SEE SOMETHING DONE AND TO PUT THIS ON THE BOOKS SO IT COULD NOT HAPPEN AGAIN. SHE

ADVISED THE NEIGHBORS WERE IN VIOLATION OF THE CODE AND THEIR FENCE WAS ON BACKWARDS. THEY PUT THEIR POSTS ON TOP OF THEIR FENCE. SHE ADVISED IT WAS SIMILAR TO BEING HELD HOSTAGE. THEY WILL NOT TAKE THEIR FENCE DOWN. SHE HAS HAD THE CITY TRYING TO RESOLVE THIS ISSUE FOR YEARS. SHE WOULD LIKE TO FIND A RESOLUTION AND SEE SOMETHING ADDED TO THE CODE TO PREVENT FURTHER PROBLEMS FOR OTHER RESIDENTS. SHE HAD TWENTY-TWO PICTURES IF ANYONE CARED TO SEE THEM.

UNFINISHED BUSINESS: THERE WAS NONE.

NEW BUSINESS: MR. HANEK MENTIONED AGAIN THAT HE WAS HAVING A WARD MEETING HERE AT BRUNSWICK CITY HALL IN THE COUNCIL CHAMBERS ON SEPTEMBER 20 AT 6:30 P.M. IF ANYONE WOULD LIKE TO COME THEY CAN ATTEND. THERE WILL BE INFORMATION ABOUT THE CITY AND THEY WILL TAKE QUESTIONS. THEY DID ONE LAST YEAR AND IT WENT WELL. HE LOOKED FORWARD TO SEEING PEOPLE THERE.

MRS. HANEK MENTIONED THAT THERE WILL BE A FORUM NEXT MONDAY, SEPTEMBER 18 AT CITY HALL AT 6:00 P.M. THIS WAS REGARDING ISSUE 2. SHE WAS ASKED BY THE PEOPLE THAT WILL PUT IT TOGETHER TO ANNOUNCE IT TONIGHT.

MR. JOHNSON STATED THE ANNUAL PUMPKIN RUN WAS SCHEDULED ON THE SAME DAY AS THE SAFETY FAIR AT HOME DEPOT. THE PUMPKIN RUN WAS ORGANIZED BY HERMES RACES AND WAS A 5K OR A ONE MILE WALK. IT WAS A HALLOWEEN THEMED RACE WITH SPOOKY MUSIC AND YOU CAN WALK IN SOME FOG. IN ADDITION THERE WILL BE PRIZES, AWARDS, GIVEAWAYS, FOOD AND TRICK-OR-TREATING. THEY WILL HAVE A BALLOON BENDER MAN AND SOME FUN AND EXCITING THINGS. THIS WILL BE FROM 11:00 A.M. TO 12:30 P.M. ON SATURDAY, OCTOBER 7, 2017.

New liquor permit for 1733 Pearl Road Zeppes LLC, DBA Zeppes Tavern and Pizzeria located at 1733 Pearl Road, Brunswick, Ohio 44212. Council had no objections to this permit. Reply was made on August 28, 2017 and added to tonight's agenda for the record.

Mrs. Hanek also mentioned the liquor permit for 1733 Pearl Road, Zeppes Tavern. There were no objections and it was added to the agenda for the record.

ADJOURNMENT: PATRICIA HANEK MOVED TO ADJOURN, 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.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 8:15 P.M.

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Ortiz, CMC". The signature is fluid and cursive.

Barbara J. Ortiz, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

Andrea Pallotta
3529 Fireside Drive
Brunswick, OH 44212
(216) 926-9175

Mayor Ron Falconi
City of Brunswick
4095 Center Road
Brunswick, OH 44212

August 20, 2017

Mayor Falconi,

My name is Andrea Pallotta. I am writing to express my interest in the role of Brunswick representative to the Medina County Board of Health. I am committed to improving the health of our community and I have always wanted to make a contribution back to my city. As a member of the Medina County Board of Health, I can make a lasting impression on both.

As a member of the Brunswick community for nine years and an employee of Medina Hospital for the past year, I have become interested in the health of our city and county. I witness the heartbreaking stories of the opioid epidemic to the joyful stories of newborns and growing families. I am seeking a way to make a difference and bring the best medical care to all those in need.

At Medina Hospital and Cleveland Clinic, I work as an infectious diseases pharmacist with expertise in recommending appropriate antimicrobial utilization, testing, and stewardship. Additionally, in my role as HIV clinical pharmacist, I recommend treatment for patients diagnosed with HIV infection, counsel on the particulars of the medication, and motivate patients to take control of their health to live long, happy lives. I also serve on the Cleveland Clinic Vaccine Governance Committee, which formulates the Cleveland Clinic vaccine formulary and recommendations for outpatient clinics in the enterprise.

As president of the Ohio College of Clinical Pharmacy in 2015, I have presided over and planned state wide clinical pharmacist meetings, balanced the budget, and held elections. As a mother, I have gained empathy for families working through complex medical issues. These experiences, combined with my drive to make a difference, make me a strong candidate for the position.

Thank you for the opportunity to apply for the Brunswick representative to the Medina County Board of Health. If you have any additional questions regarding my qualifications, you can contact me at (216) 926-9175. I look forward to the chance to serve the City of Brunswick.

Thank you,

A handwritten signature in black ink that reads "Andrea Pallotta". The signature is fluid and cursive, with the first name "Andrea" being more prominent than the last name "Pallotta".

Andrea Pallotta

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Andrea Pallotta PHONE 216-926-9175

STREET 3529 Fireside Drive CELL 216-926-9175

Years of Residency 9

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Medina County Board of Health EMAIL APALLOTEGMAIL.COM

EDUCATION

DEGREE

YEAR GRADUATED

HIGH SCHOOL Revere High School 2003

COLLEGE University of Toledo PharmD 2009

SPECIAL TRAINING Completed Pharmacy Practice + Infectious Diseases Residency

CURRENT EMPLOYMENT

Company	Address	Title	Dates
<u>Cleveland Clinic</u>	<u>9500 Euclid Avenue, Cleveland</u>	<u>Pharmacist</u>	<u>2012-Present</u>

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
<u>VA Medical Center</u>	<u>10701 East Blvd, Cleveland</u>	<u>Pharmacist</u>	<u>2011-2012</u>

Company	Address	Title	Dates
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RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Past President of the Ohio College of Clinical Pharmacy, Hands On Northeast Ohio Volunteer Leader, member of the Society of Infectious Diseases Pharmacists.

REFERENCES (other than relation):

NAME	ADDRESS	PHONE
1. <u>Michelle Poole, PharmD</u>	<u>1000 E Washington, Medina OH</u>	<u>330-721-5152</u>
2. <u>Alex Taege, MD</u>	<u>9500 Euclid, Cleveland OH</u>	<u>216-636-1873</u>
3. <u>Elizabeth Neuner, PharmD</u>	<u>9500 Euclid, Cleveland OH</u>	<u>216-445-9927</u>

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

Please see attached document

ATTACH RESUME IF DESIRED.

Signature: Andrea Pallotta Date: 8/20/2017

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

Andrea M. Pallotta

3529 Fireside Drive
Brunswick, Ohio 44212
Cell: (216) 926-9175
Email: pallota@ccf.org

PROFESSIONAL PRACTICE EXPERIENCES

October 2012 – present	Cleveland Clinic, Cleveland, Ohio Clinical Pharmacy Specialist, HIV and Infectious Diseases
August 2016 – present	Cleveland Clinic Medina Hospital, Medina, Ohio Clinical Pharmacy Specialist, Antimicrobial Stewardship and Infectious Diseases
August 2011 – September 2012	Louis Stokes Cleveland VA Medical Center, Cleveland, Ohio Clinical Pharmacist, Adult Internal Medicine
July 2010 – June 2011	Cleveland Clinic, Cleveland, Ohio Adult Clinical Staff Pharmacist
July 2009 – June 2010	Louis Stokes Cleveland VA Medical Center, Cleveland, Ohio Adult Inpatient Staff Pharmacist
May 2004 – June 2009	Louis Stokes Cleveland VA Medical Center, Brecksville, Ohio Anticoagulation Clinic Pharmacy Intern
May 2005 – July 2008	Heartland Healthcare Services, Toledo, Ohio Pharmacy Intern

EDUCATION AND TRAINING

July 2010 – June 2011	ASHP-accredited PGY-2 Infectious Diseases Specialty Residency Cleveland Clinic, Cleveland, Ohio Director: Elizabeth Neuner, PharmD, BCPS, AQ-ID
July 2009 – June 2010	ASHP-accredited PGY-1 Pharmacy Residency Louis Stokes Cleveland VA Medical Center, Cleveland, Ohio Director: Alice Leone, RPh
May 2009	Doctor of Pharmacy University of Toledo, Toledo, Ohio
May 2007	Bachelor's of Science in Pharmaceutical Sciences Minor in Chemistry Summa cum laude University of Toledo, Toledo, Ohio

PROFESSIONAL LICENSURE AND CERTIFICATION

April 2015	Board Certified Pharmacotherapy Specialist with Added Qualifications in Infectious Diseases
November 2013	American Academy of HIV Medicine Pharmacist (AAHIVP)
December 2011	Board Certified Pharmacotherapy Specialist

American Heart Association Basic Life Support Training

Registered Pharmacist
Ohio State Board of Pharmacy

Assessment of safety and adherence to rifapentine and isoniazid directly observed therapy for treatment of latent tuberculosis infection
Presented at American Society of Health-System Pharmacists Midyear Meeting; December 2016

Drug Use Evaluation of Fidaxomicin in the Cleveland Clinic Health System
Presented at the Cleveland Clinic Antimicrobial Subcommittee of the Pharmacy and Therapeutics Committee; April 2014

Assessment of a Pilot Pharmacy Vancomycin Dosing Service
Project Advisors: Elizabeth Neuner, PharmD, BCPS, AQ-ID and Jennifer Sekeres, PharmD, BCPS, AQ-ID
Presented at the American College of Clinical Pharmacy Annual Meeting; October 2011

Oral Vancomycin Drug Use Evaluation
Project Advisor: Elizabeth Neuner, PharmD, BCPS, AQ-ID and Jennifer Sekeres, PharmD, BCPS
Presented at the Cleveland Clinic Antimicrobial Subcommittee of the Pharmacy and Therapeutics Committee; April 2011

Adult Pneumococcal Vaccination
ACPE accredited CE presentation
Academy of Continued Healthcare Learning
Chicago, IL

Updates in Adult Immunizations
Ohio Society of Health-System Pharmacists Annual Meeting
Presented to pharmacists and residents
Columbus, Ohio

On-Demand Pre-Exposure Prophylaxis
HIV Noon Conference
Presented to infectious diseases physicians, fellows, and pharmacists
Cleveland Clinic, Cleveland, Ohio

New Antiretrovirals and HIV Guideline Updates
HIV Noon Conference
Presented to infectious diseases physicians, fellows, and pharmacists

Cleveland Clinic, Cleveland, Ohio

January 2015

Updates in Antimicrobial Stewardship at Cleveland Clinic
ID Grand Rounds
Presented to Infectious Diseases physicians and fellows
Cleveland Clinic, Cleveland, Ohio

September 2014

HIV and Intestinal Transplant
ID Monthly, clinical pharmacist presentation
Presented to clinical pharmacists and pharmacy residents
Cleveland Clinic, Cleveland, Ohio

September 2014

Updates in Pneumococcal Vaccination Recommendations
Medicine Institute meeting
Presented to medicine staff
Cleveland Clinic, Cleveland, Ohio

April 2014

HIV Management and Antimicrobial Stewardship: How a pharmacist can promote patient safety and improve care
Ohio Society of Health System Pharmacists Annual Meeting
Presented to pharmacists and technicians
Columbus, Ohio

March 2014

Updates in HIV Medicine: Focus on Rilpivirine, Elvitegravir, and Dolutegravir
HIV Noon Conference
Presented to infectious diseases physicians, fellows, and pharmacists
Cleveland Clinic, Cleveland, Ohio

November 2013

HIV and Viral Hepatitis: A focus on hepatitis B
ID Monthly, clinical pharmacist presentation
Presented to clinical pharmacists and pharmacy residents
Cleveland Clinic, Cleveland, Ohio

September 2013

Drug Topics Magazine
Education videos for *Drug Topics Magazine* on YouTube.com
Topic included "Research agenda for HIV infection," "When to treat HIV infection," "HIV screening guidelines," "Treatment breakthroughs for HIV infection," "Collaborative teams for HIV management"
Target audience: pharmacists
Cleveland Clinic, Cleveland, Ohio

July-September
Yearly starting 2013
to present

HIV Medication Lectures
Infectious Diseases Fellows Practice Based Learning Lectures
Presented to infectious diseases fellows and staff physicians
Cleveland Clinic, Cleveland, Ohio

June 2013

HIV Medications and Drug-Drug Interactions
Inpatient pharmacist core competency lecture
Video recorded lecture for newly hired inpatient staff pharmacists
Cleveland Clinic, Cleveland, Ohio

April 2013

HIV Medications and Drug-Drug Interactions: A Primer
Practice Based Pharmacology Webcast Series
Online CME presentation for physician assistants
Cleveland Clinic, Cleveland, Ohio

PUBLICATIONS

Sacha G, Neuner E, Athans V, **Pallotta A**, Bass S, Bauer S, Brizendine K. Clinical Experience with ceftolozane/tazobactam at a large academic medical center.

Neuner EA, **Pallotta A**, Lam SW, Stowe D, Gordon SM, Procop GW, Richter SS. Experience with rapid microarray-based diagnostic technology and antimicrobial stewardship for patients with gram-positive bacteremia. *Infect Control Hosp Epidemiol*. 2016;37(11):1361-6.

Pallotta A, Rehm SJ. Navigating pneumococcal vaccination in adults. *Cleve Clin J Med* 2016;83(6):427-33.

Bombatch C, **Pallotta A**, Neuner EA, Taege AJ. Evaluation of Herpes Zoster Vaccination in HIV-Infected Patients 50 Years of Age and Older. *Ann Pharmacother*. 2016;50(4):326-7.

Koval CE, Khanna A, **Pallotta A**, Spinner M, Taege AJ, Eghtesad B, Fujiki M, Hashimoto K, Rodriguez B, Morse G, Bennett A, Abu-Elmagd K. *En Bloc* Multivisceral and Kidney Transplantation in an HIV Patient: First Case Report. *Am J Transplant* 2015;XX:1-6.

Sanders J, **Pallotta AM**, Sekeres J, Bauer S, Davis R, Taege A, Neuner E. Antiretroviral Medication Errors in Hospitalized Patients with Human Immunodeficiency Virus Infection. *Infect Control Hosp Epidemiol* 2014;35(3):272-277.

POSTERS

Pallotta A, Neuner E, Athans V, Chalmers J, Vogan E, Jiang X, Wesolowski J, Fraser T, Gordon S. Internally-Developed Antifungal Use Benchmarking at a Large Academic Medical Center and Integrated Health System. [Abstract 198176] Presented at the American Society of Health-Systems Pharmacists Midyear Meeting. Las Vegas, Nevada, December 2016.

Pallotta A, Miranda C, Teixeira L. Evaluation of directly observed therapy with three months of once-weekly isoniazid and rifapentine for latent tuberculosis infection at an outpatient infectious diseases clinic in an academic medical center. [Abstract 198133] Presented at the American Society of Health-Systems Pharmacists Midyear Meeting. Las Vegas, Nevada, December 2016.

Welch S, **Pallotta A**, Weber C, Siebenaller C, Cober ED, Neuner EA. Comparison of Serum Concentrations between Posaconazole Delayed-release Tablet and Oral Suspension at a Large Academic Medical Center [Abstract 808] Poster Presentation. Presented at the Infectious Diseases Society of America ID Week Meeting. San Diego, California, October 2015

Pallotta A, Clark J, Koren D, Neuner E, Rehm S. Development of Clinical Decision Support to Improve Outpatient Pneumococcal Immunization Rates in Immunocompromised Patients [Abstract 77287]. Poster Presentation Presented at the 18th Annual Conference on Vaccine Research. Bethesda, Maryland, April 2015.

Koren D, **Pallotta A**, Neuner E, Willner M, Clark J, Rehm S. Pneumococcal Vaccination Rates in an Urban Outpatient Clinic Before and After Implementation of a Clinical Reminder Initiative. Poster Presentation. Presented at the American Society of Health-System Pharmacists Midyear Meeting. Anaheim, California, December 2014.

Pallotta AM, Lipscomb S, Tungsiripat M. Establishing a Clinical Pharmacy Practice in an Integrated-Service HIV Outpatient Clinic. [Abstract 260]. Poster Presentation. Presented at the American College of Clinical Pharmacy Annual Meeting. Austin, Texas, October 2014.

Ghamrawi R, Bauer S, Sekeres J, Neuner E, **Pallotta A**, Shrestha N. Assessment of Aminoglycoside Dosing at a Large Academic Medical Center. [Abstract 752]. Poster Presentation. Presented at the Infectious Diseases Society of America ID Week Meeting. Philadelphia, Pennsylvania, October 2014.

Koval CE, Abu-Elmagd K, Khanna A, Spinner M, Fujiki M, Hashimoto K, Pallotta A, Rodriguez B, Morse G, Taege AJ. Successful Anti-Retroviral Therapy in an HIV-Infected Man with Short Gut Syndrome and First Multivisceral Transplant [Abstract B3015]. Poster Presentation. Presented at the World Transplant Congress. San Francisco, California, July 2014.

Sanders J, Pallotta AM, Sekeres J, Bauer S, Davis R, Taege A, Neuner E. Antiretroviral Medication Errors in Hospitalized Patients with HIV Infection. Presented at the Infectious Diseases Society of America IDWeek Meeting, San Francisco, California, 2013. Abstract: 176.

Pallotta AM, Neuner EA, Sekeres JK, Ketz JM, Shrestha NK. Assessment of a Pilot Pharmacy Vancomycin Dosing Service. Poster. Presented at American College of Clinical Pharmacy Annual Meeting, Pittsburgh, Pennsylvania, 2011.

TEACHING EXPERIENCES

November 2016	Kent State University College of Podiatric Medicine Guest Lecturer – Antifungals and Miscellaneous Antimicrobial Lectures Cleveland, Ohio
October 2012 – present	Infectious Diseases Fellow Practice-Based Learning Lecturer Department of Infectious Diseases Cleveland Clinic, Cleveland, Ohio
October 2012 – present	Pharmacy Preceptor PGY2 Infectious Diseases, Ambulatory Care, Pharmacotherapy; PGY1 Community Pharmacy, Pharmacy Practice; APPE and IPPE student rotation preceptor Department of Pharmacy Outpatient HIV Clinic Cleveland Clinic, Cleveland, Ohio Cleveland Clinic Medina Hospital, Medina, Ohio
November 2011 – September 2012	PGY1 Adult Internal Medicine Rotation Preceptor Louis Stokes Cleveland VA Medical Center, Cleveland, Ohio

COMMITTEE INVOLVEMENT

January 2015 – present	Infectious Diseases Department Granuloma Delta Group Pharmacy Representative
November 2014 – present	Cleveland Clinic Stewardship Taskforce
January 2013 – present	Antimicrobial Specialty Panel of Cleveland Clinic Health-System Pharmacy and Therapeutics Committee
January 2013 – present	Vaccine Specialty Panel of Cleveland Clinic Health-System Pharmacy and Therapeutics Committee
January 2013 – present	Cleveland Clinic Health System Antimicrobial Usage and Stewardship Committee
October 2012 – present	Infectious Diseases Department HIV Delta Group Pharmacy Representative

PROFESSIONAL MEMBERSHIPS

2010 – present	Ohio College of Clinical Pharmacy <i>Membership Committee Chair: 2016-2017</i> <i>President: 2015</i> <i>President-Elect: 2014</i> <i>Secretary/Treasurer; 2013 – 2014</i> <i>Meeting Planning Committee Co-Chair; 2010 – 2012</i>
2011 – present	American College of Clinical Pharmacy <i>HIV and Infectious Diseases PRN member</i> <i>HIV PRN Newsletter Committee member, 2015 – present</i> <i>Student CV reviewer. 2016 - present</i>
2011 – present	Society of Infectious Diseases Pharmacists <i>Nominations committee member; 2014</i>
2005 – present	Ohio Society of Health-System Pharmacists <i>Cleveland Chapter member; 2009 – 2015</i> <i>House of Delegates; 2007–2009</i> <i>University of Toledo Student Chapter President; 2007 – 2008</i> <i>Board of Directors; 2007 – 2008</i>
2008 – 2015	American Society of Health-System Pharmacists

HONORS AND AWARDS

June 2014	Cleveland Clinic Main Campus Preceptor of the Year
December 2013	Cleveland Clinic Main Campus Pharmacy Award Promoting the Profession
May 2011	Ohio College of Clinical Pharmacy "Best Poster" Award
November 2010	Ohio College of Clinical Pharmacy 1 st Place Award for Presentation Style
January 2010	Louis Stokes VA Medical Center Shining Star of Customer Service Award
October 2009	Ohio College of Clinical Pharmacy 2 nd Place Award for Presentation Style

SERVICE ACTIVITIES

August 2014	MedWish International Peru Brigade: Pharmacist
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SAFETY & ENVIRONMENT COMMITTEE MEETING

September 11, 2017

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Alex Johnson, Patricia Hanek, Mayor Ron Falconi, Finance Director Todd Fischer, Chief Brian Ohlin, Administrative Services Julie Murawski, Parks & Recreation Director John Piepsny, Law Director Kenneth Fisher, Community & Economic Development Director Grant Aungst, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:14 p.m.

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

Mr. Capretta arrived at 6:16 p.m.

REVIEW LEGISLATION:

RES. NO. 81-17 – An emergency resolution authorizing the City Manager to purchase three (3) marked police cruisers for the Division of Police from Statewide Ford in an amount not to exceed \$125,000.00

Chief Ohlin advised this legislation will start the purchasing process for 2018. The process takes around nine months. The funds are in the capital budget to replace three police cars.

Mr. Hanek advised this purchase was previously discussed in the Safety Committee.

Mr. Johnson moved this resolution to tonight's Council Agenda of September 11, 2017 as an emergency for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 6:17 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'M V M' with a long horizontal stroke extending to the right.

Nicholas Hanek
Chairman

SAFETY & ENVIRONMENT COMMITTEE MEETING

September 6, 2017

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Alex Johnson, Committee Member Anthony Capretta, Chief Brian Ohlin, Chief Jim Baird, Officer Mike Kellums, Residents.

The meeting convened at 6:32 p.m.

AN ORDINANCE ESTABLISHING SECTION 618.30 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES BY PROHIBITING THE FEEDING OF WILDLIFE AND STRAY ANIMALS:

Officer Kellums explained issues regarding wild animal complaints and the feeding of wild animals.

Mr. Hanek suggested changing the potential penalties in the offense to a minor misdemeanor for a first offense, a misdemeanor of the fourth degree for a second offense, and a misdemeanor of the second degree for a third offense.

There were suggestions for consideration of trap, neuter, and release programs for feral cats brought up, and Officer Kellums discussed working with some of those in the past.

Mr. Johnson asked questions regarding other feral cat programs.

Mr. Capretta moved to refer the legislation back to the law department with the suggested changes of penalties and considerations of feral cat programs. Vote – 3 Ayes, 0 Nays.

REQUEST FOR VEHICLE FUNDS FROM POLICE DEPARTMENT:

Chief Ohlin discussed the need to start the 2018 vehicle purchase program earlier in order to effectuate the purchases earlier.

Mr. Capretta moved for the law department to draft legislation for the next Council Agenda of September 11, 2017. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Chief Ohlin gave updates regarding the Police Department and upcoming tests for new officers lined up for the fall timeframe. He also gave an update on an additional K-9 unit and general police issues.

Chief Baird provided an update on the Fire Department regarding the facilities.

Mr. Capretta asked about the need to improve the concrete conditions at Fire Station #2.

Additionally, Chief Baird explained the new lock box program; the program is targeted for elderly residents to facilitate care in case of an emergency.

A resident asked the committee to consider changing some of the regulations regarding Section 666.14 of the Codified Ordinances.

ADJOURNMENT:

Being no further business, Mr. Johnson moved to adjourn. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Hanek', with a long horizontal flourish extending to the right.

Nicholas Hanek
Chairman

PLANNING AND ZONING COMMITTEE

September 11, 2017

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Nicholas Hanek, Committee Member Patricia Hanek, Alex Johnson, Michael Abella Jr., Joseph Salzgeber, Anthony Capretta, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Chief Brian Ohlin, Mayor Ron Falconi, Community & Economic Development Director Grant Aungst, Finance Director Todd Fischer, Parks & Recreation Director John Piepsny, Administrative Services Julie Murawski, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:17 p.m.

REVIEW LEGISLATION:

ORD. NO. 77-17 – An ordinance amending Section 1280.01(h) of the City of Brunswick Codified Ordinances by prohibiting medical marijuana cultivators and retail dispensaries in the City

ORD. NO. 78-17 - An ordinance establishing Section 1266.04(g) of the Codified Ordinances of the City of Brunswick by including medical marijuana processors as a conditionally permitted use in the I-L Light Industrial District

Mr. Fisher referred to Ohio Revised Code Section 3796.29 authorizing the legislative authority of a municipal corporation to adopt an ordinance prohibiting or limiting the number of medical marijuana cultivators, processors, or retail dispensaries within the municipal corporation. Ordinance No. 77-17 amends existing Section 1280.01 (h) of the Brunswick Codified Ordinances by prohibiting medical marijuana cultivators and retail dispensaries in the City.

Ordinance No. 78-17 establishes new section 1266.04 (g) of the Brunswick Codified Ordinances by including medical marijuana processors as a conditional use in the I-L Light Industrial District.

In essence Mr. Fisher noted Ordinance No. 77-17 completely prohibits cultivators and retail dispensaries within the City, and Ordinance No. 78-17 creates medical marijuana processors as a conditional use but only in the I-L Light Industrial District.

Mr. Salzgeber brought up a question with regard to dispensaries; if it is being prescribed for medicinal purposes why is it not prescribed through a pharmacy.

Mr. Fisher noted that was a question for the state legislature.

Mr. Hanek asked if at some point it were permissible for pharmacies this legislation would not prohibit that. He noted a pharmacy would not be a marijuana dispensary it was a pharmacy.

Mr. Fisher thought the purpose is to limit the number of locations; and there are a number of pharmacies especially in the commercial districts. He mentioned there were a number of processors that have applied and contracts should be awarded before the end of the year and the City should know if they will have an application in the I-L Light Industrial District.

Mrs. Hanek moved Ordinance No. 77-17 and Ordinance No. 78-17 to tonight's Council Agenda of September 11, 2017 for three readings. Vote – 3 Ayes, 0 Nays.

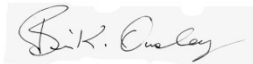
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:22 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

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

Brian Ousley
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

September 11, 2017

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Anthony Capretta, Committee Member Joseph Salzgeber, Nicholas Hanek, Alex Johnson, Patricia Hanek, Brian Ousley, City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Chief Brian Ohlin, Finance Director Todd Fischer, Mayor Ron Falconi, Community & Economic Development Director Grant Aungst, Administrative Services Julie Murawski, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:28 p.m.

REVIEW LEGISLATION:

RES. NO. 80-17 – A resolution authorizing the City Manager to enter into an agreement with Interfinish, LLC for the design and installation of a new track at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,395.00

Mr. Piepsny advised this resolution will allow for a new track to be installed at the Brunswick Recreation Center. As discussed at the last committee meeting, the building is more than 25 years old and the track is becoming somewhat of a safety issue.

Mr. Salzgeber moved this resolution to tonight's Council Agenda of September 11, 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 6:30 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Michael Abella Jr.
Chairman

BUILDING AND BUILDING CODE COMMITTEE

September 11, 2017

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Brian Ousley, Patricia Hanek, Alex Johnson, Joseph Salzgeber, Nicholas Hanek, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Chief Brian Ohlin, Finance Director Todd Fischer, Community & Economic Development Director Grant Aungst, Parks & Recreation Director John Piepsny, Administrative Services Julie Murawski, Mayor Ron Falconi, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:22 p.m.

UPDATE ON BUILDING & BUILDING CODE MATTERS:

Mr. Aungst advised the Administration met with a community member on Elder Circle to resolve a building problem.

North Park Plaza was opening as the stores open, Tuesday September 19, will be the sign reveal. Gales Garden Center is now Petitti's; he also clarified Sheetz will still be building in that location.

Continuing, Mr. Aungst advised there were approximately 111 grass cuttings this year; and the Administration continues with that enforcement. Also, to date there have been 66 new homes built, and the massage parlor legislation continues to move forward.

With the opening of Petitti's, Mr. Ousley asked if there was going to be room for more development to happen there.

In response Mr. Aungst noted the developer has always contended that they did not have anybody 100% to move into the space where Gales Garden Center resided, so that building would have sat empty. Petitti's was able to move in retain all the employees that wanted to be retained and they have invested financially into the building. Mr. Aungst commented that having a Petitti's in that location is outstanding for the City and they will continue to enhance and beautify that entrance into the City.

Mr. Ousley asked if there were more parcels for development, and Mr. Aungst indicated there were just the two parcels both owned by the same party; Sheetz will be in the front and Petitti's in the back.

Mr. Capretta asked about the ribbon cutting for North Park Plaza, and it was noted to be 11:00 a.m.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:27 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script that reads "Anthony P. Capretta".

Anthony Capretta
Chairman

COMMITTEE OF THE WHOLE MEETING

September 5, 2017

IN ATTENDANCE: Vice Mayor Patricia Hanek, Joseph Salzgeber, Alex Johnson, Anthony Capretta, Michael Abella Jr., Nicholas Hanek, Brian Ousley, Mayor Ron Falconi, Administrative Services Julie Murawski.

The meeting convened at 6:04 p.m.

EXECUTIVE SESSION:

Mr. Capretta moved to go into Executive Session to consider the appointment, employment of a public employee, seconded by Mr. Salzgeber. 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. Ousley. 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. Capretta moved to adjourn the Committee of the Whole meeting at 8:17 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Assistant Clerk of Council

COMMITTEE OF THE WHOLE MEETING

September 11, 2017

IN ATTENDANCE Vice Mayor Patricia Hanek, Alex Johnson, Nicholas Hanek, Joseph Salzgeber, Brian Ousley, Anthony Capretta, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Mayor Ron Falconi, Law Director Kenneth Fisher, Community & Economic Development Director Grant Aungst, Parks & Recreation Director John Piepsny, Administrative Services Julie Murawski, Engineer Matt Jones, Finance Director Todd Fischer, Chief Brian Ohlin, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 6:30 p.m.

MOTION ITEMS:

A motion to go out to bid for janitorial services for the Brunswick Community Recreation and Fitness Center and the Police Department/City Hall

Mrs. Murawski advised the City has two separate contracts; they are both with Triangle Services and expire February 28, 2018. The Administration requests a motion to go out to bid for two new contracts.

Mr. Capretta asked if there are any complaints with the current contract.

Mrs. Murawski advised there are no concerns with the City Hall or Police Department; however the recreation center has had challenges with the current company. Although, Mrs. Murawski noted no matter whom the cleaning company has been at the recreation center there have been issues. She noted when issues are brought up to the company they are corrected.

Mrs. Murawski noted the two contracts do not have to be with the same vendor.

Mr. Abella moved to go out to bid for janitorial services for the Brunswick Community Recreation & Fitness Center and the Police Department/City Hall. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

ORD. NO. 79-17 – An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances; and to repeal ordinances in conflict therewith

Mrs. Ortiz advised this was the annual codification done by Walter H. Drane, all the supplements have been received and once this legislation is adopted the supplements will be distributed.

Mr. Salzgeber moved this ordinance to tonight's Council Agenda of September 11, 2017 as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mrs. Hanek announced the Financial Audit Review Committee will be meeting on Thursday, and will be discussing the Fund Balance Reserve Policy.

EXECUTIVE SESSION:

Mr. Capretta moved to go into Executive Session to discuss the employment, appointment and compensation of public employees, 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. Salzgeber moved to adjourn out of Executive Session, seconded by Mr. Hanek. 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 7:27 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 68-17** - A resolution authorizing the City Manager to purchase a new Ford F550 4WD Truck Dump Cab and Chassis and for the Department of Parks and Recreation from Liberty Ford in an amount not to exceed \$36,198.62 **3rd Reading** (Parks, Recreation & Community Committee, Administration/John Piepsny)

BACKGROUND: The Parks Department would like to replace their 1991 Chevy Dump that has outlived its useful life and is now posing a safety issue. The truck overheats, the suspension is terrible, the windshield is cracked, the bed is rusted out, and finally the truck shakes violently when it is driven close to 30mph. For these reasons, we have taken this truck out of our fleet and will not use. As was discussed and Parks and Rec mtg. the new truck would be used to replace the old truck and to allow for a continued smooth operation of the parks dept. responsibilities.

The pricing of this truck is lower than the \$36,300.00 pricing quote that was received from the National Auto Fleet Group under the National Joint Powers Alliance Bid Number 120716.

PURPOSE AND EXPLANATION: Three readings would be asked for the purchase of this truck.

IMPLEMENTATION SCHEDULE: Once all approvals have taken place, the department would place the order.

FINANCIAL INFORMATION: - - - 960-0810-56252 - - 36198.62

FINANCIAL SUMMARY: The order for the truck would not exceed \$36,198.62.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
It would be recommended that the resolution be adopted.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A NEW FORD F550 4WD TRUCK DUMP CAB AND CHASSIS FOR THE DEPARTMENT OF PARKS AND RECREATION FROM LIBERTY FORD IN AN AMOUNT NOT TO EXCEED \$36,198.62.

WHEREAS: The City of Brunswick is a member of the National Joint Powers Alliance joint purchasing program;

WHEREAS: Ohio Revised Code Section 9.48 permits the City to purchase supplies or services from another party without competitive bidding and outside the joint purchasing program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the joint purchasing program; and

WHEREAS: The proposed purchase of a new Ford F550 4WD truck dump cab and chassis for the Department of Parks and Recreation from Liberty Ford in the amount of \$36,198.62, is upon equivalent terms, conditions and specifications and at a lower price than through the National Joint Powers Alliance joint purchasing program.

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

SECTION 1: That the City Manager is hereby authorized to purchase a new Ford F550 4WD truck dump cab and chassis for the Department of Parks and Recreation from Liberty Ford in an amount not to exceed \$36,198.62.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 68-17

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A
NEW FORD F550 4WD TRUCK DUMP CAB AND CHASSIS FOR THE
DEPARTMENT OF PARKS AND RECREATION FROM LIBERTY FORD IN
AN AMOUNT NOT TO EXCEED \$36,198.62.

WHEREAS: The City of Brunswick is a member of the National Joint Powers Alliance joint purchasing program;

WHEREAS: Ohio Revised Code Section 9.48 permits the City to purchase supplies or services from another party without competitive bidding and outside the joint purchasing program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the joint purchasing program; and

WHEREAS: The proposed purchase of a new Ford F550 4WD truck dump cab and chassis for the Department of Parks and Recreation from Liberty Ford in the amount of \$36,198.62, is upon equivalent terms, conditions and specifications and at a lower price than through the National Joint Powers Alliance joint purchasing program.

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

SECTION 1: That the City Manager is hereby authorized to purchase a new Ford F550 4WD truck dump cab and chassis for the Department of Parks and Recreation from Liberty Ford in an amount not to exceed \$36,198.62.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
John Piepsny

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 69-17** - A resolution authorizing the City Manager to purchase a new Ford F550 4WD Truck Dump Body from Henderson Products for the Department of Parks & Recreation in an amount not to exceed \$24,320.00 - **3rd Reading** (Parks, Recreation & Community Committee, Administration/John Piepsny)

BACKGROUND: The Department is looking to purchase a Henderson Mark 3 Dump Body and Central Hydraulic System to along with the purchase of a F550 from Liberty Ford. The current truck used by the parks department has outlived it useful life.

PURPOSE AND EXPLANATION: The resolution asks for the three readings and 30 days.

IMPLEMENTATION SCHEDULE: Once all approval have been fully executed, the purchase will be ordered.

FINANCIAL INFORMATION: - - - 960-0810-56252 - - 24320

FINANCIAL SUMMARY: Purchase not to exceed \$24,320.00.

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?
The recommendation would be to adopt the resolution.

ADDITIONAL

INFORMATION:

The price information is from the National Joint Powers Alliance BID 120716.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A NEW FORD F550 4WD TRUCK DUMP BODY FROM HENDERSON PRODUCTS FOR THE DEPARTMENT OF PARKS AND RECREATION IN AN AMOUNT NOT TO EXCEED \$24,320.00.

WHEREAS: The City of Brunswick is a member of the National Joint Powers Alliance buying consortium; and

WHEREAS: The proposed purchase of a new Ford F550 4WD truck dump body for the Department of Parks and Recreation is through the National Joint Powers Alliance pricing program.

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

SECTION 1: That the City Manager is hereby authorized to purchase a new Ford F550 4WD truck dump body for the Department of Parks and Recreation from Henderson Products through the National Joint Powers Alliance in an amount not to exceed \$24,320.00.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 69-17

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A NEW FORD F550 4WD TRUCK DUMP BODY FROM HENDERSON PRODUCTS FOR THE DEPARTMENT OF PARKS AND RECREATION IN AN AMOUNT NOT TO EXCEED \$24,320.00.

WHEREAS: The City of Brunswick is a member of the National Joint Powers Alliance buying consortium; and

WHEREAS: The proposed purchase of a new Ford F550 4WD truck dump body for the Department of Parks and Recreation is through the National Joint Powers Alliance pricing program.

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

SECTION 1: That the City Manager is hereby authorized to purchase a new Ford F550 4WD truck dump body for the Department of Parks and Recreation from Henderson Products through the National Joint Powers Alliance in an amount not to exceed \$24,320.00.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 70-17** - An ordinance establishing Chapter 864 of the City of Brunswick Codified Ordinances to regulate massage establishments - **3rd Reading** (Committee-of-the-Whole, Amended, *Administration/Chief Ohlin*)

BACKGROUND: An ordinance establishing chapter 864 of the City of Brunswick codified ordinances to regulate massage establishments

PURPOSE AND EXPLANATION: Define Massage Establishments, describe license(s) required, define exemptions, registration of employees, revocation of suspensions of business license, facilities required, operating requirements, establish alcoholic beverages prohibited, define employment of certain unlicensed massagists, inspection required, define sex offenses, violations and penalties.

IMPLEMENTATION SCHEDULE: Effective 30 days after adoption.

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?

ADDITIONAL INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE ESTABLISHING CHAPTER 864 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES TO REGULATE MASSAGE
ESTABLISHMENTS.

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

SECTION 1: That Chapter 864 of the Codified Ordinances, titled “Massage Establishments”, is hereby established to read as follows:

864.01 DEFINITIONS.

As used in this chapter:

- (a) “Employee” means any person over eighteen years of age, other than a massagist, who renders any service in connection with the operation of a massage business and receives compensation from the operator of the business or patrons.
- (b) “Licensee” means the person to whom a license has been issued by the City who owns or operates a massage establishment, as defined herein.
- (c) “Massage” means any method of pressure or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electronic apparatus or appliances, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointment or other such similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or any gratuity therefor.
- (d) “Massage establishment” means any establishment having a source of income or compensation derived from the practice of massage, as defined in Subsection (c) above, and which has a fixed place of business where any person engages in or carries on any of the activities as defined in Subsection (c) above.
- (e) “Massagist,” “masseur” or “masseuse” means any person who, for any consideration whatsoever, engages in the practice of massage, as defined in Subsection (c) above, which may include, without limitation:
 - (1) A Licensed Massage Therapist (LMT) who has at least 600 hours of classroom training in basic anatomy and physiology, advanced pathophysiology, massage theory and hands-on practice in a clinical

setting, and is licensed by the State Medical Board of Ohio.

(2) A Massage Technician (MT) or Ethical Massage (EMT) practitioner who is not licensed by the State, and cannot perform therapeutic massage as defined by the State Medical Board of Ohio.

- (f) “Outcall massage service” means any business, the function of which is to engage in or carry on massages at a location designated by the customer or client rather than at a massage establishment, as defined in Subsection(d) above.
- (g) “Patron” means any person eighteen years of age or older or a minor with written parental or legal guardian consent, who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.
- (h) “Person” means any individual, partnership, firm, association, joint stock company, corporation or combination of individuals in whatever form or character.
- (i) “Sexual or genital area” means the genitals, pubic hair, buttocks, anus or perineum of any person, including the vulva or breasts of a female.

864.02 LICENSES REQUIRED.

- (a) Business License. No person shall engage in or carry on the business of massage unless such person has a valid massage license issued by the City pursuant to this Chapter for each and every establishment, office or place of business conducted by such person in the City.
- (b) Licensed Massage Therapist. No person shall practice massage as a Licensed Massage Therapist unless such person has a valid and subsisting license issued by the State pursuant to the provisions of the Ohio Revised Code governing the limited practice of medicine.
- (c) Certificate of Occupancy. No person shall engage in or carry on the business of massage unless such person has a valid Certificate of Occupancy issued by the City pursuant to these Codified Ordinances.
- (d) Conditional Use Permit. No person shall engage in or carry on the business of massage unless such person has a valid Conditional Use Permit issued by the Planning Commission pursuant to these Codified Ordinances. Massage establishments are conditionally permitted uses in the Main Street District of the Brunswick Town Center Special Planning District No. 2, the C-G General Commercial District and the C-O Office Commercial District.

864.03 EXEMPTIONS.

This Chapter shall not apply to the following individuals while engaged in the personal performance of the duties of their respective professions:

- (a) Physicians, surgeons, chiropractors, osteopaths or physical therapists who are duly licensed to practice their respective profession in the State;
- (b) Nurses who are registered under the laws of the State; and

- (c) Barbers and beauticians who are duly licensed under the laws of the State, except that this exemption shall solely apply to the massaging of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes.

864.04 BUSINESS LICENSE APPLICATION; FEE; INVESTIGATION.

Every applicant for a license to maintain, operate or conduct a massage establishment shall file an application under oath with the City, upon a form provided by the Chief Building Official, and pay a non-refundable annual license fee of One Hundred Dollars (\$100.00) per year or any part thereof. Once accepted, the application shall be investigated by the Police Department, which investigation shall include criminal record checks of the applicant, any person with an interest in the massage establishment and any person employed or to be employed as massagists. Copies of the application shall, within five days of receipt, be referred to the Division of Building and Division of Fire and Rescue, who shall, within thirty days, make written verification to the Chief Building Official concerning compliance of the massage establishment with applicable law.

864.05 BUSINESS LICENSE ISSUANCE.

The City shall issue a license for a massage establishment if all requirements for a massage establishment described in the Chapter have been met.

864.06 APPROVAL OR DENIAL OF BUSINESS LICENSE APPLICATION.

The City shall act to approve or deny an application for a license under this Chapter within a reasonable period of time and in no event shall the City act to approve or deny such license later than ninety days from the date the fully completed application was filed with the City. Every license issued pursuant to this Chapter shall terminate at the expiration of one year from the date of issuance unless sooner suspended or revoked.

864.07 MULTIPLE MASSAGE ESTABLISHMENTS.

Should any massage establishment have more than one location in the City where the business of massage is provided, then the issued license shall state the address of the principal place of business and each other location, which license shall issue upon compliance with the requirements of this Chapter, including payment of the One Hundred Dollar (\$100.00) annual fee. Licenses for all other locations shall terminate on the same date as that of the principal place of business, regardless of the date of issuance.

864.08 DISPLAY OF LICENSES.

- (a) Every massagist shall post any license issued by the State in his or her work area along with a front-faced portrait with a minimum size of two inches by two inches.
- (b) Every person to whom a license to engage in the business of massage is

issued under this Chapter shall display such license in a prominent place in or on the licensee's premises.

864.09 REGISTER OF EMPLOYEES.

Every massage establishment shall maintain a register of all persons employed at any time as massagists, masseurs or masseuses and their license numbers and/or certifications, if any. Such register shall be available at the massage establishment to representatives of the City during regular business hours and shall be maintained for a period not less than five years.

864.10 REVOCATION OF SUSPENSION OF BUSINESS LICENSE.

Any license issued for a massage establishment may be revoked or suspended by the City Manager, after notice and hearing, for good cause or in any case where any provision of this Chapter is violated or where any employee of the licensee, including a masseur or masseuse, is engaged in any conduct at the licensed premises which violates any applicable law and licensee has or should have, upon the exercise of reasonable care, knowledge thereof. Such license may also be revoked or suspended by the City Manager, after notice and hearing, upon the recommendations of the Chief Building Official, Police Chief or Fire Chief. Such revocation/suspension proceedings shall occur before the City Manager.

864.11 FACILITIES REQUIRED.

No massage establishment shall conduct business in the City unless an inspection by the City reveals that the massage establishment complies with each of the following minimum requirements:

- (a) Rooms used for toilets, tubs, steam baths and showers shall be made waterproof with waterproofed materials and shall be installed in accordance with all applicable Codes. Plumbing fixtures shall be installed in accordance with all applicable Codes.
- (b) The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after each use.
- (c) Closed cabinets shall be provided and used for the storage of clean linen, towels and other materials used in connection with administering massages. All soiled linens, towels and other materials shall be kept in properly covered containers or cabinets, which containers or cabinets shall be kept separate from the clean storage areas.
- (d) Toilet facilities shall be provided and maintained in compliance with all applicable Codes.
- (e) Lavatories or washbasins shall be provided with soap and a dispenser with sanitary towels.
- (f) All electrical equipment shall be installed in compliance with all applicable Codes.

864.12 OPERATING REQUIREMENTS.

- (a) Every portion of a massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.
- (b) Price rates for all services shall be prominently posted in the reception area in a location observable to all prospective customers.
- (c) All employees, including masseurs and masseuses, shall be clean and wear clean, non-transient outer garments covering the sexual and genital areas, the use of which garments is restricted to the massage establishment. A separate dressing room for each sex must be available on the license premises with individual lockers for each employee. Doors to such dressing rooms shall open inward and be self-closing.
- (d) All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in a sanitary manner.
- (e) No massage establishment licensee under this Chapter shall place, publish or distribute, or cause to be placed, published or distributed, any advertisement, picture or statement which he knows, or through the exercise of reasonable care should have known, to be false, deceptive or misleading in order to induce any person to purchase or utilize any massage service.

864.13 MINORS PROHIBITED ON PREMISES.

No person shall permit any person under the age of eighteen years to come or remain on the premises of any massage establishment as a massagist, masseur, masseuse or employee. No person shall permit any person under the age of eighteen years to remain on the premises of any massage establishment as a patron without the express written consent of the parent or legal guardian of the minor child.

864.14 ALCOHOLIC BEVERAGES PROHIBITED.

No person shall sell, give away, dispense, provide or keep, or caused to be sold, given away, dispensed, provided or kept, any alcoholic beverages on the premises of any massage establishment.

864.15 HOURS.

No massage establishment shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m. of the following day.

864.16 EMPLOYMENT OF CERTAIN UNLICENSED MASSAGISTS.

No person shall employ as a massagist any person who is required to have a license issued

pursuant to the requirements of the Ohio Revised Code and/or the State Medical Board of Ohio governing the limited practice of medicine, unless such person has first obtained and has in effect such license.

864.17 INSPECTION REQUIRED.

The Chief Building Official, or his or her designee, shall from time to time and during regular business hours make inspection of each massage establishment for the purpose of determining that such massage establishment is in full compliance with the provisions of this Chapter. No licensee shall fail to allow such inspection to occur, refuse access to the premises or otherwise hinder the inspection in any manner.

864.18 SEX OFFENSES; OUTCALL MESSAGE; DOORS AND CURTAINS.

- (a) No person in a massage establishment shall place his or her hand or hands upon, touch with any part of his or her body, fondle in any manner, or massage, a sexual or genital area of any other person.
- (b) No person in a massage establishment shall expose his or her sexual or genital area, or any portion thereof, to any other person. No person in a massage establishment shall expose the sexual or genital area, or any portion thereof, of any other person.
- (c) No person, while in the presence of any other person in a massage establishment, shall fail to conceal with a fully opaque covering the sexual or genital area of his or her body.
- (d) No person owning, operating or managing a massage establishment shall knowingly cause, allow or permit in or about such massage establishment, any agent, employee or other person under his or her control or supervision to perform acts prohibited by this Chapter or applicable law.
- (e) No licensee under this Chapter shall administer massage on an outcall basis as defined in this Chapter. Such licensee shall administer massage solely within an establishment licensed to carry on such business under this Chapter. The restriction on outcall massage shall not apply to a licensee who performs outcall massage upon a customer or client who, because of physical defects or incapacities or due to illness, is physically unable to travel to the massage establishment, including, but not limited to, residents of nursing homes, assisted living facilities and/or where specifically prescribed in writing by a licensed physician. If any outcall massage is performed under this exception, a record of the date and hour of each treatment and the name and address of the customer or client, as well as the nature of the physical defect, incapacity, exception or illness shall be kept by the licensee of the massage establishment. Such records shall be open for inspection by the City, which shall remain confidential and not subject to disclosure pursuant to applicable public record laws.
- (f) Nothing contained in this Chapter shall be construed to eliminate other

requirements of applicable law concerning maintenance of the premises or otherwise preclude authorized inspection thereof.

864.19 NAME AND PLACE OF BUSINESS.

No licensee under this Chapter shall operate a massage establishment under a name not specified in its license or otherwise conduct business under any designation or location not specified in the license.

864.20 LICENSE TRANSFER.

No license issued under this Chapter shall be transferrable except upon the consent of the City Manager. An application for such transfer shall be in writing and shall be accompanied by the fee prescribed herein.

864.21 VIOLATIONS.

No person who is not specifically exempted by this Chapter shall, whether acting as an individual owner, employee of the owner, operator or employee of the operator, agent or independent contractor of the owner, employee or operator, or as a participant or worker, give massages or operate a massage establishment or any of the services defined in this Chapter without first obtaining a license from the City for the massage establishment, including any other licenses required by applicable law, or otherwise violate or fail to comply with any of the provisions of this Chapter.

864.22 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Barbara J. Ortiz

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 70-17

BY: Committee-of-the-Whole

AN ORDINANCE ESTABLISHING CHAPTER 864 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES TO REGULATE MASSAGE ESTABLISHMENTS.

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

SECTION 1: That Chapter 864 of the Codified Ordinances, titled “Massage Establishments”, is hereby established to read as follows:

864.01 DEFINITIONS.

As used in this chapter:

- (a) “Employee” means any person over eighteen years of age, other than a massagist, who renders any service in connection with the operation of a massage business and receives compensation from the operator of the business or patrons.
- (b) “Licensee” means the person to whom a license has been issued by the City who owns or operates a massage establishment, as defined herein.
- (c) “Massage” means any method of pressure or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electronic apparatus or appliances, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointment or other such similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or any gratuity therefor.
- (d) “Massage establishment” means any establishment having a source of income or compensation derived from the practice of massage, as defined in Subsection (c) above, and which has a fixed place of business where any person engages in or carries on any of the activities as defined in Subsection (c) above.
- (e) “Massagist,” “masseur” or “masseuse” means any person who, for any consideration whatsoever, engages in the practice of massage, as defined in Subsection (c) above, which may include, without limitation:
 - (1) A Licensed Massage Therapist (LMT) who has at least 600 hours of classroom training in basic anatomy and physiology, advanced pathophysiology, massage theory and hands-on practice in a clinical

setting, and is licensed by the State Medical Board of Ohio.

(2) A Massage Technician (MT) or Ethical Massage (EMT) practitioner who is not licensed by the State, and cannot perform therapeutic massage as defined by the State Medical Board of Ohio.

- (f) “Outcall massage service” means any business, the function of which is to engage in or carry on massages at a location designated by the customer or client rather than at a massage establishment, as defined in Subsection(d) above.
- (g) “Patron” means any person eighteen years of age or older or a minor with written parental or legal guardian consent, who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.
- (h) “Person” means any individual, partnership, firm, association, joint stock company, corporation or combination of individuals in whatever form or character.
- (i) “Sexual or genital area” means the genitals, pubic hair, buttocks, anus or perineum of any person, including the vulva or breasts of a female.

864.02 LICENSES REQUIRED.

- (a) Business License. No person shall engage in or carry on the business of massage unless such person has a valid massage license issued by the City pursuant to this Chapter for each and every establishment, office or place of business conducted by such person in the City.
- (b) Licensed Massage Therapist. No person shall practice massage as a Licensed Massage Therapist unless such person has a valid and subsisting license issued by the State pursuant to the provisions of the Ohio Revised Code governing the limited practice of medicine.
- (c) Certificate of Occupancy. No person shall engage in or carry on the business of massage unless such person has a valid Certificate of Occupancy issued by the City pursuant to these Codified Ordinances.
- (d) Conditional Use Permit. No person shall engage in or carry on the business of massage unless such person has a valid Conditional Use Permit issued by the Planning Commission pursuant to these Codified Ordinances. Massage establishments are conditionally permitted uses in the Main Street District of the Brunswick Town Center Special Planning District No. 2, the C-G General Commercial District and the C-O Office Commercial District.

864.03 EXEMPTIONS.

This Chapter shall not apply to the following individuals while engaged in the personal performance of the duties of their respective professions:

- (a) Physicians, surgeons, chiropractors, osteopaths or physical therapists who are duly licensed to practice their respective profession in the State;
- (b) Nurses who are registered under the laws of the State; and

- (c) Barbers and beauticians who are duly licensed under the laws of the State, except that this exemption shall solely apply to the massaging of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes.

864.04 BUSINESS LICENSE APPLICATION; FEE; INVESTIGATION.

Every applicant for a license to maintain, operate or conduct a massage establishment shall file an application under oath with the City, upon a form provided by the Chief Building Official, and pay a non-refundable annual license fee of One Hundred Dollars (\$100.00) per year or any part thereof. Once accepted, the application shall be investigated by the Police Department, which investigation shall include criminal record checks of the applicant, any person with an interest in the massage establishment and any person employed or to be employed as massagists. Copies of the application shall, within five days of receipt, be referred to the Division of Building and Division of Fire and Rescue, who shall, within thirty days, make written verification to the Chief Building Official concerning compliance of the massage establishment with applicable law.

864.05 BUSINESS LICENSE ISSUANCE.

The City shall issue a license for a massage establishment if all requirements for a massage establishment described in the Chapter have been met.

864.06 APPROVAL OR DENIAL OF BUSINESS LICENSE APPLICATION.

The City shall act to approve or deny an application for a license under this Chapter within a reasonable period of time and in no event shall the City act to approve or deny such license later than ninety days from the date the fully completed application was filed with the City. Every license issued pursuant to this Chapter shall terminate at the expiration of one year from the date of issuance unless sooner suspended or revoked.

864.07 MULTIPLE MASSAGE ESTABLISHMENTS.

Should any massage establishment have more than one location in the City where the business of massage is provided, then the issued license shall state the address of the principal place of business and each other location, which license shall issue upon compliance with the requirements of this Chapter, including payment of the One Hundred Dollar (\$100.00) annual fee. Licenses for all other locations shall terminate on the same date as that of the principal place of business, regardless of the date of issuance.

864.08 DISPLAY OF LICENSES.

- (a) Every massagist shall post any license issued by the State in his or her work area along with a front-faced portrait with a minimum size of two inches by two inches.
- (b) Every person to whom a license to engage in the business of massage is

issued under this Chapter shall display such license in a prominent place in or on the licensee's premises.

864.09 REGISTER OF EMPLOYEES.

Every massage establishment shall maintain a register of all persons employed at any time as massagists, masseurs or masseuses and their license numbers and/or certifications, if any. Such register shall be available at the massage establishment to representatives of the City during regular business hours and shall be maintained for a period not less than five years.

864.10 REVOCATION OF SUSPENSION OF BUSINESS LICENSE.

Any license issued for a massage establishment may be revoked or suspended by the City Manager, after notice and hearing, for good cause or in any case where any provision of this Chapter is violated or where any employee of the licensee, including a masseur or masseuse, is engaged in any conduct at the licensed premises which violates any applicable law and licensee has or should have, upon the exercise of reasonable care, knowledge thereof. Such license may also be revoked or suspended by the City Manager, after notice and hearing, upon the recommendations of the Chief Building Official, Police Chief or Fire Chief. Such revocation/suspension proceedings shall occur before the City Manager.

864.11 FACILITIES REQUIRED.

No massage establishment shall conduct business in the City unless an inspection by the City reveals that the massage establishment complies with each of the following minimum requirements:

- (a) Rooms used for toilets, tubs, steam baths and showers shall be made waterproof with waterproofed materials and shall be installed in accordance with all applicable Codes. Plumbing fixtures shall be installed in accordance with all applicable Codes.
- (b) The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after each use.
- (c) Closed cabinets shall be provided and used for the storage of clean linen, towels and other materials used in connection with administering massages. All soiled linens, towels and other materials shall be kept in properly covered containers or cabinets, which containers or cabinets shall be kept separate from the clean storage areas.
- (d) Toilet facilities shall be provided and maintained in compliance with all applicable Codes.
- (e) Lavatories or washbasins shall be provided with soap and a dispenser with sanitary towels.
- (f) All electrical equipment shall be installed in compliance with all applicable Codes.

864.12 OPERATING REQUIREMENTS.

- (a) Every portion of a massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.
- (b) Price rates for all services shall be prominently posted in the reception area in a location observable to all prospective customers.
- (c) All employees, including masseurs and masseuses, shall be clean and wear clean, non-transient outer garments covering the sexual and genital areas, the use of which garments is restricted to the massage establishment. A separate dressing room for each sex must be available on the license premises with individual lockers for each employee. Doors to such dressing rooms shall open inward and be self-closing.
- (d) All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in a sanitary manner.
- (e) No massage establishment licensee under this Chapter shall place, publish or distribute, or cause to be placed, published or distributed, any advertisement, picture or statement which he knows, or through the exercise of reasonable care should have known, to be false, deceptive or misleading in order to induce any person to purchase or utilize any massage service.

864.13 MINORS PROHIBITED ON PREMISES.

No person shall permit any person under the age of eighteen years to come or remain on the premises of any massage establishment as a massagist, masseur, masseuse or employee. No person shall permit any person under the age of eighteen years to remain on the premises of any massage establishment as a patron without the express written consent of the parent or legal guardian of the minor child.

864.14 ALCOHOLIC BEVERAGES PROHIBITED.

No person shall sell, give away, dispense, provide or keep, or caused to be sold, given away, dispensed, provided or kept, any alcoholic beverages on the premises of any massage establishment.

864.15 HOURS.

No massage establishment shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m. of the following day.

864.16 EMPLOYMENT OF CERTAIN UNLICENSED MASSAGISTS.

No person shall employ as a massagist any person who is required to have a license issued

pursuant to the requirements of the Ohio Revised Code and/or the State Medical Board of Ohio governing the limited practice of medicine, unless such person has first obtained and has in effect such license.

864.17 INSPECTION REQUIRED.

The Chief Building Official, or his or her designee, shall from time to time and during regular business hours make inspection of each massage establishment for the purpose of determining that such massage establishment is in full compliance with the provisions of this Chapter. No licensee shall fail to allow such inspection to occur, refuse access to the premises or otherwise hinder the inspection in any manner.

864.18 SEX OFFENSES; OUTCALL MESSAGE; DOORS AND CURTAINS.

- (a) No person in a massage establishment shall place his or her hand or hands upon, touch with any part of his or her body, fondle in any manner, or massage, a sexual or genital area of any other person.
- (b) No person in a massage establishment shall expose his or her sexual or genital area, or any portion thereof, to any other person. No person in a massage establishment shall expose the sexual or genital area, or any portion thereof, of any other person.
- (c) No person, while in the presence of any other person in a massage establishment, shall fail to conceal with a fully opaque covering the sexual or genital area of his or her body.
- (d) No person owning, operating or managing a massage establishment shall knowingly cause, allow or permit in or about such massage establishment, any agent, employee or other person under his or her control or supervision to perform acts prohibited by this Chapter or applicable law.
- (e) No licensee under this Chapter shall administer massage on an outcall basis as defined in this Chapter. Such licensee shall administer massage solely within an establishment licensed to carry on such business under this Chapter. The restriction on outcall massage shall not apply to a licensee who performs outcall massage upon a customer or client who, because of physical defects or incapacities or due to illness, is physically unable to travel to the massage establishment, including, but not limited to, residents of nursing homes, assisted living facilities and/or where specifically prescribed in writing by a licensed physician. If any outcall massage is performed under this exception, a record of the date and hour of each treatment and the name and address of the customer or client, as well as the nature of the physical defect, incapacity, exception or illness shall be kept by the licensee of the massage establishment. Such records shall be open for inspection by the City, which shall remain confidential and not subject to disclosure pursuant to applicable public record laws.
- (f) Nothing contained in this Chapter shall be construed to eliminate other

requirements of applicable law concerning maintenance of the premises or otherwise preclude authorized inspection thereof.

864.19 NAME AND PLACE OF BUSINESS.

No licensee under this Chapter shall operate a massage establishment under a name not specified in its license or otherwise conduct business under any designation or location not specified in the license.

864.20 LICENSE TRANSFER.

No license issued under this Chapter shall be transferrable except upon the consent of the City Manager. An application for such transfer shall be in writing and shall be accompanied by the fee prescribed herein.

864.21 VIOLATIONS.

No person who is not specifically exempted by this Chapter shall, whether acting as an individual owner, employee of the owner, operator or employee of the operator, agent or independent contractor of the owner, employee or operator, or as a participant or worker, give massages or operate a massage establishment or any of the services defined in this Chapter without first obtaining a license from the City for the massage establishment, including any other licenses required by applicable law, or otherwise violate or fail to comply with any of the provisions of this Chapter.

864.22 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Barbara J. Ortiz, CMC

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 70-17

BY: Committee-of-the-Whole

AN ORDINANCE ESTABLISHING CHAPTER 864 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES TO REGULATE MASSAGE
ESTABLISHMENTS.

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

SECTION 1: That Chapter 864 of the Codified Ordinances, titled “Massage Establishments”, is hereby established to read as follows:

864.01 DEFINITIONS.

As used in this chapter:

- (a) “Employee” means any person over eighteen years of age, other than a massagist, who renders any service in connection with the operation of a massage business and receives compensation from the operator of the business or patrons.
- (b) “Licensee” means the person to whom a license has been issued by the City who owns or operates a massage establishment, as defined herein.
- (c) “Massage” means any method of pressure or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electronic apparatus or appliances, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointment or other such similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or any gratuity therefor.
- (d) “Massage establishment” means any establishment having a source of income or compensation derived from the practice of massage, as defined in Subsection (c) above, and which has a fixed place of business where any person engages in or carries on any of the activities as defined in Subsection (c) above.
- (e) “Massagist,” “masseur” or “masseuse” means any person who, for any consideration whatsoever, engages in the practice of massage, as defined in Subsection (c) above, which may include, without limitation:
 - (1) A Licensed Massage Therapist (LMT) who has at least 600 hours of classroom training in basic anatomy and physiology, advanced pathophysiology, massage theory and hands-on practice in a clinical

setting, and is licensed by the State Medical Board of Ohio.

(2) A Massage Technician (MT) or Ethical Massage (EMT) practitioner who is not licensed by the State, and cannot perform therapeutic massage as defined by the State Medical Board of Ohio.

- (f) “Outcall massage service” means any business, the function of which is to engage in or carry on massages at a location designated by the customer or client rather than at a massage establishment, as defined in Subsection(d) above.
- (g) “Patron” means any person eighteen years of age or older or a minor with written parental or legal guardian consent, who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.
- (h) “Person” means any individual, partnership, firm, association, joint stock company, corporation or combination of individuals in whatever form or character.
- (i) “Sexual or genital area” means the genitals, pubic hair, buttocks, anus or perineum of any person, including the vulva or breasts of a female.

864.02 LICENSES REQUIRED.

- (a) Business License. No person shall engage in or carry on the business of massage unless such person has a valid massage license issued by the City pursuant to this Chapter for each and every establishment, office or place of business conducted by such person in the City.
- (b) Licensed Massage Therapist. No person shall practice massage as a Licensed Massage Therapist unless such person has a valid and subsisting license issued by the State pursuant to the provisions of the Ohio Revised Code governing the limited practice of medicine.
- (c) Certificate of Occupancy. No person shall engage in or carry on the business of massage unless such person has a valid Certificate of Occupancy issued by the City pursuant to these Codified Ordinances.
- (d) Conditional Use Permit. No person shall engage in or carry on the business of massage unless such person has a valid Conditional Use Permit issued by the Planning Commission pursuant to these Codified Ordinances. Massage establishments are conditionally permitted uses in the Main Street District of the Brunswick Town Center Special Planning District No. 2, the C-G General Commercial District and the C-O Office Commercial District.

864.03 EXEMPTIONS.

This Chapter shall not apply to the following individuals while engaged in the personal performance of the duties of their respective professions:

- (a) Physicians, surgeons, chiropractors, osteopaths or physical therapists who are duly licensed to practice their respective profession in the State;
- (b) Nurses who are registered under the laws of the State; and

- (c) Barbers and beauticians who are duly licensed under the laws of the State, except that this exemption shall solely apply to the massaging of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes.

864.04 BUSINESS LICENSE APPLICATION; FEE; INVESTIGATION.

Every applicant for a license to maintain, operate or conduct a massage establishment shall file an application under oath with the City, upon a form provided by the Chief Building Official, and pay a non-refundable annual license fee of One Hundred Dollars (\$100.00) per year or any part thereof. Once accepted, the application shall be investigated by the Police Department, which investigation shall include criminal record checks of the applicant, any person with an interest in the massage establishment and any person employed or to be employed as massagists. Copies of the application shall, within five days of receipt, be referred to the Division of Building and Division of Fire and Rescue, who shall, within thirty days, make written verification to the Chief Building Official concerning compliance of the massage establishment with applicable law.

864.05 BUSINESS LICENSE ISSUANCE.

The City shall issue a license for a massage establishment if all requirements for a massage establishment described in the Chapter have been met.

864.06 APPROVAL OR DENIAL OF BUSINESS LICENSE APPLICATION.

The City shall act to approve or deny an application for a license under this Chapter within a reasonable period of time and in no event shall the City act to approve or deny such license later than ninety days from the date the fully completed application was filed with the City. Every license issued pursuant to this Chapter shall terminate at the expiration of one year from the date of issuance unless sooner suspended or revoked.

864.07 MULTIPLE MASSAGE ESTABLISHMENTS.

Should any massage establishment have more than one location in the City where the business of massage is provided, then the issued license shall state the address of the principal place of business and each other location, which license shall issue upon compliance with the requirements of this Chapter, including payment of the One Hundred Dollar (\$100.00) annual fee. Licenses for all other locations shall terminate on the same date as that of the principal place of business, regardless of the date of issuance.

864.08 DISPLAY OF LICENSES.

- (a) Every massagist shall post any license issued by the State in his or her work area along with a front-faced portrait with a minimum size of two inches by two inches.
- (b) Every person to whom a license to engage in the business of massage is

issued under this Chapter shall display such license in a prominent place in or on the licensee's premises.

864.09 REGISTER OF EMPLOYEES.

Every massage establishment shall maintain a register of all persons employed at any time as massagists, masseurs or masseuses and their license numbers and/or certifications, if any. Such register shall be available at the massage establishment to representatives of the City during regular business hours and shall be maintained for a period not less than five years.

864.10 REVOCATION OF SUSPENSION OF BUSINESS LICENSE.

Any license issued for a massage establishment may be revoked or suspended by the City Manager, after notice and hearing, for good cause or in any case where any provision of this Chapter is violated or where any employee of the licensee, including a masseur or masseuse, is engaged in any conduct at the licensed premises which violates any applicable law and licensee has or should have, upon the exercise of reasonable care, knowledge thereof. Such license may also be revoked or suspended by the City Manager, after notice and hearing, upon the recommendations of the Chief Building Official, Police Chief or Fire Chief. Such revocation/suspension proceedings shall occur before the City Manager.

864.11 FACILITIES REQUIRED.

No massage establishment shall conduct business in the City unless an inspection by the City reveals that the massage establishment complies with each of the following minimum requirements:

- (a) Rooms used for toilets, tubs, steam baths and showers shall be made waterproof with waterproofed materials and shall be installed in accordance with all applicable Codes. Plumbing fixtures shall be installed in accordance with all applicable Codes.
- (b) The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after each use.
- (c) Closed cabinets shall be provided and used for the storage of clean linen, towels and other materials used in connection with administering massages. All soiled linens, towels and other materials shall be kept in properly covered containers or cabinets, which containers or cabinets shall be kept separate from the clean storage areas.
- (d) Toilet facilities shall be provided and maintained in compliance with all applicable Codes.
- (e) Lavatories or washbasins shall be provided with soap and a dispenser with sanitary towels.
- (f) All electrical equipment shall be installed in compliance with all applicable Codes.

864.12 OPERATING REQUIREMENTS.

- (a) Every portion of a massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.
- (b) Price rates for all services shall be prominently posted in the reception area in a location observable to all prospective customers.
- (c) All employees, including masseurs and masseuses, shall be clean and wear clean, non-transient outer garments covering the sexual and genital areas, the use of which garments is restricted to the massage establishment. A separate dressing room for each sex must be available on the license premises with individual lockers for each employee. Doors to such dressing rooms shall open inward and be self-closing.
- (d) All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in a sanitary manner.
- (e) No massage establishment licensee under this Chapter shall place, publish or distribute, or cause to be placed, published or distributed, any advertisement, picture or statement which is known, or through the exercise of reasonable care should have known, to be false, deceptive or misleading in order to induce any person to purchase or utilize any massage service.

864.13 MINORS PROHIBITED ON PREMISES.

No person shall permit any person under the age of eighteen years to come or remain on the premises of any massage establishment as a massagist, masseur, masseuse or employee. No person shall permit any person under the age of eighteen years to remain on the premises of any massage establishment as a patron without the express written consent of the parent or legal guardian of the minor child.

864.14 ALCOHOLIC BEVERAGES PROHIBITED.

No person shall sell, give away, dispense, provide or keep, or caused to be sold, given away, dispensed, provided or kept, any alcoholic beverages on the premises of any massage establishment.

864.15 HOURS.

No massage establishment shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m. of the following day.

864.16 EMPLOYMENT OF CERTAIN UNLICENSED MASSAGISTS.

No person shall employ as a massagist any person who is required to have a license issued

pursuant to the requirements of the Ohio Revised Code and/or the State Medical Board of Ohio governing the limited practice of medicine, unless such person has first obtained and has in effect such license.

864.17 INSPECTION REQUIRED.

The Chief Building Official, or his or her designee, shall from time to time and during regular business hours make inspection of each massage establishment for the purpose of determining that such massage establishment is in full compliance with the provisions of this Chapter. No licensee shall fail to allow such inspection to occur, refuse access to the premises or otherwise hinder the inspection in any manner.

864.18 SEX OFFENSES; OUTCALL MESSAGE; DOORS AND CURTAINS.

- (a) No person in a massage establishment shall place his or her hand or hands upon, touch with any part of his or her body, fondle in any manner, or massage, a sexual or genital area of any other person.
- (b) No person in a massage establishment shall expose his or her sexual or genital area, or any portion thereof, to any other person. No person in a massage establishment shall expose the sexual or genital area, or any portion thereof, of any other person.
- (c) No person, while in the presence of any other person in a massage establishment, shall fail to conceal with a fully opaque covering the sexual or genital area of his or her body.
- (d) No person owning, operating or managing a massage establishment shall knowingly cause, allow or permit in or about such massage establishment, any agent, employee or other person under his or her control or supervision to perform acts prohibited by this Chapter or applicable law.
- (e) No licensee under this Chapter shall administer massage on an outcall basis as defined in this Chapter. Such licensee shall administer massage solely within an establishment licensed to carry on such business under this Chapter. The restriction on outcall massage shall not apply to a licensee who performs outcall massage upon a customer or client who, because of physical defects or incapacities or due to illness, is physically unable to travel to the massage establishment, including, but not limited to, residents of nursing homes, assisted living facilities and/or where specifically prescribed in writing by a licensed physician. If any outcall massage is performed under this exception, a record of the date and hour of each treatment and the name and address of the customer or client, as well as the nature of the physical defect, incapacity, exception or illness shall be kept by the licensee of the massage establishment. Such records shall be open for inspection by the City, which shall remain confidential and not subject to disclosure pursuant to applicable public record laws.
- (f) Nothing contained in this Chapter shall be construed to eliminate other

requirements of applicable law concerning maintenance of the premises or otherwise preclude authorized inspection thereof.

864.19 NAME AND PLACE OF BUSINESS.

No licensee under this Chapter shall operate a massage establishment under a name not specified in its license or otherwise conduct business under any designation or location not specified in the license.

864.20 LICENSE TRANSFER.

No license issued under this Chapter shall be transferrable except upon the consent of the City Manager. An application for such transfer shall be in writing and shall be accompanied by the fee prescribed herein.

864.21 VIOLATIONS.

No person who is not specifically exempted by this Chapter shall, whether acting as an individual owner, employee of the owner, operator or employee of the operator, agent or independent contractor of the owner, employee or operator, or as a participant or worker, give massages or operate a massage establishment or any of the services defined in this Chapter without first obtaining a license from the City for the massage establishment, including any other licenses required by applicable law, or otherwise violate or fail to comply with any of the provisions of this Chapter.

864.22 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Barbara J. Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 71-17** - An ordinance establishing Section 1262.04(g) of the Codified Ordinances of the City of Brunswick by including massage establishments as a conditionally permitted use in the C-O Office Commercial Zoning District - **3rd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*)

BACKGROUND: Establish Section 1262.04(g) of the Codified Ordinances of the City of Brunswick by including massage establishments as a conditionally permitted use in the C-O Office Commercial Zoning District

PURPOSE AND EXPLANATION: To establish Section 1262.04(g) of the Codified Ordinances.

IMPLEMENTATION SCHEDULE: Effective 30 days after 3 readings and adoption.

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?
Three Readings.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE ESTABLISHING SECTION 1262.04(g) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY INCLUDING MASSAGE ESTABLISHMENTS AS A CONDITIONALLY PERMITTED USE IN THE C-O OFFICE COMMERCIAL ZONING DISTRICT.

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

SECTION 1: That Section 1262.04(g) of the Codified Ordinances is hereby established to read as follows:

“(g) Massage establishment, as defined in and subject to the requirements of Chapter 864.”

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. 71-17

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

AN ORDINANCE ESTABLISHING SECTION 1262.04(g) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY INCLUDING MASSAGE ESTABLISHMENTS AS A CONDITIONALLY PERMITTED USE IN THE C-O OFFICE COMMERCIAL ZONING DISTRICT.

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

SECTION 1: That Section 1262.04(g) of the Codified Ordinances is hereby established to read as follows:

“(g) Massage establishment, as defined in and subject to the requirements of Chapter 864.”

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 72-17** - An ordinance establishing Section 1260.04(t) of the Codified Ordinances of the City of Brunswick by including massage establishments as a conditionally permitted use in the C-G General Commercial Zoning District - **3rd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*)

BACKGROUND: Establish Section 1260.04(t) of the Codified Ordinances of the City of Brunswick by including massage establishments as a conditionally permitted use in the C-G Commercial Zoning District.

PURPOSE AND EXPLANATION: Establish Section 1260.04(t)

IMPLEMENTATION SCHEDULE: Effective 30 days after three readings and adoption.

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?
Three Readings

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE ESTABLISHING SECTION 1260.04(t) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY INCLUDING MASSAGE ESTABLISHMENTS AS A CONDITIONALLY PERMITTED USE IN THE C-G GENERAL COMMERCIAL ZONING DISTRICT.

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

SECTION 1: That Section 1260.04(t) of the Codified Ordinances is hereby established to read as follows:

“(t) Massage establishment, as defined in and subject to the requirements of Chapter 864.”

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. 72-17

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

AN ORDINANCE ESTABLISHING SECTION 1260.04(t) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY INCLUDING MASSAGE ESTABLISHMENTS AS A CONDITIONALLY PERMITTED USE IN THE C-G GENERAL COMMERCIAL ZONING DISTRICT.

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

SECTION 1: That Section 1260.04(t) of the Codified Ordinances is hereby established to read as follows:

“(t) Massage establishment, as defined in and subject to the requirements of Chapter 864.”

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 73-17** - An ordinance amending the Design Guidelines for the Main Street District of the Brunswick Town Center Special Planning District No. 2 by permitting massage establishments as a conditionally permitted use - **3rd Reading** (Planning & Zoning Committee, Approved by Planning Commission 9-7-17, *Administration/Grant Aungst*)

BACKGROUND: Amend the Design Guidelines for the Main Street District of the Brunswick Town Center Special Planning District No. 2 by permitting massage establishments as a conditionally permitted use

PURPOSE AND EXPLANATION: Amend Design Guidelines for the Main Street District of Brunswick Town Center Special Planning District No. 2.

IMPLEMENTATION SCHEDULE: Effective 30 days after three readings and adoption.

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?
Three readings.

ADDITIONAL INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING THE DESIGN GUIDELINES FOR THE MAIN STREET DISTRICT OF THE BRUNSWICK TOWN CENTER SPECIAL PLANNING DISTRICT NO. 2 BY PERMITTING MASSAGE ESTABLISHMENTS AS A CONDITIONALLY PERMITTED USE.

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

SECTION 1: That Section A of General Requirements shall be amended to read as follows:

“Uses Permitted: Permitted uses (or conditionally permitted uses as indicated) in the Main Street District shall be as listed below, with the exception of the prohibited uses listed in division B below:

1. ***
2. ***
3. ***
4. ***
5. ***
6. ***
7. ***
8. ***
9. ***
10. ***
11. ***
12. ***
13. ***
14. ***
15. ***
16. ***
17. Massage establishments, as defined in Chapter 864, shall be permitted as a conditionally permitted use, subject to the provisions of Chapter 864 and 1274.”

SECTION 2: That Section B of the General Requirements shall be amended to read as follows:

“Uses Prohibited.

1. ***
2. ***
3. ~~Massage parlor;~~
3. ***

- 4. ***
- 5. ***
- 6. ***
- 7. ***
- 8. ***
- 9. ***
- 10. ***
- 11. ***
- 12. ***

SECTION 3: 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. 73-17

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

AN ORDINANCE AMENDING THE DESIGN GUIDELINES FOR THE MAIN STREET DISTRICT OF THE BRUNSWICK TOWN CENTER SPECIAL PLANNING DISTRICT NO. 2 BY PERMITTING MASSAGE ESTABLISHMENTS AS A CONDITIONALLY PERMITTED USE.

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

SECTION 1: That Section A of General Requirements shall be amended to read as follows:

“Uses Permitted: Permitted uses (or conditionally permitted uses as indicated) in the Main Street District shall be as listed below, with the exception of the prohibited uses listed in division B below:

1. ***
2. ***
3. ***
4. ***
5. ***
6. ***
7. ***
8. ***
9. ***
10. ***
11. ***
12. ***
13. ***
14. ***
15. ***
16. ***
17. Massage establishments, as defined in Chapter 864, shall be permitted as a conditionally permitted use, subject to the provisions of Chapter 864 and 1274.”

SECTION 2: That Section B of the General Requirements shall be amended to read as follows:

“Uses Prohibited.

1. ***
2. ***
3. ~~Massage parlor;~~
3. ***
4. ***

- 5. ***
- 6. ***
- 7. ***
- 8. ***
- 9. ***
- 10. ***
- 11. ***
- 12. ***

SECTION 3: 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: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
John Piepsny

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 80-17** - A resolution authorizing the City Manager to enter into an agreement with Interfinish, LLC for the design and installation of a new track at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,395.00 - **2nd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*)

BACKGROUND: This resolution would allow the City Manager to enter into an agreement with Interfinish to the design and construction of the new track at the Brunswick Community Recreation and Fitness Center. The track at the Brunswick Community Recreation and Fitness Center is 25 years old and needs to be repaired. Many of the transitions have become trip hazards for some of our members. By installing a new track, we can eliminate the trip hazards and also add more cushion to the track thus giving our members a more comfortable and safer experience.

**PURPOSE AND
EXPLANATION:**

IMPLEMENTATION

SCHEDULE: Once adopted, the department would work to schedule the job during a normal slow time at the recreation center.

**FINANCIAL
INFORMATION:**

-- Capital Projects Improvement Fund #300 - 300-0522-56250 -- 43395

**FINANCIAL
SUMMARY:**

Interfinish would complete the work in an amount not to exceed \$43,395.00. The work would be done under State Contract #800314.

**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 Parks and Recreation Directors recommendation that the resolution be adopted.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH INTERFINISH, LLC FOR THE DESIGN AND INSTALLATION OF A NEW TRACK AT THE BRUNSWICK COMMUNITY RECREATION AND FITNESS CENTER IN AN AMOUNT NOT TO EXCEED \$43,395.00.

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 Interfinish, LLC.

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

SECTION 1: That the City Manager is hereby authorized to enter into an Agreement with Interfinish, LLC for the design and installation of a new track at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,395.00.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 80-27

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH INTERFINISH, LLC FOR THE DESIGN AND INSTALLATION OF A NEW TRACK AT THE BRUNSWICK COMMUNITY RECREATION AND FITNESS CENTER IN AN AMOUNT NOT TO EXCEED \$43,395.00.

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 Interfinish, LLC.

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

SECTION 1: That the City Manager is hereby authorized to enter into an Agreement with Interfinish, LLC for the design and installation of a new track at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,395.00.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 81-17** - An emergency resolution authorizing the City Manager to purchase three (3) marked police cruisers for the Division of Police from Statewide Ford in an amount not to exceed \$125,000.00 - **2nd Reading** (Safety & Environment Committee, *Administration/Chief Ohlin*)

BACKGROUND: We are requesting council approval to purchase 3 marked 2018 police cruisers in an amount not to exceed \$125,000 at or below state bid contract pricing from Statewide Ford. These vehicles will replace 3 current cruisers with high mileage and increasing maintenance costs. The capital funds are available and budgeted in the 2017 police capital budget.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:** - - Police Fund #114 (Capital Sub Fund #961) - 961-0520-56252 - - 125000

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
3 readings and pass as an emergency

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE THREE (3) MARKED POLICE CRUISERS FOR THE DIVISION OF POLICE FROM STATEWIDE FORD IN AN AMOUNT NOT TO EXCEED \$125,000.00.

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

WHEREAS: Ohio Revised Code Section 125.04(C) permits the City to purchase supplies or services from another party without competitive bidding and outside the State Purchasing Program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the State Procurement Program; and

WHEREAS: The proposed purchase of three (3) marked police cruisers from Statewide Ford in an amount not to exceed \$125,000.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Purchasing Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase three (3) marked police cruisers for the Division of Police from Statewide Ford in an amount not to exceed \$125,000.00.

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 the Division of Police is in need of these vehicles as soon as possible. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Barbara J. Ortiz, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 81-17

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE THREE (3) MARKED POLICE CRUISERS FOR THE DIVISION OF POLICE FROM STATEWIDE FORD IN AN AMOUNT NOT TO EXCEED \$125,000.00.

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

WHEREAS: Ohio Revised Code Section 125.04(C) permits the City to purchase supplies or services from another party without competitive bidding and outside the State Purchasing Program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the State Procurement Program; and

WHEREAS: The proposed purchase of three (3) marked police cruisers from Statewide Ford in an amount not to exceed \$125,000.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Purchasing Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase three (3) marked police cruisers for the Division of Police from Statewide Ford in an amount not to exceed \$125,000.00.

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 the Division of Police is in need of these vehicles as soon as possible. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 82-17** - An emergency resolution authorizing the City Manager to enter into a reciprocal agreement for backup Chief Building Official services with the City of Medina - **1st Reading** (To be brought from Building & Building Code Committee, *Administration/Grant Aungst*)

BACKGROUND: Request for emergency legislation/renew

PURPOSE AND EXPLANATION: The cities of Brunswick and Medina are desirous of contracting with the other for the purpose of the Chief Building Official of each respective city act as "backup personnel" to the other city in the event that the CBO of the requesting city is unable to serve. Backup personnel is a requirement of the 2011 OBC Section 103.2.2

IMPLEMENTATION SCHEDULE: The current agreement with the City of Medina expired on September 10, 2017. The new agreement will be effective upon execution of the agreement and will be continuous until either party concludes, as per agreement, with 30 days notice.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The cities agree to provide the services of their Chief Building Official free of charge.

RECOMMENDED ACTION:

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

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

It is recommended that City Council adopt emergency legislation authorizing the City Manager/Safety Director to enter into an agreement with the City of Medina. It is requested that

the legislation is passed by emergency measure for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that the current agreement with the City of Medina for Backup Chief Building Official services has expired.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A RECIPROCAL AGREEMENT FOR BACKUP CHIEF
BUILDING OFFICIAL SERVICES WITH THE CITY OF MEDINA.

WHEREAS: The City of Medina and City of Brunswick are desirous of entering into a N Agreement for Reciprocal Backup Chief Building Official Services for the purpose of having the Chief Building Official of each respective City act as “backup personnel” to the other City in the event of a conflict of interest or other unavailabilityas required by Ohio Administrative Code Rule 4101:1-1-03, Section 103.2.6.

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

SECTION 1: That the City Manager is hereby authorized to enter into an Agreement for Reciprocal Backup Chief Building Official Services, as attached hereto as Exhibit “A”, with the City of Medina.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to comply with applicable law. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 82-17

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A RECIPROCAL AGREEMENT FOR BACKUP CHIEF
BUILDING OFFICIAL SERVICES WITH THE CITY OF MEDINA.

WHEREAS: The City of Medina and City of Brunswick are desirous of entering into a N Agreement for Reciprocal Backup Chief Building Official Services for the purpose of having the Chief Building Official of each respective City act as “backup personnel” to the other City in the event of a conflict of interest or other unavailabilityas required by Ohio Administrative Code Rule 4101:1-1-03, Section 103.2.6.

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

SECTION 1: That the City Manager is hereby authorized to enter into an Agreement for Reciprocal Backup Chief Building Official Services, as attached hereto as Exhibit “A”, with the City of Medina.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to comply with applicable law. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 83-17** - An emergency resolution authorizing the City Manager to enter into a three (3) year professional services agreement with the Local Government Services Division of the Auditor of State's Office to assist in the preparation of a Comprehensive Annual Financial Report for the years ending December 31st of 2017, 2018 and 2018 in an amount not to exceed \$36,600.00 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: Local Government Services has provided assistance for the City of Brunswick for the past sixteen years. As each contract period expires, legislation is required to renew.

PURPOSE AND EXPLANATION: The City of Brunswick desires outside supervisory assistance in compiling the City's Comprehensive Annual Financial Statements. The City prepares a Comprehensive Annual Financial Report for many reasons, but the main reasons are to make the City more marketable, achieve a competitive advantage over other Cities in this economic climate, obtain the best possible debt rating (high quality debt with low credit risk), attain lower interest rates on City debt, and have a more widespread pool of investors willing to purchase the City's debt. Although it is the financial information and financial practices contained within the CAFR that matter most, the reporting of this financial information and statistical information is an integral part of the overall process. The CAFR is almost essential in today's economic climate. The City wants lenders to give us money when we need it, not to pass us over for someone else. Additionally, the performance by LGS of the mandated pension calculation is of great assistance to the City. The City's staff and expertise, Local Government Services, and the CAFR are all essential in this process. A three year contract is recommended because Local Government Services is willing to keep the City's cost at the same level for the three years (2017-2019) of the contract.

IMPLEMENTATION SCHEDULE: Should be adopted with an emergency clause (suspension of the rules) to ensure Local Government Service resources are dedicated to the City of Brunswick. The emergency clause is necessary to allow for the daily operations of the City of Brunswick to continue without interruptions and keep audit-related costs low. The contract was received only recently and must be returned by October 7, 2017 pursuant to Auditor of State's request.

FINANCIAL INFORMATION: - - - 001-0880-54260 - -

FINANCIAL SUMMARY: The maximum total cost of this contract is \$12,200 a year, for a total of \$36,600 for the three years.

Each year of the contract is subject to sufficient appropriations adopted by 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?

Discuss at the September 25, 2017 Committee meeting and move to the September 25, 2017 Council agenda as an emergency with suspension of the rules. Recommended action for approval on September 25, 2017 with emergency clause (suspension of the rules).

**ADDITIONAL
INFORMATION:**



Dave Yost • Auditor of State

September 5, 2017

Mr. Todd Fischer, CPA, Finance Director
City of Brunswick
4095 Center Road
Brunswick, OH 44212

Dear Mr. Fischer:

This letter is to confirm our understanding of the terms and objectives of our engagement with the City of Brunswick (the City) and the nature and limitations of the services we will provide.

We will provide the following services:

Using our conversion software, Local Government Services (LGS) will prepare, from information you provide, the annual financial statements of the City of Brunswick as of and for the years ended December 31, 2017, December 31, 2018 and December 31, 2019.

The objective of our engagement is to prepare financial statements in accordance with accounting principles generally accepted in the United States of America based on information provided by you. LGS will conduct our engagement in accordance with Statements on Standards for Accounting and Review Services (SSARS) promulgated by the Accounting and Review Services Committee of the AICPA and comply with the AICPA's Code of Professional Conduct, including the ethical principles of integrity, objectivity, professional competence, and due care.

LGS is not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, LGS will not express an opinion or a conclusion or provide any assurance on the financial statements.

Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations.

Our engagement to be performed is conducted on the basis that management acknowledges and understands that our role is to prepare financial statements in accordance with accounting principles generally accepted in the United States of America. Management has the following overall responsibilities that are fundamental to our undertaking the engagement to prepare your financial statements in accordance with SSARS: 1) The selection of accounting principles generally accepted in the United States of America as the financial reporting framework to be applied in the preparation of the

financial statements; 2) The prevention and detection of fraud; 3) To ensure that the entity complies with the laws and regulations applicable to its activities; 4) The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement to prepare financial statements; and 5) To provide us with documentation, and other related information that is relevant to the preparation and presentation of the financial statements: additional information that may be requested for the purpose of the preparation of the financial statements: and unrestricted access to persons within the City of Brunswick of whom we determine necessary to communicate.

The financial statements will not be accompanied by a report. However, you agree that the financial statements will clearly indicate that no assurance is provided on them.

The City of Brunswick remains responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America as promulgated by the Governmental Accounting Standards Board. It is therefore the responsibility of the City to be in a position in fact and appearance to make informed judgments while reviewing, evaluating, and approving the services provided under this engagement. It is also the City of Brunswick's responsibility to design, implement and maintain internal controls, including monitoring ongoing activities.

To demonstrate that the City is fulfilling these responsibilities, the following safeguards will be observed. The City will designate a management level individual to be the primary contact accountable for overseeing this engagement and who will take responsibility for the appropriateness of the results of this engagement. If the City has determined that someone other than the individual with whom we worked last year will fulfill this role, the City must submit documentation to support the new designee's knowledge and capability to perform this function. We will meet with this individual bi-weekly to update our progress and to allow the individual to monitor engagement performance to ensure it meets management's objectives. This individual will perform all management functions and make all management decisions related to this conversion and compilation and will accept full responsibility for such decisions. Accordingly, this individual will review and approve all proposed adjustments before they are entered in the conversion software. Finally, this individual will evaluate the adequacy of the services performed under this engagement by the Local Government Services Section of the Office of the Auditor of State.

It is understood and agreed that the performance of this engagement by LGS will not lessen the scope and extent of the audit work to be performed by the Financial Audit Group of the Office of the Auditor of State.

Management is responsible for making all financial records and related information available to LGS. The hours of service offered in this letter are based upon the following information being provided by the City:

1. Information required to confirm appropriate fund classification and major fund status;
2. Information to allow the allocation of internal service funds to governmental and business-type activities;

3. Information regarding estimated revenues and appropriations for use in the preparation of budgetary statements including original budget amounts for all funds required to be presented in the basic financial statements and documentation to insure that financial records are in agreement with amended certificates requested and appropriations passed by the Council during 2017, 2018 and 2019;
4. A current, complete, and appropriately classified record of all cash receipts and disbursements made during the year, along with bank reconciliations of all City bank accounts as of December 31, 2017, December 31, 2018 and December 31, 2019;
5. Documentation for receivables including taxes, intergovernmental and accounts receivable, inventory, and prepaid items as of December 31, 2017, December 31, 2018 and December 31, 2019;
6. The balances for all governmental capital assets by program and type and proprietary capital assets by fund and type as of the beginning and end of the year, including appropriate information regarding accumulated depreciation, as well as current year additions (including accounts charged for related expenditures) and deletions (including any related proceeds and accumulated depreciation on the deleted asset). In addition, information is required that presents depreciation expense by fund and type for proprietary capital assets and by program and type for general capital assets for each fiscal year;
7. Information regarding accrued salaries, compensated absences (both current and long-term), accounts payables, workers' compensation, retirement, and other current and long-term liabilities as of December 31, 2017, December 31, 2018 and December 31, 2019;
8. Information regarding short-term debt (notes) including a schedule of changes in short-term debt that details balances at the beginning and end of the year, increases and decreases and the purpose for which the short-term debt was issued;
9. Information regarding long-term debt balances as of the beginning and end of the year and information regarding additions and payments that occurred during the year. Information that details issuance costs, premiums and discounts for additions should be identified separately.
10. Copies of amortization schedules that distinguish between principal and interest for each outstanding debt issue;
11. All documentation necessary to determine reporting entity. If it is determined that the City will be required to report a component unit, GAAP financial statements for the component unit must be provided in a timely fashion for preparation of the City's financial statements;
12. Information to support necessary modified accrual and accrual adjustments at December 31, 2017, December 31, 2018 and December 31, 2019;
12. Information regarding transfers by fund including the amount and purpose for each transfer;
13. The transmittal letter, required supplementary information and statistical section; and
14. Management's Discussion and Analysis.

It is important that you provide financial records that balance and documentation that is adequate to support the necessary journal entries. If we discover inadequacies in the records or documentation you provide, we will return the information to you for correction.

All documents provided to LGS in connection with our services including financial records and reports, payroll records, employee rosters, health and medical records, tax records, etc. must be redacted of any personal information before submission. Personal information is defined as social security numbers, dates of birth, drivers' license numbers or financial institution account numbers associated with an individual. The City shall redact all personal information from electronic records before they are

transmitted to LGS. This information should be fully blacked out in all paper documents prior to sending them to LGS. If personal information cannot be redacted from any records or documents, the City must identify these records to LGS prior to their submission.

If redacting this personal information impairs the ability of LGS to provide the contracted services, the City and the Auditor of State's Office will consider these exceptions on a case-by-case basis. Additionally, if redacting this information creates hardship on the City in terms of resources, recordkeeping or other issues, the City and LGS may collaborate on alternative methods of providing the City's data to LGS without compromising the personal information on individuals served or employed by the City.

As part of the annual financial report, you will be required to prepare a Management's Discussion and Analysis (MD&A). LGS assistance with respect to the MD&A will be limited to reviewing the MD&A to determine that all required topics have been addressed and to insure that the amounts presented in the MD&A match the amounts presented in the financial statements.

During the course of the preparation, from financial records and supporting documentation you provide, LGS will propose journal entries for the preparation of the basic financial statements; review records and other information to determine whether data is being gathered at the required level to permit the preparation of the financial statements; enter usable information from the prior fiscal year trial balances to the trial balances that will be used for the fiscal year being reported; and input approved journal entries into the trial balances. LGS will also discuss with you the requirements for budgetary presentations and assist in the identification of original budgetary information.

LGS assistance with respect to capital assets will be limited to explaining the information necessary for report preparation. If additional assistance in the review of policies or significant guidance related to the calculation of capital assets is required, this engagement will need to be amended.

All work papers prepared by the Office of the Auditor of State will remain the property of the Auditor of State. Accordingly, we are responsible for their care and custody. At the conclusion of the project, we will provide copies of any of the work papers you would like to have for your records. However, the work papers should not be regarded as a part of, or a substitute for, your accounting records.

It is estimated that it will take 244 hours to complete this project for 2017, 244 hours to complete this project for 2018 and 244 hours to complete this project for 2019. Our fees for these services will be billed monthly to the City of Brunswick at a rate of \$50 per hour, and the total cost is not anticipated to exceed \$12,200 for 2017, \$12,200 for 2018 and \$12,200 for 2019. If additional time or services should be necessary, we will notify City of Brunswick regarding any amendment to this contract that may be required.

Upon a 30 day written notice, either party may terminate this Agreement for any reason. Such notice shall be sent by U.S. mail or by personal delivery to Auditor of State, Local Government Services Section, 88 East Broad Street, Fourth Floor, Columbus, Ohio 43215-3506. In the event of such termination, the Auditor of State shall be compensated at the contractually agreed-upon rate for any and all work done to the date of such notice.

Mr. Todd Fischer, CPA, Finance Director
City of Brunswick
September 5, 2017
Page 5 of 5

If you are in agreement with the terms of this contract, please have this engagement letter signed and certified in the appropriate places and return it to me no later than October 6, 2017. If we do not hear from you by October 6, 2017, we will assume that the City of Brunswick does not wish to contract for the services of the Local Government Services Section of the Office of the Auditor of State. Should you have any questions concerning this letter, please do not hesitate to contact Nita Hendryx, Chief Project Manager, at 1.800.443.9271.

Sincerely,

DAVE YOST
Auditor of State



Unice S. Smith
Chief of Local Government Services

We desire the Auditor of State's Office to perform the services described above and agree to the terms and conditions set forth in this letter.

CITY OF BRUNSWICK

Date: _____

Resolution No. _____

By: _____
Carl DeForest, City Manager

It is hereby certified that the amount of \$ _____ required to pay this contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of the _____ Fund, free from any obligation or certification now outstanding.

Date: _____

Todd Fischer, CPA, Finance Director

cc: Nita Hendryx, Chief Project Manager
Daniel Stuetzer, Chief Auditor



CITY OF BRUNSWICK, OHIO

RESOLUTION NUMBER

By:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR PROFESSIONAL SERVICES AGREEMENT WITH THE LOCAL GOVERNMENT SERVICES DIVISION OF THE AUDITOR OF STATE'S OFFICE TO ASSIST IN THE PREPARATION OF A COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEARS ENDING DECEMBER 31ST OF 2017, 2018 AND 2019 IN AN AMOUNT NOT TO EXCEED \$36,600.00.

WHEREAS: The Local Government Services Division of the Auditor of State's Office has provided previous supervisory assistance to the City for preparation of the Comprehensive Annual Financial Report (the "CAFR").

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

SECTION 1: That the City Manager is hereby authorized to enter into a three (3) year professional services agreement with the Local Government Services Division of the Auditor of State's Office to assist in the preparation of a Comprehensive Annual Financial Report (in addition to complying with required Generally Accepted Accounting Principles and State Filing Requirements), for the years ending December 31st of 2017, 2018, and 2019 in an amount not to exceed \$36,600.00, as attached hereto as Exhibit "A", subject to annual appropriations by City Council according to law.

SECTION 2: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reason that the executed agreement must be returned to the Local Government Services Division of the Auditor of State's Office by October 6, 2017. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____



CITY OF BRUNSWICK, OHIO

RESOLUTION NUMBER

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barb Ortiz



CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 83-17

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR PROFESSIONAL SERVICES AGREEMENT WITH THE LOCAL GOVERNMENT SERVICES DIVISION OF THE AUDITOR OF STATE'S OFFICE TO ASSIST IN THE PREPARATION OF A COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEARS ENDING DECEMBER 31ST OF 2017, 2018 AND 2019 IN AN AMOUNT NOT TO EXCEED \$36,600.00.

WHEREAS: The Local Government Services Division of the Auditor of State's Office has provided previous supervisory assistance to the City for preparation of the Comprehensive Annual Financial Report (the "CAFR").

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

SECTION 1: That the City Manager is hereby authorized to enter into a three (3) year professional services agreement with the Local Government Services Division of the Auditor of State's Office to assist in the preparation of a Comprehensive Annual Financial Report (in addition to complying with required Generally Accepted Accounting Principles and State Filing Requirements), for the years ending December 31st of 2017, 2018, and 2019 in an amount not to exceed \$36,600.00, as attached hereto as Exhibit "A", subject to annual appropriations by City Council according to law.

SECTION 2: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reason that the executed agreement must be returned to the Local Government Services Division of the Auditor of State's Office by October 6, 2017. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____



CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 83-17

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barb Ortiz

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 84-17** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 5.5515 acre parcel of land (PPN 003-18D-03-080) on Center Road - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: A 5.5515 acre parcel located in Brunswick Hills Township wishes to annex into the City of Brunswick.

PURPOSE AND EXPLANATION: The City of Brunswick needs to declare its intent to provide municipal services to the 5.5515 acre parcel of land (PPN 003-18D-03-080).

IMPLEMENTATION SCHEDULE: To pass as an emergency with three readings as the hearing date is set for November 14, 2017 at 10:30 am at the Medina County Commissioners' Office.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER _____

BY:

**AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE
CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 5.5515
ACRE PARCEL OF LAND (PPN 003-18D-03-080) ON CENTER ROAD.**

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

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

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 5.5515 acres of land on Center Road (PPN 003-18D-03-080), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

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

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the November 14, 2017 hearing date. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

EBPC, LLC
Commercial Real Estate

September 15, 2017

Ms. Barbara Ortiz
Clerk of Council
Brunswick City Hall
4095 Center Road
Brunswick, OH 44212

RE.: Annexation of property into City of Brunswick

Dear Ms. Ortiz:

EBPC, LLC, owner of 5.5 acres located in Brunswick Hills Township, on the South side of Center Road (S.R. 303) by Maxwell Blvd./Hadcock Road, has filed a petition for Annexation into the City of Brunswick, Medina County, with the Medina County Commissioners on Thursday, September 14th, 2017 at 2:05 pm.

A Public Hearing on the Annexation is scheduled for Tuesday, November 14th, 2017 at 10:30 am in the Hearing Room of the Medina County Commissioners, 144 N. Broadway, Medina, OH 44256. The Petition for Annexation is available for inspection at the Offices of the Medina County Commissioners, 144 N. Broadway, Medina, OH 44256 or at the offices of the Agent, 9701 Brookpark Road, Parma, OH 44129, where any and all interested parties may review the complete Petition.

A copy of the map of the territory proposed for annexation as well a copy of the petition are attached to this letter.

Any owner who has signed the petition may remove their signature by filing a written notice of withdrawal with the Clerk of the Board of Commissioners within 21 days after receipt of this notice.

If you have any questions or comments, please do not hesitate to contact us.

Very truly yours,

GOUDREAU MANAGEMENT CORP.
Managing Agent for EBPC, LLC



G. J. GOUDREAU

Attachments

REGULAR PETITION for Annexation

With Medina County Board of Commissioners

Owners in the Territory	There is a single owner of the property: EBPC, LLC; G. J. Goudreau, Owner. G. J. Goudreau, 9701 Brookpark Road, Cleveland, OH 44129, will act as Agent.
Petition summary and background	The Property Owner to annex the entire parcel PP #01-02D-02-006 consisting of 5.5515 Acres (241,825 sq. ft.) now located in Brunswick Hills Township into the City of Brunswick; The City to grant an ingress/egress and utility easement to the Property Owner from Maxwell Blvd. across the City's Parcel PP# 003-18D-03-080 to the Property Owner's Parcel mentioned above.
Legal Description of Perimeter	Starting at a 5/8 inch iron pin in monument box found at the intersection of the centerlines of Maxwell Boulevard, width varies and Center Road, S.R. 303, width varies; Thence South 89° 26' 55" West, along the said centerline of Center Road, S.R. 303, passing thru the northeasterly corner of Original Lot No. 6, Tract 2, at a distance of 4.90 feet, a total distance of 207.40 feet to the northeasterly corner of land conveyed to the State of Ohio as recorded December 18, 1979 in Official Record Volume 37, Page 964 of the Medina County Records; Thence South 00° 26' 05" East, along the easterly line of land so conveyed to the State of Ohio, a distance of 59.74 feet to a 5/8 inch iron found in the southerly right-of-way line of Center Road, S.R. 303, at the northeasterly corner of land so conveyed to EBPC, LLC, and the PRINCIPAL PLACE of BEGINNING of the premises herein intended to be described; Thence continuing South 00° 26' 05" East, along the easterly line of land so conveyed to EBPC, LLC, passing through a bent 5/8 inch iron found at a distance of 200.15 feet, then passing through a 5/8 inch capped (GUTOSKEY # 7567) iron pin found at a distance of 199.73 feet, then passing through a 5/8 inch capped (GUTOSKEY # 7567) iron pin found at a distance of 200.00 feet and then a distance of 203.82 feet to a 5/8 inch capped (GUTOSKEY # 7567) iron pin found at the southeasterly corner thereof and in the northerly line of land conveyed to the City of Brunswick as recorded December 31, 2007 in Document No. 2007OR034217 of the Medina County Records; a total distance of 803.70 feet; Thence South 89° 20' 17" West, along the said northerly line of land so conveyed to the City of Brunswick and the northerly line of land conveyed to Zachary J. Warner and Kristine M. Warner as recorded on June 12, 2017 in Document No. 2017OR010427 of the Medina County Records; a distance of 300.00 feet to a 5/8 inch capped (GUTOSKEY # 7567) iron pin found at an interior corner of land so conveyed to Zachary J. Warner and Kristine M. Warner; Thence North 00° 26' 05" West, along the easterly line of land so conveyed to Zachary J. Warner and Kristine M. Warner, the easterly line of land conveyed to Merchant Square LTD. as recorded on October 23, 2007 in Document No. 2007OR028705 of the Medina County Records and the easterly line of land conveyed to Branded Realty Company LLC as recorded on November 19, 2007 in Doc No. 2007OR031017 of the Medina County Records; a distance of 809.18 feet to a 5/8 inch iron pin found at the northeasterly corner of land so conveyed to Branded Realty Company LLC, and the southwesterly corner of land so conveyed to the State of Ohio in the southerly right-of-way line of Center Road, S.R. 303; Thence South 89° 24' 20" East, along the said southerly right-of-way line of Center Road, S.R. 303, a distance of 142.97 feet to a point of curvature therein; Thence continuing easterly along the said southerly right-of-way line of Center Road, S.R. 303, by a curve to the left an arc distance of 157.06 feet to the PRINCIPAL PLACE of BEGINNING, said curve having a radius of 11,504.16 feet, a central angle of 0° 46' 56" and a chord which bears South 89° 48' 23" East, a chord distance of 157.06 feet and containing 5.5515 acres of land, be the same more or less, but subject to all legal highways as surveyed and described, December, 2016 by Howard R. Selee, Registered Surveyor No. 5471 of HOWARD R. SELEE and ASSOCIATES, INC., Professional Land Surveyors.

Action petitioned for	We, the undersigned, request annexation of the property owned by EBPC, LLC, located at 3864 Center Road in Brunswick Hills Township, Ohio, into the City of Brunswick, Ohio
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'WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY"

Printed Name	Signature	Address	Comment	Date
G. J. Goudeau		9701 Brookpark Road, Cleveland, OH	Agent	9/12/2017

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 84-17

BY: Committee-of-the-Whole

**AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE
CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 5.5515
ACRE PARCEL OF LAND (PPN 003-18D-03-080) ON CENTER ROAD.**

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

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

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 5.5515 acres of land on Center Road (PPN 003-18D-03-080), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

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

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the November 14, 2017 hearing date. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 85-17** - An emergency resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: This arrangement has occurred for many years and this is a continuation of the same arrangement.

PURPOSE AND EXPLANATION: This agreement will allow ODOT to continue to operate as efficiently as possible by staging salt near the areas that they are providing snow and ice control thereby providing safe and effective transportation to Brunswick and other citizens. This operational efficiency minimizes drive time for plow drivers during snow and ice events allowing them to reload with salt near the area they are providing service.

IMPLEMENTATION SCHEDULE: This work will take place commencing with the first snow fall this year.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: No cost

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
This agreement is needed when the snow and ice activities commence which can be at any time.

ADDITIONAL

INFORMATION:

ROAD SALT STORAGE AGREEMENT

THIS ROAD SALT STORAGE AGREEMENT is entered into by and between the City of Brunswick, an Ohio municipal corporation located at 4095 Center Road, Brunswick, Ohio 44212 (the “City”) and the Ohio Department of Transportation (“ODOT”).

RECITALS:

WHEREAS, the Parties hereto have determined that it is desirable to establish an arrangement wherein the City will allow ODOT to store road salt on City owned property and utilize City equipment for loading such road salt as provided herein.

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

1. **TERM.** The term of this Agreement shall commence upon full execution of this Agreement and end on June 30, 2018 unless terminated by either Party hereto as provided in Section 2 herein.
2. **TERMINATION.** This Agreement may be terminated by either Party hereto upon thirty (30) days written notice.
3. **ODOT RESPONSIBILITIES.** Upon full execution of this Agreement ODOT shall provide fifty (50) tons of road salt annually to the City at a location approved by the City (the “Storage Location”) for the use of storage buildings and equipment. ODOT employees shall be solely responsible for loading road salt into ODOT vehicles. ODOT shall provide the City Service Director with the accounting of road salt removed from the Storage Location after each snow event and shall replenish the road salt upon the direction of the City Service Director as soon as reasonable after each snow event. Upon termination of this

Agreement, ODOT shall replenish any road salt that has not already been replenished.

4. CITY RESPONSIBILITIES. The City shall provide the Storage Location to ODOT and permit ODOT employees to utilize City equipment, including fuel, necessary to load road salt into ODOT vehicles at no cost.
5. WORKERS' COMPENSATION. Each Party hereto shall provide workers' compensation for its own employees.
6. PROPERTY DAMAGE. Each Party shall be responsible for and shall hold the other Party harmless from injury to its own employees or damage to its property. Any damage to City owned property as a result of ODOT's use shall be repaired by the City and the actual cost of repair shall be reimbursed by ODOT through the provision of road salt in an amount equivalent to the actual cost of repair.
7. ASSIGNMENT. This Agreement is not assignable without the prior written consent of both Parties hereto.
8. DEFAULT/REMEDIES. In the event of a material default by either Party in the performance of its obligations hereunder, the non-defaulting Party shall deliver to the other Party written notice setting forth the nature of the default. The defaulting Party shall have thirty (30) days to cure the default. If the default is not cured to the satisfaction of the non-defaulting Party within such thirty (30) day period, the non-defaulting Party may terminate this Agreement. In the event of termination, the defaulting Party shall have no further rights or obligations under

this Agreement; however, the defaulting Party shall not be relieved of its obligations under this Agreement which accrued prior to the date of termination.

9. MISCELLANEOUS. This Agreement shall be governed by the laws of the State of Ohio. This Agreement contains the entire agreement between the Parties and any amendment hereto shall be mutually agreed upon in writing by the Parties hereto.

10. NOTICES. All notices which either Party hereto may give shall be addressed, in the case of the City of Brunswick, as follows:

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

And in the case of the Ohio Department of Transportation, as follows:

Ohio Department of Transportation
Attn: _____

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

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed
as of the dates indicated below.

City of Brunswick

Ohio Department of Transportation

Carl S. DeForest, City Manager

By:_____

Date_____

Date_____

Approved as to form:

Kenneth J. Fisher, Law Director

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE STORAGE OF ROAD SALT.

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

SECTION 1: The City Manager is hereby authorized and directed to enter into an Agreement with the Ohio Department of Transportation, as attached hereto as Exhibit "A", for the storage of road salt.

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 to ensure the Agreement is effective during the 2017-2018 winter season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 85-17

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE STORAGE OF ROAD SALT.

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

SECTION 1: The City Manager is hereby authorized and directed to enter into an Agreement with the Ohio Department of Transportation, as attached hereto as Exhibit "A", for the storage of road salt.

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 to ensure the Agreement is effective during the 2017-2018 winter season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 86-17** - A resolution authorizing the City Manager into a five (5) year agreement with the Board of Health for the Medina County Combined General Health District to perform storm water sampling and inspection services in a total amount not to exceed \$20,000.00 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Paul Barnett*)

BACKGROUND: The current contract is a 5 year agreement that terminates December 31, 2017. Previous resolution is 132-12. Terms of the contract are remaining the same. Costs for service have been updated.

PURPOSE AND EXPLANATION: This agreement will allow MCHD to provide storm water sampling at the direction of the City Engineer in order to be compliant with the City's NPDES permit required by the Ohio EPA.

IMPLEMENTATION SCHEDULE: This work will begin in 2018 and last 5 years.

FINANCIAL INFORMATION: MCHD storm water sampling - - \$4,000.00 per year for a total of \$20,000.00 - 224-0420-54267 - -

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?

ADDITIONAL

INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF HEALTH FOR THE MEDINA COUNTY COMBINED GENERAL HEALTH DISTRICT TO PERFORM STORM WATER SAMPLING AND INSPECTION SERVICES.

WHEREAS: The City requires storm water sampling and inspection services to facilitate compliance with the City's Ohio EPA National Pollutant Discharge Elimination System Permit for Storm Water Management; and

WHEREAS: The current agreement for the provision of such sampling and inspection services between the City and the Board of Health for the Medina County Combined General Health District expires as of December 31, 2017.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into an Agreement with the Board of Health for the Medina County Combined General Health District as attached hereto as Exhibit "A".

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE (5) YEAR AGREEMENT WITH THE BOARD OF HEALTH FOR THE MEDINA COUNTY COMBINED GENERAL HEALTH DISTRICT TO PERFORM STORM WATER SAMPLING AND INSPECTION SERVICES IN A TOTAL AMOUNT NOT TO EXCEED \$20,000.00.

WHEREAS: The City requires storm water sampling and inspection services to facilitate compliance with the City's Ohio EPA National Pollutant Discharge Elimination System Permit for Storm Water Management; and

WHEREAS: The current agreement for the provision of such sampling and inspection services between the City and the Board of Health for the Medina County Combined General Health District expires as of December 31, 2017.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into an Agreement with the Board of Health for the Medina County Combined General Health District as attached hereto as Exhibit "A".

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barb Ortiz

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 86-17

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE (5) YEAR AGREEMENT WITH THE BOARD OF HEALTH FOR THE MEDINA COUNTY COMBINED GENERAL HEALTH DISTRICT TO PERFORM STORM WATER SAMPLING AND INSPECTION SERVICES IN A TOTAL AMOUNT NOT TO EXCEED \$20,000.00.

WHEREAS: The City requires storm water sampling and inspection services to facilitate compliance with the City's Ohio EPA National Pollutant Discharge Elimination System Permit for Storm Water Management; and

WHEREAS: The current agreement for the provision of such sampling and inspection services between the City and the Board of Health for the Medina County Combined General Health District expires as of December 31, 2017.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into an Agreement with the Board of Health for the Medina County Combined General Health District as attached hereto as Exhibit "A".

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 87-17** - An ordinance amending Section 618.29 of the City of Brunswick Codified Ordinances - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Ken Fisher*)

BACKGROUND: Section 618.29 of the Codified Ordinances of the City of Brunswick needed amending.

PURPOSE AND EXPLANATION: Amendment to Section 618.29 of the City of Brunswick Codified Ordinances regarding Leaving Animals Unattended in Vehicles.

IMPLEMENTATION SCHEDULE: Three Readings

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommending three readings with the first reading on September 25, 2017.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING SECTION 618.29 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

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

618.29 LEAVING ANIMALS UNATTENDED IN VEHICLES

- (a) No ~~person~~ ~~animal~~ shall ~~leave an animal~~ ~~be left~~ ~~unattended~~ in an enclosed portion of a vehicle ~~if any of the except under all the~~ following conditions ~~exist~~:
- (1) ~~The~~ ~~No~~ animal ~~may be~~ ~~is~~ left unattended ~~in an enclosed portion of a vehicle~~ for more than five minutes;
- (2) ~~No~~ ~~A~~ heat or cold advisory has been issued by a local or state authority or the National Weather Service; ~~or~~
- (3) The animal is ~~not~~ younger than six months of age; ~~and~~ ~~Adequate water is provided to the animal.~~
- (b) ***
- (c) ***

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

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

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 87-17

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

AN ORDINANCE AMENDING SECTION 618.29 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

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

618.29 LEAVING ANIMALS UNATTENDED IN VEHICLES

- (a) No ~~person animal~~ shall ~~leave an animal be left~~ unattended in an enclosed portion of a vehicle ~~if any of the except under all the~~ following conditions ~~exist~~:
- (1) ~~The~~ No animal ~~may be is~~ left unattended ~~in an enclosed portion of a vehicle~~ for more than five minutes;
 - (2) ~~No~~ A heat or cold advisory has been issued by a local or state authority or the National Weather Service; ~~or~~
 - (3) The animal is ~~not~~ younger than six months of age; ~~and Adequate water is provided to the animal.~~
- (b) ***
- (c) ***

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

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

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/25/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl S. DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 88-17** - An emergency ordinance amending Section 1060.02(c) of the City of Brunswick Codified Ordinances to allow the City Manager to extend the hours of garbage collection in the City - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, Administration/Carl DeForest)

BACKGROUND: There is a need to allow the City Manager to extend the hours of garbage collection in the City of Brunswick.

PURPOSE AND EXPLANATION: To provide immediate authority to the City Manager to extend the hours of garbage collection in the City of Brunswick.

IMPLEMENTATION SCHEDULE: Adopt on September 25, 2017 as an emergency with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: N/A

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 to adopt with the suspension of rules as an emergency to provide immediate authority to the City Manager to extend hours of garbage collection.

ADDITIONAL

INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 88-17

BY:

AN EMERGENCY ORDINANCE AMENDING SECTION 1060.02(c) OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES TO ALLOW THE CITY MANAGER TO EXTEND THE HOURS OF GARBAGE COLLECTION IN THE CITY.

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

SECTION 1: That Section 1060.02(c) of the Codified Ordinances is hereby amended to read as follows:

“(c) Notwithstanding any other provision of these Codified Ordinances, the hours of garbage or rubbish collection within the City of Brunswick shall be between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except as such hours may be extended by the City Manager.”

SECTION 2: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to provide immediate authority to the City Manager to extend the hours of garbage collection in the City. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J Ortiz, CMC

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 88-17

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

AN EMERGENCY ORDINANCE AMENDING SECTION 1060.02(c) OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES TO ALLOW THE CITY MANAGER TO EXTEND THE HOURS OF GARBAGE COLLECTION IN THE CITY.

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

SECTION 1: That Section 1060.02(c) of the Codified Ordinances is hereby amended to read as follows:

“(c) Notwithstanding any other provision of these Codified Ordinances, the hours of garbage or rubbish collection within the City of Brunswick shall be between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except as such hours may be extended by the City Manager.”

SECTION 2: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to provide immediate authority to the City Manager to extend the hours of garbage collection in the City. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J Ortiz, CMC