



BRUNSWICK CITY COUNCIL AGENDA

Brian Ousley At-Large	Nicholas Hanek Ward 2	Patricia Hanek At-Large	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Fijabi Julien-Gallam Council Clerk	Michael Abella Jr. Ward 1	Andrea Rodriguez Ward 3	Joseph Delsanter At-Large	Anthony Capretta Ward 4
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Administration Representatives

NOVEMBER 25, 2019

7:30 PM

IN COUNCIL CHAMBERS

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Minutes
 - (a) Regular Council Meeting Minutes dated November 11, 2019.
5. Mayor's Report:
 - (a) Motion to approve the Mayor's recommendation to appoint Kevin Koeliker to the Building Board of Appeals to fulfill a 3-year term expiring November 28, 2022;
 - (b) Mayor's recommendation to reappoint Stanley Socha to fulfill a 1-year term on the Volunteer Firefighter Dependents Board expiring December 18, 2020;
 - (c) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Hanek

Services, Utilities, Technology & Cable Committee.....Mrs. Rodriguez

Services, Utilities, Technology & Cable Meeting Minutes dated November 11, 2019

Finance Committee.....Mrs. Hanek

Finance Committee Meeting Minutes dated November 11, 2019

Safety & Environment Committee.....Mr. Ousley

Planning & Zoning Committee.....Mr. Delsanter

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

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

Building and Building Code Committee Meeting Minutes dated November 11, 2019

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated November 11, 2019

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

ORD. NO. 74-19 - An ordinance approving the revised detailed site plan for the Sanctus, LLC senior development located in the Senior Development Special Planning District NO. 5. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

RES. NO. 75-19 - An emergency resolution authorizing the City Manager to enter into an agreement with W.B. Mason for the provision of office supplies for a period of one (1) year from January 1, 2020 through December 31, 2020, with two (2) separate one (1) year renewal options. - **3rd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*)

ORD. NO. 77-19 - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District and the issuance of such approvals. - **3rd Reading** (Economic Development Committee, *Administration/Nicholas Hanek*)

ORD. NO. 78-19 - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for multi-family dwelling units in all zoning districts and the issuance of such approvals. - **3rd Reading** (Economic Development Committee, *Administration/Nicholas Hanek*)

b. 2nd Reading(s)

RES. NO. 81-19 - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020. - **2nd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*)

c. 1st Reading(s)

ORD. NO. 85-19 - An ordinance rezoning PPN 003-18C-08-012 from the R-R Rural Residential District to the R-L Low Density Residential District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 86-19 - An ordinance rezoning the Northwest 1.65 acres of PPN 003-18C-08-015 from the C-G General Commercial District to the R-L Low Density Residential District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

RES. NO. 87-19 - A resolution urging Contributions to local food banks. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Brian Ousley*)

ORD. NO. 88-19 - An ordinance amending Section 1216.06 of the City of Brunswick Codified Ordinances by increasing the application fee to the Board of Zoning appeals for commercial and industrial uses. - **1st Reading** (To be brought from Building and Building Code Committee, *Administration/Grant Aungst*)

RES. NO. 89-19 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 19.485 acre parcel of land (PPN 001-02D-09-011) on Carpenter Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 90-19 - An emergency resolution authorizing the City Manager to purchase three (3) Dodge Chargers for the Division of Police from Greve Dodge in an amount not to exceed \$113,000.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

RES. NO. 91-19 - An emergency resolution selecting City of Wadsworth Mayor Robin Laubaugh as an additional member of the Medina County 9-1-1 Planning Committee. - **1st reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

ORD. NO. 92-19 - An emergency Ordinance to adopt the annual appropriation budget for expenditures of the City of Brunswick for the year beginning January 1, 2020 and ending December 31, 2020. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 93-19 - An emergency Ordinance amending Section 1 of Ordinance NO.93-18 to provide for a revised allocation of municipal income tax receipts during the period from January 1, 2020 through December 31, 2020. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 94-19 - An emergency resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Natural Resources for the Plum Creek Recreation, Conservation and Flood Control Project. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Matt Jones*)

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, NOVEMBER 11, 2019

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:30 p.m. at the Municipal Complex.

Roll Call of Members showed the following Council Members present: Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, and Brian Ousley.

Others Present: Mayor Ron Falconi, Clerk of Council Fijabi Julien-Gallam, City Manager Carl S. DeForest, and Law Director Ken Fisher.

Correspondence There was none.

Approval of Minutes:

Michael Abella Jr. moved to approve the Regular Council Meeting minutes dated October 28, 2019, as written, seconded by Anthony Capretta. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta and Andrea Rodriguez. Nays - 0. Motion Carried.

Mayor's Report:

Mayor's Court Financial Report for the month ending October 2019 will be posted on the website and added to the minutes for the record.

Mayor Ron Falconi presented his recommendation to appoint Kevin Koeliker to the Building Board of Appeals to fulfill a 3-year term expiring November 28, 2022.

Clerk of Council's Report:

Clerk of Council Fijabi Gallam remarked that the Brunswick Area Historical Society is having their groundbreaking ceremony for their new building on Monday, November 25, 2019, at 10:00 a.m. The ceremony is expected to be brief.

Council Committee Reports:

Economic Development Committee.....Mr. Hanek:

Nicholas Hanek moved to approve the Economic Development Committee formal report dated October 25, 2019, as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

Services, Utilities, Technology & Cable Committee.....Mr. Rodriguez:

Mrs. Rodriguez had no formal reports this evening.

Finance Committee.....Mrs. Hanek:

Mrs. Hanek had no formal reports this evening.

Safety & Environment Committee.....Mr. Ousley:

Mr. Ousley had no formal reports this evening.

Planning & Zoning Committee.....Mr. Delsanter:

Joseph Delsanter moved to approve the Planning & Zoning Committee formal report dated October 17, 2019, and October 28, 2019, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

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

Mr. Abella had no formal reports this evening.

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

Mr. Capretta had no formal reports this evening.

Other Boards and Commissions:

Michael Abella Jr. moved to approve the Committee-of-the-Whole Meeting minutes dated October 28, 2019, as amended, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

Petitions from the Public on Legislation: There was none.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

ORD. NO. 70-19 - An ordinance authorizing the City Manager/Safety Director to enter into an agreement with the Brunswick City School District to compensate the Brunswick City School District for tax revenue lost as a result of exemptions to taxation on certain real properties for the fiscal years 2019, 2020, 2021 and 2022. - **3rd Reading** (Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved to adopt Ordinance Number 70-19, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Anthony Capretta, Michael Abella Jr., Patricia Hanek. Nays - 0. Motion Carried.

Assistant Finance Director Lynnette Ozanich remarked that according to the Ohio Revised Code (ORC) when there is a Community Reinvestment Area (CRA), the City is required to share a certain amount of income tax dollars with the schools. This legislation would allow the City to enter into an agreement with the Brunswick City School District to share income tax dollars when property tax abatements are

involved. This legislation would allow the City to comply with ORC through the year 2022.

2nd Reading(s)

ORD. NO. 74-19 - An ordinance approving the revised detailed site plan for the Sanctus, LLC senior development located in the Senior Development Special Planning District NO. 5. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 74-19 - Mr. Delsanter moved this ordinance to third reading.

RES. NO. 75-19 - An emergency resolution authorizing the City Manager to enter into an agreement with W.B. Mason for the provision of office supplies for a period of one (1) year from January 1, 2020 through December 31, 2020, with two (2) separate one (1) year renewal options. - **2nd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*):

RES. NO. 75-19 - Mr. Abella moved this resolution to third reading.

ORD. NO. 77-19 - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District and the issuance of such approvals. - **2nd Reading** (Economic Development Committee, *Administration/Nicholas Hanek*):

ORD. NO. 77-19 - Mr. Hanek moved this ordinance to third reading.

ORD. NO. 78-19 - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for multi-family dwelling units in all zoning districts and the issuance of such approvals. - **2nd Reading** (Economic Development Committee, *Administration/Nicholas Hanek*):

ORD. NO. 78-19 - Mr. Hanek moved this ordinance to third reading.

1st Reading(s)

ORD. NO. 79-19 - An emergency ordinance to formally close the Medina County Safe Communities Fund (#137), the OPWC Hadcock Phase III Fund (#367), and the Center Road Resurfacing Fund (#369) - **1st Reading** (To be brought from Finance Committee, *Administration/Lynnette Ozanich*):

Patricia Hanek moved to suspend the rules, seconded by Brian Ousley. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Andrea Rodriguez. Nays - 0. Motion Carried.

Assistant Finance Director Lynnette Ozanich remarked that this ordinance would allow the finance department to close the Medina County Safe Communities Fund (#137), the OPWC Hadcock Phase III Fund (#367), and the Center Road Resurfacing Fund (#369).

Patricia Hanek moved to adopt Ordinance Number 79-19, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

RES. NO. 80-19 - An emergency resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for Indigent Defense Services in Medina Municipal Court for municipal code violations from January 1, 2020 through December 31, 2020. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*):

Michael Abella Jr. moved to suspend the rules, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

Law Director Ken Fisher remarked that this resolution is a renewal of an annual contract between the City of Brunswick, Medina County Public Defender Commission, and the Medina County Commissioners for the Medina County Public Defender Commission to provide legal defense services for indigent defendants charged with violations of the Brunswick Municipal Code. The charges have remained the same. Mr. Fisher noted that under the Ohio Revised Code, it is the City's responsibility to provide legal defense for defendants that are not able to afford a lawyer.

Michael Abella Jr. moved to adopt Resolution Number 80-19, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

RES. NO. 81-19 - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Jim Foster*):

RES. NO. 81-19 - Mr. Abella moved this resolution to second reading.

RES. NO. 82-19 - An emergency resolution authorizing the City Manager to purchase Cisco switching equipment from SHI, Inc. in an amount not to exceed \$45,500.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*):

Michael Abella Jr. moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Andrea Rodriguez, Anthony Capretta, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

Information Technology Director Robert Marok remarked the amount for the replacement of the Cisco switching equipment in City Hall and the Recreation Center is in the 2019 budget.

Michael Abella Jr. moved to adopt Resolution Number 82-19, seconded by Patricia Hanek. Roll Call - Ayes - 7, Brian Ousley, Patricia Hanek, Joseph Delsanter, Michael Abella Jr., Anthony Capretta, Andrea Rodriguez, Nicholas Hanek. Nays - 0. Motion Carried.

RES. NO. 83-19 - An emergency resolution authorizing the City Manager to purchase a replacement storage area network from SHI, INC. in an amount not to exceed \$65,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*):

Michael Abella Jr. moved to suspend the rules, seconded by Anthony Capretta. Roll Call - Ayes - 7, Patricia Hanek, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Joseph Delsanter. Nays - 0. Motion Carried.

Information Technology Director Robert Marok remarked that one of the storage networks reached its life span. This purchase is in the 2019 budget. The price is below the state pricing contract.

Michael Abella Jr. moved to adopt Resolution Number 83-19, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

RES. NO. 84-19 - An emergency resolution authorizing the City Manager to enter into an agreement with Matt Winters Excavating, LLC for the service garage trench drain replacement project in an amount not to exceed \$59,505.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/ Matt Jones*):

Andrea Rodriguez moved to suspend the rules, seconded by Anthony Capretta. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Andrea Rodriguez. Nays - 0. Motion Carried.

City Engineer Matt Jones remarked that this resolution would allow the City to hire Matt Winters Excavating, LLC, to replace the service garage trench drain. They were the lowest and best bidder. This project is in the 2019 budget.

Andrea Rodriguez moved to adopt, seconded by Nicholas Han. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

City Manager's Report:

City Manager Car DeForest

- Thanked the Veterans of Foreign Wars (VFW) #9520 and the American Legion Post 234 for sponsoring the Veterans Day Ceremony. Mr. DeForest thanked all of the veterans for attending the ceremony and for their service.
- Thanked everyone in the community for voting for a continuous Safety Levy.
- Remarked that Nicholas Olsan is in the audience, and Mr. Olsan is going to speak under Open Forum about an Eagle Scout project that is beneficial to veterans.

Administrative Departments:

Police Chief Brian Ohlin

- Provided safety reminders while driving in the winter.
- Noted that during the No Parking Ban, no cars are allowed to park on the city's street. When there are more than 2 inches of snow on the streets, the ban is enforced. This ban would allow

service workers to clear the streets.

- Added that no one in the city is allowed to park on the street between the hours of 2:00 a.m. to 5:00 a.m.
- Mentioned that the Division of Police and the Division of Fire is involved in some area-wide training together with 11 other jurisdictions in the area. The training is for the rescue task force concept - Police and Fire working together in case of an emergency.

Assistant Finance Director Lynnette Ozanich

- Remarked that the 2020 Budget Proposal and Capital Program is scheduled to go to the Finance Committee and members of the council on Monday, November 18, 2019, at 6:30 p.m., in the City Hall's Lunchroom. The 2020 Budget Proposal and Capital Program are also scheduled to be presented to the Financial Audit Advisory Committee on Thursday, November 21, 2019, at 6:15 p.m., in the City Hall's Lunchroom

Park and Recreation Director John Piepsny

- Remarked that the recreation center is having their first ever glow night on Saturday, November 30, 2019, from 5:00 p.m. to midnight, for ages seven to fifteen. They planned to have a DJ, glow in the dark games, swimming with the lights on, movies, pizza, ice cream, popcorn, and much more.
- The Brunswick Recreation Center's annual Christmas Party is scheduled to be on Sunday, December 8, 2019, from 3:00 p.m. to 5:00 p.m. They planned to have games, prizes, a DJ, snacks, and photos with Santa. This is a free event.

Open Forum:

Collection Drive for Veterans

Nicholas Olsan, at 1478 Jefferson Avenue, remarked that he is a Boy Scout from Troop 517. To achieve the rank of Eagle Scout, he is leading a collection service project for the Harry Donovan Jr. Homeless Veterans Shelter of Summit County. Mr. Olsan remarked that the home is a transitional housing program for homeless male veterans. The Valor Home is to support homeless veterans in the community in their efforts to achieve greater self-sufficiency, including the ability to secure and maintain permanent housing. He noted that he set-up an approved collection box in the lobby of City Hall for any donations that would go a long way in assisting those who have sacrificed much more for the country. Mr. Olsan concluded his request by thanking all veterans who have served.

Unfinished Business:

There was none.

New Business:

Consideration of a new liquor permit from Neiner Group LLC, DBA 9ERS Diner, at 63 Pearl Road, Brunswick, Ohio 44212:

The City Council and the Administration had no objections to the liquor permit transfer request.

Adjournment:

Michael Abella Jr. moved to adjourn, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:49 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

NOV 13 2019

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME KEVIN KOELLIKER PHONE 216-244-6077

STREET 1172 MULBERRY LANE CELL >

Years of Residency 14

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: BUILDING CODES APPEAL EMAIL KEVIN.KOELLIKER@VERHILL.COM

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL GARFIELD HEIGHTS

COLLEGE CLEVELAND STATE, TRI-C

SPECIAL TRAINING LEADERSHIP COURSES + CODE COURSES

CURRENT EMPLOYMENT

VERHILL 453 DAVIDSON RD SALES ENG. 1995-PRESENT
Company Address Title Dates

RELEVANT PAST EMPLOYMENT

CET 55 PUBLIC SQ LINEMAN 1971-1987
Company Address Title Dates

ELECT EQUIP CO MACEDONIA REGIONAL MGR 1987-1995
Company Address Title Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>TOMY CAPRETTA</u>		
2.	<u>MAYO FALONI</u>		
3.			

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

KEEP THE PROGRESS GOING IN BRUNSWICK

ATTACH RESUME IF DESIRED.

Signature Kevin Koelliker Date: NOV 5, 2019

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

**APPLICATION FOR
BOARDS AND COMMISSIONS**

NAME STANLEY SOCHA PHONE 330-225-4170

STREET 66 WOODHOLLOW DR. CELL 216-276-1348

Years of Residency 39 Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED VOL FIREFIGHTER/ENGINEER EMAIL SPARENIS@AOL.COM

EDUCATION	DEGREE	YEAR GRADUATED
HIGH SCHOOL <u>NORTH CATHOLIC</u>		<u>1959</u>
COLLEGE <u>POINT PARK UNIVERSITY</u>	<u>BA</u>	<u>1972</u>
SPECIAL TRAINING <u>FIREFIGHTER/ENGINEER, FIRE INVESTIGATION, FIRE INSPECTION</u> *		

CURRENT EMPLOYMENT

RETIRED

Company	Address	Title	Dates
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RELEVANT PAST EMPLOYMENT

<u>BRUNSWICK DIV. FIRE</u>	<u>3476 CENTRAL RD</u>	<u>SEE ABOVE</u> *	<u>10-77/10-80</u>
Company	Address	Title	Dates

<u>GENERAL MOTOR CORP</u>	<u>PO BOX 5014 SOUTHFIELD, MI</u>	<u>SR ACCOUNTANT</u>	<u>06-68/12-98</u>
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

BRUNSWICK ROTARY, ST AMBROSE PARISH COUNCIL, WESTERN FIRE MUSEUM, GREAT LAKES
ANTIQUA FIRE APPARATUS ASSOC.

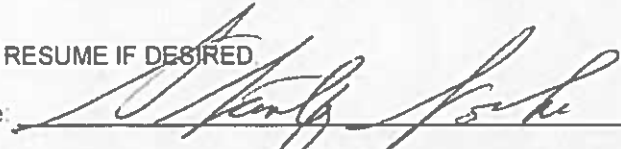
REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>PAT CARLSON</u>	<u>1632 PEARL RD Brunswick</u>	<u>330-225-2400</u>
2.	<u>JAMES LEPI</u>	<u>3339 TYLER RD Brunswick</u>	<u>330-273-1801</u>
3.	<u>BILL WILKINSON</u>	<u>1025 W 130TH ST HINCHLEY</u>	<u>330-220-5494</u>

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

RETIRED BRUNSWICK DIVISION FIRE PLUS VOLUNTEER FIRE SERVICE IN
PENNSYLVANIA & MICHIGAN. VOLUNTEER POLICE SERVICE IN PENNSYLVANIA &
CALIFORNIA.

ATTACH RESUME IF DESIRED

Signature:  Date: 09-09-19

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

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

November 11, 2019

IN ATTENDANCE: Chairwoman Andrea Rodriguez, Committee Member Nicholas Hanek, Committee Member Anthony Capretta, Joseph Delsanter, Michael Abella Jr., Patricia Hanek, Brian Ousley, City Manager/Safety Director Carl DeForest, Finance Director Todd Fischer, Service Director Paul Barnett, Engineer Matt Jones, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, IT/Security Officer Rob Marok, Engineer Matt Jones, Recreation Director John Piepsny, Assistant Finance Director Lynnette Ozanich, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:19 p.m.

DISCUSSION ITEMS:

RES. NO. 84-19 - An emergency resolution authorizing the City Manager to enter into an agreement with Matt Winters Excavating, LLC for the service garage trench drain replacement project in an amount not to exceed \$59,505.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/ Matt Jones*)

Mr. Jones explained that this was a budgeted item under Capital Improvement Plan in 2019. There were six bidders in which the lowest bidder was slightly below estimation. The project consists of a complete removal and replacement of the floor draining system in the service garage, most of which is depleted. Also being replaced is the adjacent sanitary sewer line. Completion is anticipated by the end of this year, 2019.

Mr. Hanek moved this resolution to tonight's Council Agenda of November 11, 2019, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

Emergency Snow Removal:

Mr. Barnett provided a hand out, which was a summary of “full time personnel comparison by department” previously sent by e-mail from Mr. Deforest. This helps give a better understanding of the staffing level questions and concerns that have been expressed in the past.

Mr. Barnett believed that contracting out for emergency snow storms does not violate the union contract. If acted upon, it would not drastically cut down response time. Mr. Barnett recapped the anticipated cost of this option would be \$31,000 per year; if two emergency instances occurred. That would be roughly \$15,000 each event.

Mrs. Rodriguez raised concern regarding the union and a possible breach of contract as she previously mentioned. She raised question that if the contract was breached, would there be additional fines for a grievance. Mr. Barnett indicated that there would be no fines. He clarified

that if the City were to lose a grievance, there would be an hourly rate paid out as if the workers were present with the contractors during the event. The City's service department would continue to work 12 hour shifts until the snow is completed. Mr. Barnett shared examples of how things would work if moved forward; if the City worker's routes were completed with only cul-de-sacs remaining for plowing, the City's service department would be sent immediately to those cal-de-sacs, rather than the contractors.

Mrs. Rodriguez voiced her concern once more regarding the possibility of contractors being overworked due to prior contracts before coming to the City. Mr. Barnett clarified that the City could limit the hours worked and make those decisions. It is possible to implement something regarding hours not worked in excess. The City's current policy is twelve hours on, and twelve hours off, in the winter time for service workers.

Mr. Delsanter raised question of the expected timeline for having more service workers for the City. He felt that time would force that decision in the near future. Mr. Barnett indicated that the City is not close to implementing more service workers currently.

Mr. Hanek felt that it is priority to fix the roads for the residents. He raised concern about the risk, and weighing the benefits of this avenue. He asked for a better understanding regarding the substantial cost that would be associated with road damages from contractors. Mr. Barnett felt that the benefit would be the ability to tell citizens that everything was done to expedite this as much as possible. It would also allow the response time to decrease. Mr. Barnett commented that from what he has witnessed pertaining to damages, he would predict roughly four mail boxes down, and most likely one week of needed turf replacement. The trucks being used would be 550's; not the larger trucks. He does not anticipate a lot of curb damage. The City has spent an average of two and a half weeks in the past on turf damage; which consists of top soil and seed come the spring season. Mr. Barnett did not believe that this option would cause the City repairs beyond what was discussed.

Mr. Ousley questioned the number of 550 dump trucks that the city has purchased in the last several years. Mr. Barnett believed there have been four purchased. Mr. Ousley noted that this is the same number of contractors being discussed to bring in. He felt that the City should consider using some of the City's trucks to do work on the cul-de-sacs; the more difficult areas for snow removal. Mr. Barnett commented that could be possible. However, there would be issues with transferring workers out of big trucks, such as change-over time and getting the other trucks prepared. He shared the idea of a trial period. The City's 550 trucks in question would require purchasing of plows and mounting them.

Mr. Barnett reminded everyone that Council suggested this notion. Mr. Ousley shared his frustration with the timeline; he felt that discussions are the same as 10 months ago. Mrs. Rodriguez commented that if the City moved forward, she would like an agreement in regards to hours worked per day by the contractors. Mr. Barnett assured that the City can dictate and

decide hours. If chosen to do so, abiding by no more than 16 hours on and 8 hours off, could be implemented without a problem.

Mr. Hanek reminded everyone that this would be a “just in case” arrangement; it is not certain that there would be the same emergency event as before. Mr. Barnett commented that during his four winters with the City, there has been one occurrence that contractors would have been contacted. He remarked that Administration supports whatever is decided. He suggested the option of additional time for consideration if needed.

Mrs. Rodriguez requested that a motion be made to table this matter of emergency snow removal for two weeks; to pause action. Mr. Hanek moved to table the motion for two weeks. Vote – 3 Ayes, 0 Nays.

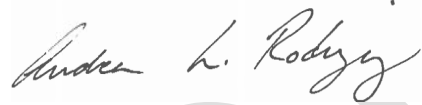
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 6:46 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Andrea Rodriguez
Chairwoman

FINANCE COMMITTEE MEETING

November 11, 2019

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Joseph Delsanter, Committee Member Brian Ousley, Andrea Rodriguez, Committee Member Nicholas Hanek, Committee Member Anthony Capretta, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Finance Director Todd Fischer, Assistant Finance Director Lynnette Ozanich, Service Director Paul Barnett, Engineer Matt Jones, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, IT/Security Officer Rob Marok, Engineer Matt Jones, Recreation Director John Piepsny, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:45 p.m.

DISCUSSION ITEMS:

ORD. NO. 79-19 –An emergency ordinance to formally close the Medina County Safe Communities Fund (#137), the OPWC Hadcock Phase III Fund (#367), and the Center Road Resurfacing Fund (#369) - **1st Reading** (To be brought from Finance Committee, *Administration/Lynnette Ozanich*)

Mrs. Ozanich summarized that this is to close three accounts, which are the Medina County Safe Communities Fund, the Ohio Public Works Commission Hadcock Phase III Fund, and the Center Road Resurfacing Fund. The three accounts were used for what they were established; the accounts are no longer needed.

Mr. Delsanter moved this ordinance to tonight's Council Agenda of November 11, 2019, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mrs. Ozanich gave an update that the financial reports for October 2019 are closed and the reports have been sent by e-mail. Today, the City was informed by the software vendor that the Income Tax E-file system is down until approximately January 31st for some major upgrades. Details of the upgrades are not known as of yet.

Mrs. Hanek reminded everyone that the Budget Proposal meeting would be on November 18th at 6:30 p.m. in the lunchroom in which all Council are welcome.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 6:48 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Patricia Hanek

Patricia Hanek
Chairwoman

DRAFT

BUILDING AND BUILDING CODE COMMITTEE

November 11, 2019

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Nicholas Hanek, Brian Ousley, Andrea Rodriguez, Patricia Hanek, City Manager/Safety Director Carl DeForest, Service Director Paul Barnett, Community & Economic Development Director Grant Aungst, Engineer Matt Jones, Finance Director Todd Fischer, IT/Security Officer Rob Marok, Engineer Matt Jones, Assistant Finance Director Lynnette Ozanich, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:15 p.m.

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

DISCUSSION ITEMS:

Building & Building Code Update

Mr. Aungst provided an update. In the past month, there have been the following: 210 processed applications, 332 building inspections, 29 contractors registered, 69 paid for closing filings year to date, 208 permits issued, 19 plan reviews, 420 maintenance violations, and 495 rental units registered. There is a value of approximately \$90,000,000 in construction of properties being built in the City; in which half represents the new middle school.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:18 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta
Chairman

COMMITTEE OF THE WHOLE MEETING

November 11, 2019

IN ATTENDANCE: Vice Mayor Michael Abella Jr., Nicholas Hanek, Andrea Rodriguez, Patricia Hanek, Brian Ousley, Anthony Capretta, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Service Director Paul Barnett, Finance Director Todd Fischer, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, IT/Security Officer Rob Marok, Engineer Matt Jones, Assistant Finance Director Lynnette Ozanich, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:49 p.m.

MOTION ITEMS:

A motion to allow the City Manager to enter into an agreement with Medical Mutual of Ohio to provide flexible spending program.

Mr. DeForest explained that each one of the six CBA's (Collective Bargaining Agreements) allow the City to enter into a flex spending program for employees to have the ability to use pretax dollars for dependent care and/or medical expenses. The City has practiced this for a number of years through Medical Mutual. This motion would allow continuation of this program for 2020.

Mr. Capretta moved to authorize City Manager to enter into an agreement with Medical Mutual of Ohio to provide a flex spending program. Vote – 7 Ayes, 0 Nays.

A motion to change the numbering of legislation starting in the year of 2020, to include the full year instead of the last two digits of the year.

Mrs. Julien-Gallam discussed the City's practice of how legislation has been numbered in a two digit year format. However, it is common practice for other municipalities to use the four digit year on legislation to prevent future issues with numbering. This would begin for the year 2020. For example, the first legislation would be numbered as 1-2020; rather than 1-20.

Mr. Hanek moved to change the numbering of legislation starting in the year of 2020, to include the full year instead of the last two digits of the year. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

RES. NO. 80-19 - An emergency resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for Indigent Defense Services in Medina Municipal Court for municipal code

violations from January 1, 2020 through December 31, 2020. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

Mr. Fisher summarized that this is an annual contract that the City enters into with the Medina County Public Defenders Commission to provide legal defense. This would take effect January 1st, 2020. He expressed that this is a great service that is provided to the residents.

Mr. Hanek moved resolution this resolution to tonight's Council Agenda of November 11, 2019, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

RES. NO. 81-19 - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Jim Foster*)

Mr. Deforest advised that this is in accordance with the Ohio Revised Code. Years ago, the City started selling items on the World Wide Web; unfit and unused items, such as the Police Department's out dated equipment. Prior to this practice, the City would haul unused or outdated items to the Council chambers for auctioning. This resolution would allow the City not to clutter Council chambers and utilize the World Wide Web. This is done annually to allow the City to use the internet the following year, which would take effect in January.

Mrs. Hanek moved this resolution to tonight's Council Agenda of November 11, 2019, for three readings. Vote – 7 Ayes, 0 Nays.

RES. NO. 82-19 - An emergency resolution authorizing the City Manager to purchase Cisco switching equipment from SHI, Inc. in an amount not to exceed \$45,500.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*)

RES. NO. 83-19 - An emergency resolution authorizing the City Manager to purchase a replacement storage area network from SHI, INC. in an amount not to exceed \$65,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*)

Mr. Marok explained that most of the network equipment at City Hall is 19 years old. It was budgeted to make replacements this year. There is also a budget pending to replace the outline buildings; the City is also going to implement this in the Rec Center. It was slightly over budgeted by \$400.00. However, that includes an additional building with a discount.

Mr. Hanek moved jointly these resolutions to tonight's Council Agenda of November 11, 2019, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Marok indicated that the City had some difficulties with the current agenda management software. The vendor is looking to change prices. Mr. Morok updated Council members to expect a change to another vendor, in which Mrs. Gallam was in agreeance. This motion would be coming up in the near future after a decision is made between two vendors.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn the Committee of the Whole Meeting at 7:00 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,

Holly Quellos

Holly Quellos
Assistant Clerk of Council

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 74-19** - An ordinance approving the revised detailed site plan for the Sanctus, LLC senior development located in the Senior Development Special Planning District NO. 5. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: The Planning Commission held a public hearing on October 17, 2019, pursuant to Charter Section 6.02(c) and Section 1268.07(c) of the Codified Ordinances of the City of Brunswick, and recommended approval to City Council of the revised detailed site plan (Exhibit A) for the Sanctus, LLC senior development located north of Keller-Hanna Drive; south of St. Ambrose Church; and east of the Keller water towers (PP# 003-18B-31-539 and 003-18B-31-540). The development guidelines have remained the same.

PURPOSE AND EXPLANATION: City Council adopted the conceptual plan, development guidelines, and rezoning to Special Planning District No. 5 on February 25, 2019, Ordinance No. 13-19. A revised detailed site plan was submitted whereby as required by Section 1268.07(c), changes to the conceptual development plan of more than a cosmetic nature shall also be approved by City Council by ordinance. Furthermore, pursuant to Section 1268.07(d), once a Special Planning District is created, it may only be changed through the Charter provisions for zoning amendments. The conceptual plan shall remain in effect until changed by ordinance of Council as required for the initial adoption in Section 1268.06 of the Zoning Code.

IMPLEMENTATION SCHEDULE: First reading at City Council meeting on October 28, 2019.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No

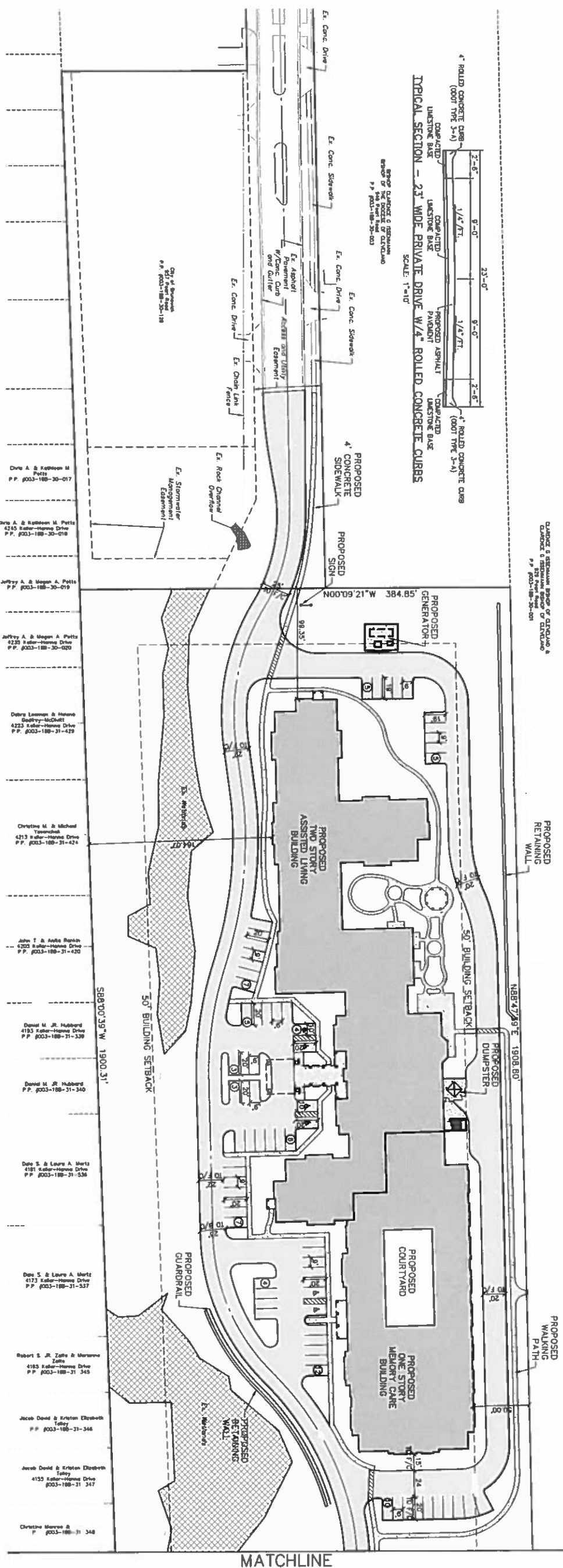
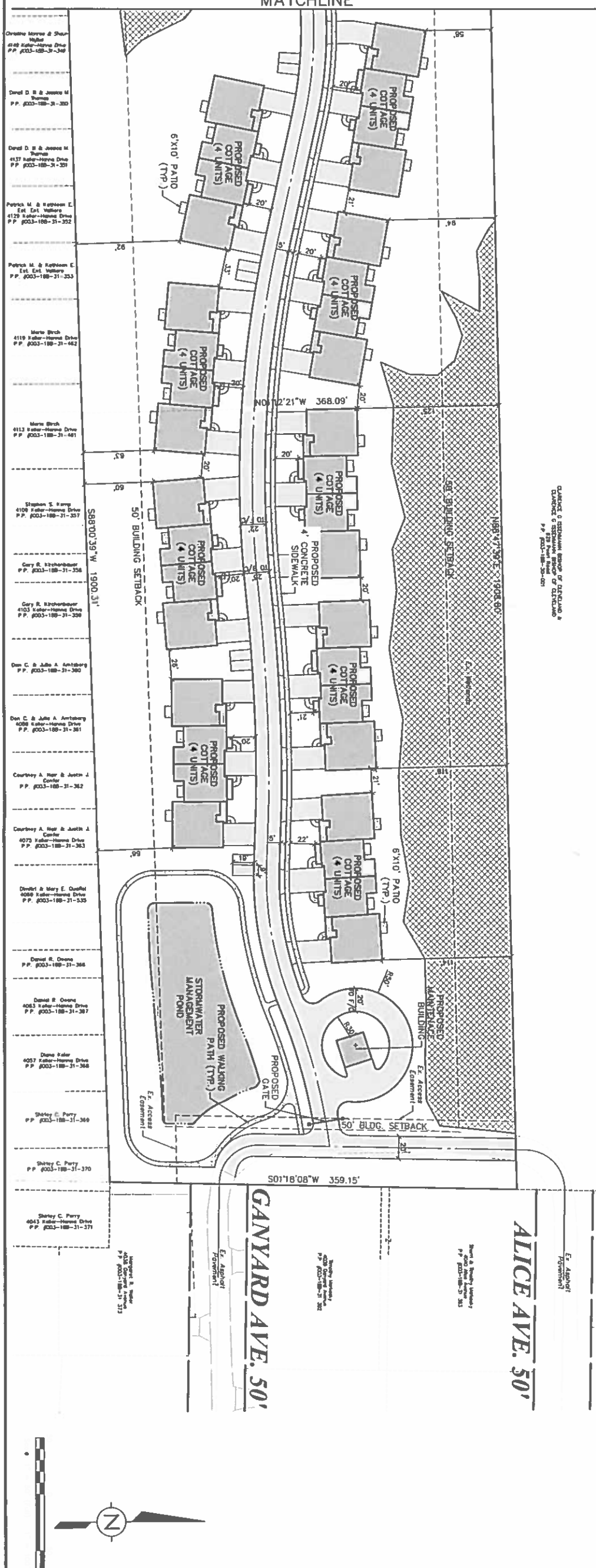
Three Readings	Yes
Emergency	No
Suspension of Rules	No

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

Three readings

**ADDITIONAL
INFORMATION:**

MATCHLINE



RF	RFPT/a	
42	0	393

MAYOR
RON FALCONI

CITY OF BRUNSWICK

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
JOSEPH P. DELSANTER
NICHOLAS HANEK
PATRICIA HANEK
BRIAN K. OUSLEY
ANDREA L. RODRIGUEZ

October 18, 2019

Frank Biller
Sanctus, LLC
10940 Parker Road
Parker, CO 80134

RE: Sanctus, LLC senior development
SPD-5
Brunswick, Ohio

Dear Mr. Biller:

The Brunswick City Planning Commission, at their meeting on October 17, 2019, voted to **recommend approval** to City Council of the Sanctus, LLC senior development revised detailed site plan, subject to the following:

1. The Planning Commission recommended approval to City Council of the rezoning to Special Planning District 5, along with the initial conceptual plan and design guidelines, on January 17, 2019, which City Council adopted on February 25, 2019 (Ordinance No. 13-19).
2. Pursuant to Section 1268.07(c) and (d), respectively, changes to the conceptual development plan of more than a cosmetic nature shall also be approved by City Council by ordinance; and once a Special Planning District is created, it may only be changed through the Charter provisions for zoning amendments. The first reading on the proposed legislation is scheduled for Council's meeting on October 28, 2019. Please contact Fijabi Gallam, Clerk of Council, at (330) 558-6845 for meeting times.
3. As permitted by Section 1278.03(h), the City Engineer requires the coordination of data from the traffic study with adjacent property owners and proposed development sites.



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

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

4. Per the Fire Department's request, show the private main to access the north drive and feed the required fire hydrants, along with the presumed location of the mechanical room, on the north side of the building.
5. Final site plan approval is subject to engineering approval.
6. Following engineering approval, necessary permits and inspections must be obtained from the Division of Building.

Please provide one set of complete engineering drawings and calculations to the City Engineer for review. The drawings and calculations submitted must include any plan revisions stipulated by the Planning Commission in their approval motion and listed above. The drawings and calculations submitted must each be signed and stamped by a registered Professional Engineer and be based upon a current topographic existing conditions survey of the site. The existing conditions survey shall be included in the project plan set and must be signed and stamped by the registered Professional Surveyor who performed the work.

Also, please ensure your design engineer reviews Chapter 1234 Erosion and Sediment Control; Chapter 1236 Storm Water Management; and Chapter 1238 Riparian Zones of the Brunswick Codified Ordinances, and includes any appropriate measures into the engineered plans and calculations. Should you or your design engineer have any questions regarding site plan requirements, please contact the Engineering Department at (330) 558-6880.

Section 1234.11 (effective February 11, 2008), requires the Storm Water Pollution Prevention Plan and Abbreviated Storm Water Pollution Prevention Plan review, filing, and inspection fee to be included as part of a complete submittal and is required to be submitted to the City of Brunswick before the review process begins. **Please remit payment in the amount of \$2,500.00 for the above process when engineering detailed site plans are submitted.**

Effective February 7, 2007, the project applicant shall be responsible for all costs associated with the engineering review of a proposed project. The applicant shall post a review fee deposit, pursuant to Section 1278.03(g) of the Brunswick Codified Ordinances. **The City Engineer has established a review deposit of \$15,000.00 for this project.** A check in that amount, made payable to the City of Brunswick, must be included with the submission of the engineered drawings and calculations. **The engineering review of the project will not begin until these funds have been placed on deposit with the City of Brunswick.**

It is important to note the deposit amount presented above is only an estimate. As engineering costs are incurred, a corresponding amount will be deducted from the deposit balance. Any funds that remain after the project has been constructed and accepted shall be returned to the entity or person that posted the funds initially. Should the deposit fall below 30% of the initial amount, the applicant may be required to deposit additional funds as determined by the City Engineer.

Upon completion of the review, the City Engineer will request **four final sets** of plans for signature purposes. After the plans are signed by the Planning Commission and City Engineer, one signed set will be returned to your attention.

The Zoning Code requires a **financial guarantee** "to insure that all site features, including, but not limited to, parking, drainage, sidewalks, screening, exterior lighting and landscaping, conform to the approved site plan." The guarantee amount must be based on an itemized estimate from a designer or contractor and must be approved by the City Engineer. The guarantee must be **in the form of cash, letter of credit, or performance bond**, unless another form is approved by the Law Director. The enclosed samples may be utilized for this purpose. Please contact the City Engineer for more information regarding the financial guarantee.

The record site plans, engineering approval, project cost estimate, and financial guarantee must all be in place before building permits can be issued.

The Commission's **site approval is valid for one year** from the date the Planning Commission voted to approve the project.

Please contact me at (330) 558-6865 if you have any questions.

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator

enc.

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

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 74-19

BY: Mr. Delsanter, Mr. Hanek, and Mrs. Rodriguez

AN ORDINANCE APPROVING THE REVISED DETAILED SITE PLAN FOR THE SANCTUS, LLC SENIOR DEVELOPMENT LOCATED IN THE SENIOR DEVELOPMENT SPECIAL PLANNING DISTRICT NO. 5.

WHEREAS: On October 17, 2019, the Brunswick City Planning Commission recommended approval to City Council of the revised Detailed Site Plan for the Sanctus, LLC senior development located in the Senior Development Special Planning District No. 5.

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

SECTION 1: That the revised Detailed Site Plan for the Sanctus, LLC senior development located in the Senior Development Special Planning District No. 5, as attached hereto as Exhibit "A", is hereby approved subject to final engineering approvals.

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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Jim Foster

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 75-19** - An emergency resolution authorizing the City Manager to enter into an agreement with W.B. Mason for the provision of office supplies for a period of one (1) year from January 1, 2020 through December 31, 2020, with two (2) separate one (1) year renewal options. - **3rd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*)

BACKGROUND: Public bids were received and opened on September 24, 2019. Two bids were received with W. B. Mason, Inc. being the lowest and best vendor.

PURPOSE AND EXPLANATION: We would like this legislation read three times with suspension of the rules. There are a number of processes that must take place in order for a new ordering system to be up and running effective on January 1, 2020. By having this legislation effective after the third reading should allow this to happen. The first year contract would be effective January 1, 2020 through December 31, 2020.

IMPLEMENTATION SCHEDULE: Each department orders their own office supplies. Ordering and related expenses for office supplies by Department are limited to the Council adopted appropriations for each Department.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Each Department has a budget adopted by Council, which includes office supplies. All Departments must adhere to the budgets as established and adopted by Council pursuant to the Section 5705 of the Ohio Revised Code. The submitted bid would lock in pricing for office supply items.

RECOMMENDED ACTION:

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

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

We would like this legislation read three times. Our current contract expires December 31, 2019. We need to be able to set up a new vendor and new ordering process prior to the end of the year.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 75-19

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH W.B. MASON FOR THE PROVISION OF OFFICE SUPPLIES FOR A PERIOD OF ONE (1) YEAR FROM JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, WITH TWO (2) SEPARATE ONE (1) YEAR RENEWAL OPTIONS.

WHEREAS: The City of Brunswick received two (2) bids for provision of office supplies in accordance with public bidding requirements;

WHEREAS: The two (2) received public bids were opened on September 24, 2019, with W.B. Mason determined to be the lowest and best bidder; and

WHEREAS: The agreement with the City's current vendor is scheduled to expire as of December 31, 2019.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with W.B. Mason for the provision of office supplies for a period of one (1) year from January 1, 2020 through December 31, 2020, with two (2) separate one (1) year renewal options, in an amount not to exceed submitted bid prices.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary as the current Agreement for the provision of office supplies expires on December 31, 2019. 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 October 28, 2019

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 77-19** - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District and the issuance of such approvals. - **3rd Reading** (Economic Development Committee, *Administration/Nicholas Hanek*)

BACKGROUND: The members of the Economic Development Committee would like the following extended for an additional six months from the date of conclusion.

39-19 Warehousing and Motor Freight Garages and Truck Transfer Terminals. Current legislation ends on Jan. 23, 2020. Given the time for review of the update to the comprehensive plan and the timing of legislation, they would like to move forward with the extension for the Oct. 28, 2019 Council meeting.

**PURPOSE AND
EXPLANATION:**

IMPLEMENTATION

SCHEDULE: Both for 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?

Both for three readings.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 77-19

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

AN ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY AND/OR BUILDING PERMIT APPROVALS FOR WAREHOUSING AND MOTOR FREIGHT GARAGES AND TRUCK OR TRANSFER TERMINAL USES IN THE I-L LIGHT INDUSTRIAL DISTRICT AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: On July 23, 2018, City Council adopted Ordinance No. 60-18, which established a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District in the City, which temporary moratorium is set to expire on January 23, 2019;

WHEREAS: On January 14, 2019, City Council adopted Ordinance No. 103-18 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District in the City for an additional six (6) months up to and including July 23, 2019;

WHEREAS: On July 22, 2019, City Council adopted Ordinance No. 39-19 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District in the City for an additional six (6) months up to and including January 23, 2020;

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of warehousing and motor freight garages and truck or transfer terminals, which are principally permitted uses in the I-L Light Industrial District per Codified Ordinance Section 1266.02(b) and (i), respectively; and

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District in the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council

and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof.

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

SECTION 1: The six (6) month temporary moratorium extension established by Ordinance No. 39-19 shall be extended for a period of six (6) months up to and including July 23, 2020, wherein the City shall not accept or process any applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District in the City, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: 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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 78-19** - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for multi-family dwelling units in all zoning districts and the issuance of such approvals. - **3rd Reading** (Economic Development Committee, *Administration/Nicholas Hanek*)

BACKGROUND: The members of the Economic Development Committee would like the following extended for an additional six months from the date of conclusion.

40-19 Multifamily housing, currently ending on Feb. 12, 2020, and given the time for review of the update to the comprehensive plan and the timing of legislation, they would like to move forward with the extension for Oct. 28, 2019.

PURPOSE AND EXPLANATION:

IMPLEMENTATION SCHEDULE: Both for 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?
Both for three readings.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 78-19

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

AN ORDINANCE EXTENDING A TEMPORARY MORATORIUM
ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS
FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR
BUILDING PERMIT APPROVALS FOR MULTI-FAMILY
DWELLING UNITS IN ALL ZONING DISTRICTS AND THE
ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of Multi-Family Dwelling Units, as defined in Codified Ordinance Section 1242.02(32)(c);

WHEREAS: On February 12, 2018, City Council adopted Ordinance No. 9-18, establishing a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City effective as of February 12, 2018;

WHEREAS: On July 9, 2018, City Council adopted Ordinance No. 46-18 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City for an additional six (6) months up to and including February 12, 2019;

WHEREAS: On February 11, 2019, City Council adopted Ordinance No. 3-19 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City for an additional six (6) months up to and including August 12, 2019;

WHEREAS: On July 22, 2019, City Council adopted Ordinance No. 40-19 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City for an additional six (6) months up to and including February 12, 2020; and

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the

City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Multi-Family Dwelling Units.

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

SECTION 1: The six (6) month temporary moratorium extension established by Ordinance No. 40-19 shall be extended for a period of six (6) months up to and including August 12, 2020, wherein the City shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: 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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Jim Foster

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 81-19** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020. - **2nd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*)

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

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

IMPLEMENTATION SCHEDULE: This legislation would be effective January 7, 2020.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The fiscal impact comes in the disposal or sale of an asset and the receipt of sale proceeds. The financial impact ultimately depends on the volume and the type of items. Historical capital asset sale proceeds are receipted into the capital account of the department who owns or possessed the item being sold. If the asset is not claimed by a particular department, the proceeds are generally deposited into the City's Capital Improvement Fund.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
This legislation is required to be read three (3) times.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 81-19

BY: Committee-of-the-Whole

A RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED FOR THE YEAR 2020.

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

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

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

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020.

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

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

SECTION 4: That the City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the auction site. Minimum price or reserve may be set, but is not required by law.

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

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

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

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

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

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

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

SECTION 11: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 85-19** - An ordinance rezoning PPN 003-18C-08-012 from the R-R Rural Residential District to the R-L Low Density Residential District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Pursuant to Section 6.02(c) of the City Charter, the Brunswick City Planning Commission held a public hearing on November 7, 2019, and recommended approval to City Council of the map amendment to rezone the 49.5843-acre parcel located west and south of 1918 Pearl Road, Brunswick, and south of the Laurel Glens Subdivision, Permanent Parcel No. 003-18C-08-012, from the existing R-R Rural Residential District to the R-L Low Density Residential District, for the purpose of constructing a single family cluster development consisting of 50 conventional single family dwellings and 27 single family cluster units, for a total of 77 homes (attached as Exhibit "A").

PURPOSE AND EXPLANATION: As required by Section 6.02(c)(1) of the City Charter, City Council approval is required to rezone the subject property.

IMPLEMENTATION SCHEDULE: First reading on November 25, 2019.

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?

Recommend adoption of the rezoning.

**ADDITIONAL
INFORMATION:**

MAYOR
RON FALCONI

CITY OF BRUNSWICK

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
JOSEPH P. DELSANTER
NICHOLAS HANEK
PATRICIA HANEK
BRIAN K. OUSLEY
ANDREA L. RODRIGUEZ

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

November 8, 2019

Thom Sutcliffe
Drees Homes
6860 W. Snowville Road, Suite 105
Brecksville, OH 44141

RE: Ridgeline Chase single family cluster development
Rezoning from R-R & C-G Districts to R-L District
West and south of 1918 Pearl Road, south of Laurel Glens Subdivision

Dear Mr. Sutcliffe:

The Brunswick City Planning Commission, at their meeting on November 7, 2019, **recommended approval** to City Council of the map amendment to rezone the 49.5843-acre parcel located west and south of 1918 Pearl Road, Brunswick, and south of the Laurel Glens Subdivision, Permanent Parcel No. 003-18C-08-012, from the existing R-R Rural Residential District to the R-L Low Density Residential District. The Commission also recommended approval to City Council to rezone 3.2 acres in the northwest corner of the existing 9.0464-acre parcel located at 2000 Pearl Road, Brunswick, Permanent Parcel No. 003-18C-08-015, from the existing C-G General Commercial District to the R-L Low Density Residential District, for the purpose of constructing a single family cluster development consisting of 50 conventional single family dwellings and 27 single family cluster units, for a total of 77 homes, subject to the following:

1. As required by Section 6.02(c)(1), City Council approval is required to rezone the property. The first of three readings on the proposed legislation is scheduled for City Council's meeting on November 25, 2019. Please contact Fijabi Gallam at (330) 558-6845 for meeting times.
2. Pending approval of the rezoning, a detailed site plan and conditional zoning certificate application, including park fees and home model elevations, shall be submitted for Planning Commission approval, pursuant to Section 1252.04(j), subject to Section 1274.03 and Chapter 1284 of the Zoning Code.



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

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

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

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator

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

SITE PLAN
FOR RIDGELINE CHASE
CITY OF BRUNSWICK, COUNTY OF
MEDINA
AND STATE OF OHIO

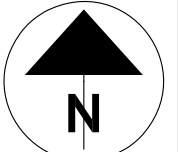
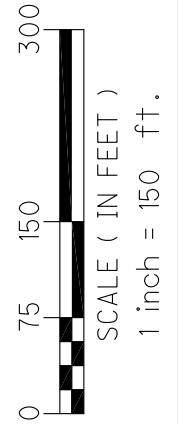
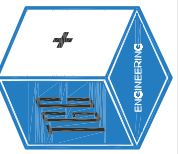
DREES-BRUNSWICK
LAND DEVELOPMENT
CITY OF BRUNSWICK, MEDINA COUNTY, STATE OF OHIO

CONTROLLED DENSITY PRD: 60' SUBLOT PROJECT AREA			
DWELLING UNITS:	SINGLE FAMILY	CLUSTER	TOTAL
SETBACKS:	50	27	77
-FRONT YARD:	40'	50'	
-SIDE YARD:	10'	5'	
-REAR YARD:	35'	15'	
-MIN AREA:	13,600 SQ.FT.	6,000 SQ.FT.	



SITE PLAN

T&C Engineering, LLC
1310 SHARON CIRCLE ROAD, P.O. BOX 37
SHARON CENTER, OHIO 44274
(PHONE) 330.550.8004 (FAX) 888.820.9423



RIDGELINE CHASE
REZONING EXHIBIT

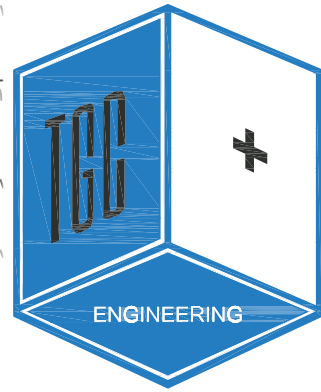
PROJECT
NUMBER

2104

DATE

2019-09-27

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CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 85-19

BY: Mr. Delsanter, Mr. Hanek, and Mrs. Rodriguez

AN ORDINANCE REZONING PPN 003-18C-08-012 FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE R-L LOW DENSITY RESIDENTIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the property known as PPN 003-18C-08-012 from the R-R Rural Residential District to the R-L Low Density Residential District, on November 7, 2019, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On November 7, 2019, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the property known as PPN 003-18C-08-012 from the R-R Rural Residential District to the R-L Low Density Residential District.

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

SECTION 1: That upon application of the property owner, the property known as PPN 003-18C-08-012 is hereby rezoned from the R-R Rural Residential District to the R-L Low Density Residential District.

SECTION 2: Upon the effective date of this Ordinance, the City Engineer shall cause the Official Zoning Map of the City of Brunswick to be revised to reflect such rezoning.

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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 86-19** - An ordinance rezoning the Northwest 1.65 acres of PPN 003-18C-08-015 from the C-G General Commercial District to the R-L Low Density Residential District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Pursuant to Section 6.02(c) of the City Charter, the Brunswick City Planning Commission held a public hearing on November 7, 2019, and recommended approval to City Council of the map amendment to rezone 3.2 acres in the northwest corner of the existing 9.0464-acre parcel located at 2000 Pearl Road, Brunswick, Permanent Parcel No. 003-18C-08-015, from the existing C-G General Commercial District to the R-L Low Density Residential District, for the purpose of constructing the Ridgeline Chase single family cluster development.

However, on November 18, 2019, the owner of the property at 2000 Pearl Road decided to retain ownership of the existing ravine on his property, instead of selling it, thus, resulting in a reduction of 1.65 acres being rezoned to the R-L District (attached as Exhibit "A").

PURPOSE AND EXPLANATION: As the revised rezoning differs from the Planning Commission's approval recommendation on November 7, 2019, pursuant to Section 6.02(c)(5) of the City Charter, the rezoning will require approval of five (5) members of City Council.

IMPLEMENTATION SCHEDULE: First reading on November 25, 2019.

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?
Recommend approval.

**ADDITIONAL
INFORMATION:**

MAYOR
RON FALCONI

CITY OF BRUNSWICK

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
JOSEPH P. DELSANTER
NICHOLAS HANEK
PATRICIA HANEK
BRIAN K. OUSLEY
ANDREA L. RODRIGUEZ

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

November 8, 2019

Thom Sutcliffe
Drees Homes
6860 W. Snowville Road, Suite 105
Brecksville, OH 44141

RE: Ridgeline Chase single family cluster development
Rezoning from R-R & C-G Districts to R-L District
West and south of 1918 Pearl Road, south of Laurel Glens Subdivision

Dear Mr. Sutcliffe:

The Brunswick City Planning Commission, at their meeting on November 7, 2019, **recommended approval** to City Council of the map amendment to rezone the 49.5843-acre parcel located west and south of 1918 Pearl Road, Brunswick, and south of the Laurel Glens Subdivision, Permanent Parcel No. 003-18C-08-012, from the existing R-R Rural Residential District to the R-L Low Density Residential District. The Commission also recommended approval to City Council to rezone 3.2 acres in the northwest corner of the existing 9.0464-acre parcel located at 2000 Pearl Road, Brunswick, Permanent Parcel No. 003-18C-08-015, from the existing C-G General Commercial District to the R-L Low Density Residential District, for the purpose of constructing a single family cluster development consisting of 50 conventional single family dwellings and 27 single family cluster units, for a total of 77 homes, subject to the following:

1. As required by Section 6.02(c)(1), City Council approval is required to rezone the property. The first of three readings on the proposed legislation is scheduled for City Council's meeting on November 25, 2019. Please contact Fijabi Gallam at (330) 558-6845 for meeting times.
2. Pending approval of the rezoning, a detailed site plan and conditional zoning certificate application, including park fees and home model elevations, shall be submitted for Planning Commission approval, pursuant to Section 1252.04(j), subject to Section 1274.03 and Chapter 1284 of the Zoning Code.



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

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

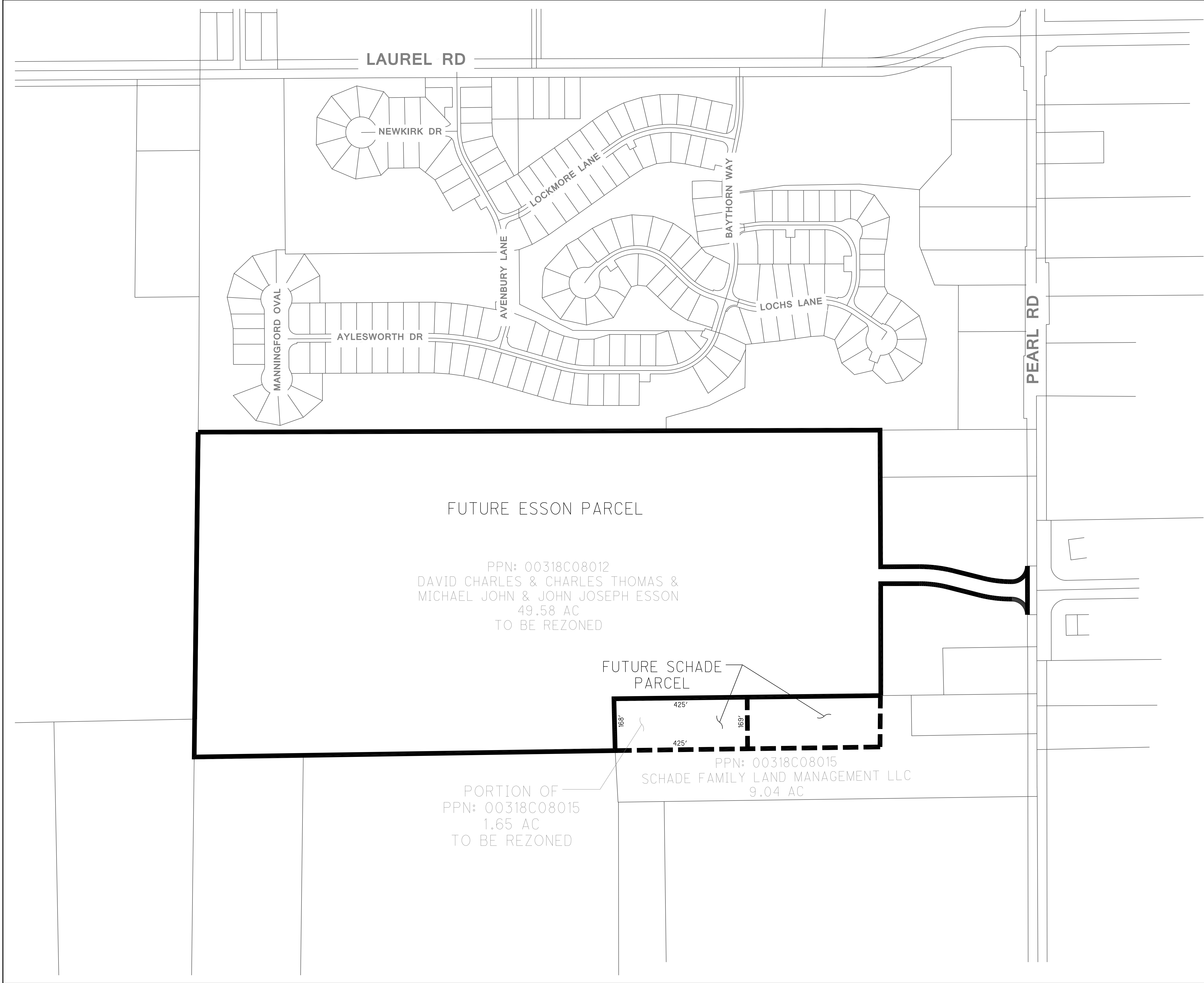
If you have any questions, please contact me at (330) 558-6865.

Sincerely,



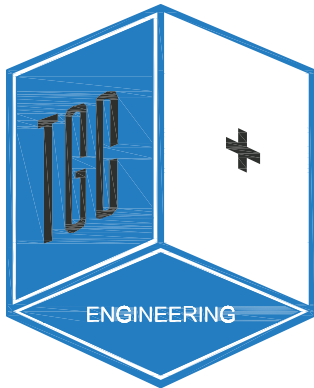
Pamela Plavecski,
Planning & Zoning Coordinator

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

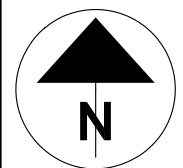
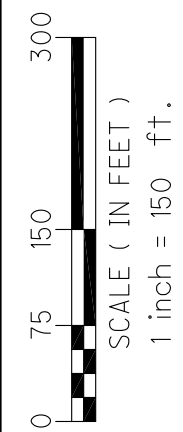
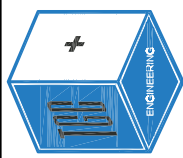


AMENDED
REZONING EXHIBIT
FOR
RIDGELINE CHASE

CITY OF BRUNSWICK, COUNTY OF MEDINA
AND STATE OF OHIO



T&C Engineering, LLC
1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON CENTER, OHIO 44274
(PHONE) 330.550.8004 (FAX) 888.920.9423



RIDGELINE CHASE
REZONING EXHIBIT

PROJECT
NUMBER

2104

DATE

2019-11-19

1
1

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE REZONING THE NORTHWEST 1.65 ACRES OF PPN 003-18C-08-015 FROM THE C-G GENERAL COMMERCIAL DISTRICT TO THE R-L LOW DENSITY RESIDENTIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the northwest 3.2 acres of the property known as PPN 003-18C-08-015 from the C-G General Commercial District to the R-L Low Density Residential District, on November 7, 2019, the Planning Commission held a public hearing on the requested rezoning;

WHEREAS: On November 7, 2019, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the northwest 3.2 acres of the property known as PPN 003-18C-08-015 from the C-G General Commercial District to the R-L Low Density Residential District;

WHEREAS: Subsequent to Planning Commission's approval recommendation of the proposed rezoning of the northwest 3.2 acres of the property known as PPN 003-18C-08-015, the property owner requested a reduction in the acreage to be rezoned from 3.2 acres to 1.65 acres; and

WHEREAS: Pursuant to Charter Section 6.02(c)(5), no ordinance, measure or regulation which differs from or departs from the plan or report submitted by the Planning Commission shall take effect unless passed or approved by at least five (5) Members of Council.

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

SECTION 1: That upon application of the property owner, the northwest 1.65 acres of the property known as PPN 003-18C-08-015 is hereby rezoned from the C-G General Commercial District to the R-L Low Density Residential District.

SECTION 2: Upon the effective date of this Ordinance, the City Engineer shall cause the Official Zoning Map of the City of Brunswick to be revised to reflect such rezoning.

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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 87-19** - A resolution urging Contributions to local food banks. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Brian Ousley*)

BACKGROUND: Historically the City of Brunswick promotes all residents to donate to the local food bank.

PURPOSE AND EXPLANATION:

IMPLEMENTATION SCHEDULE: To be adopt upon its 3rd Reading - 12/16/2019

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:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 87-19

BY: Committee-of-the-Whole

A RESOLUTION URGING CONTRIBUTIONS TO LOCAL FOOD BANKS.

WHEREAS: Local food banks play an important role in the community by assisting those in need; and

WHEREAS: The supply levels at local food banks are depleted after the holiday season and are typically at their lowest levels in January.

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

SECTION 1: This Council hereby urges contributions to local food banks to help alleviate shortages in supply levels.

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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 88-19** - An ordinance amending Section 1216.06 of the City of Brunswick Codified Ordinances by increasing the application fee to the Board of Zoning appeals for commercial and industrial uses. - **1st Reading** (To be brought from Building and Building Code Committee, Administration/Grant Aungst)

BACKGROUND: 1216.06 of the codified ordinance established fees for commercial and industrial application fees. Last updated 2-24-2003.

PURPOSE AND EXPLANATION:

Increase of commercial and industrial application fee to Board of Zoning Appeals which has not been updated since 2003. With the increase in review of applications for commercial and industrial sites, it is recommended that an increase in these fees takes place as administrative costs have risen.

Protect the welfare of the community by preserving the character of the City, including the City's neighborhoods, business districts and historic districts to protect property values.

To exercise the City's home rule authority to establish fees for the Board of Zoning Appeals.

IMPLEMENTATION SCHEDULE: After adoption by City Council, the earliest period allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The application fee to the Board of Zoning Appeals for industrial and commercial uses is receipted to the City upon application. This increase from \$200 to \$300 will offset costs to administer the applications.

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. 88-19

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

AN ORDINANCE AMENDING SECTION 1216.06 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES BY INCREASING THE APPLICATION FEE TO THE BOARD OF ZONING APPEALS FOR COMMERCIAL AND INDUSTRIAL USES.

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

SECTION 1: That Section 1216.06 of the Codified Ordinances is hereby amended to read as follows:

“The fee for applications to the Board of Zoning Appeals is one hundred dollars (\$100.00) for a residential use and ~~two~~three hundred dollars (\$~~2~~300.00) for a commercial and industrial use. In addition, all applicants shall pay the actual postage costs for mailed notices required by Section 6.04(c) of the Charter.”

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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 89-19** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 19.485 acre parcel of land (PPN 001-02D-09-011) on Carpenter Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: A Resolution declaring the intent of the City to provide services in the event annexation is approved, which must be filed with the County by December 24, 2019.

PURPOSE AND EXPLANATION: The annexation of 19.485 acres of land on Carpenter Road (PPN 001-02D-09-011).

IMPLEMENTATION SCHEDULE: Filed with the County by December 24, 2019.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

The approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the January 14, 2020 hearing date.

ADDITIONAL INFORMATION:

COPY
610Z 41 AON
BY: *Holly Zullo*

NOTICE OF HEARING ON REGULAR ANNEXATION PETITION

TO: Clerk of City Council
City of Brunswick, Ohio
4095 Center Road
Brunswick, Ohio 44212

Please take notice that Dale R. Michalske, Donna Zatezalo, Dean W. Michalske and Georgia Michalske, owners of the real property known as 001-02D-09-011, Brunswick Hills Township, Medina County, Ohio filed a petition for regular annexation of that real property to the City of Brunswick, Medina County, Ohio on November 8, 2019 at 9:23 a.m. The petition for regular annexation was filed at the office of the County Commissioners of Medina County, Ohio in Medina County, Ohio.

The hearing on that petition will be held on January 14, 2020 at 10:00 a.m. at the Medina County Commissioners' Hearing Room, at 144 N. Broadway Street, Room 201, Medina, Ohio 44256. A copy of the Notice to Agent dated November 8, 2019 which was received by the Agent on November 12, 2019 is appended hereto as Exhibit "1".

Attached hereto is a copy of the petition and all other documents filed with the petition at the time it was filed.

RTL

ROBERT T. TINL
Agent for Petitioners
3695 Center Road
Brunswick, Ohio 44212
330-225-7220 – Phone
330-225-9770 – Fax
bob@tinlanddeliman.com

Medina County Commissioners

EXHIBIT " 1 "

Patricia G. Geissman
William F. Hutson
Colleen M. Swedyk

County Administration Building
144 North Broadway
Medina, Ohio 44256

Phone: (330) 722-9208
Toll Free: (844) 722-3800
Fax: (330) 722-9206



**NOTICE TO AGENT FOR THE PETITIONERS
OF DATE, TIME AND PLACE
SET BY BOARD OF MEDINA COUNTY COMMISSIONERS
TO HEAR REGULAR ANNEXATION PETITION**

DATE: November 8, 2019

TO: Agent for the Petitioners

In accordance to Ohio Revised Code Section 709.03(A), you, as agent for the petitioners, are hereby notified that the date, time and place are set for the Board of Medina County Commissioners to hear the regular annexation petition filed with the Board on November 8, 2019 to annex 19.485 acres located in Brunswick Hills Township to the City of Brunswick

Date: Tuesday, January 14, 2020 *OC*
Time: 10:00 AM
Location: Commissioners' Hearing Room
144 N. Broadway St., Room 201
Medina, OH 44256

Ohio Revised Code Chapter 709 may require you to take action. Please consult with an attorney if you are in doubt as to your legal rights or duties.

Rhonda Beck

Rhonda Beck, Clerk
Board of Medina County
Commissioners

PETITION FOR REGULAR ANNEXATION ON
APPLICATION OF OWNERS

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

We, the undersigned, being the sole owners of the real estate in the territory hereinafter described, hereby petition for the regular annexation of the territory set forth in Exhibit "A" to the City of Brunswick, Medina County, Ohio, that property being owned by the undersigned and identified as follows:

- I. Dale R. Michalske, 501 Red Rock, Wadsworth, Ohio 44281, Donna Zatezalo, 7357 Colton Court, Valley City, Ohio 44280, Dean W. Michalske, 6242 106th Avenue N., Pinellas Park, FL 33782, and Georgia Michalski, 19284 Idlewood Trail, Strongsville, Ohio 44149, the owners of the parcel identified as PPN: 001-02D-09-011.

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

Petitioners have attached and made a part of this petition, an accurate map showing the boundaries of the territory sought to be annexed, marked "Annexation Plat."

There are four (4) owners of the real estate in the above-described territory which is sought to be annexed to the City of Brunswick as set forth herein.

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

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

Robert T. Tinkl, Attorney at Law, 3695 Center Road, Brunswick, Ohio 44212 is hereby appointed agent for the undersigned petitioner pursuant to separate document.

REC'D MEDINA COUNTY CO
NOV 8 2019 4:19 PM

OWNER:

Dale R. Michalske
DALE R. MICHALSKE

8-26-19

DATE

ATTORNEY AND AGENT:

Robert T. Tinkl
ROBERT T. TINL
Attorney at Law

8-31-18

DATE

STATE OF Ohio

COUNTY OF Medina

)
) SS.
)

BEFORE ME, a Notary Public in and for said County and State, personally appeared DALE R. MICHALSKE who acknowledged that he did sign this Petition for Regular Annexation on Application of Owner and that the same is his free act and deed.

Dale R. Michalske
DALE R. MICHALSKE

SWORN TO before me and subscribed in my presence on this 26th day of August, 2019.

Cheryl A. Gallucci
NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, 2021

OWNER:

Donna Zatezalo
DONNA ZATEZALO

8-29-19
DATE

ATTORNEY AND AGENT:

R. T. Tinkl
ROBERT T. TINL
Attorney at Law

8-31-19
DATE

STATE OF Ohio)
COUNTY OF Meeker) SS.

BEFORE ME, a Notary Public in and for said County and State, personally appeared DONNA ZATEZALO who acknowledged that she did sign this Petition for Regular Annexation on Application of Owner and that the same is her free act and deed.

Donna Zatezalo
DONNA ZATEZALO

SWORN TO before me and subscribed in my presence on this 29 day of August, 2019.

Brittney M. L. Esser
NOTARY PUBLIC



BRITTNEY M. L. ESSER
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
9-25-22

OWNER:

Dean W Michalske
DEAN W. MICHALSKE

8/27/19

DATE

ATTORNEY AND AGENT:

Robert T. Tinkl
ROBERT T. TINL
Attorney at Law

8-31-19

DATE

STATE OF Florida)
COUNTY OF Pinellas) SS.

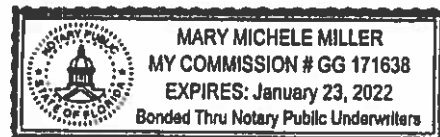
BEFORE ME, a Notary Public in and for said County and State, personally appeared DEAN W. MICHALSKE who acknowledged that he did sign this Petition for Regular Annexation on Application of Owner and that the same is his free act and deed.

Dean W Michalske
DEAN W. MICHALSKE

FL Dr. Lic # 2442-179-54-144-0

27 **SWORN TO** before me and subscribed in my presence on this
day of August, 2019.

Mary Michele Miller
NOTARY PUBLIC



OWNER:

Georgia Michalske
GEORGIA MICHALSKE

8-28-2019

DATE

ATTORNEY AND AGENT:

Robert T. Tinkl
ROBERT T. TINL
Attorney at Law

8-31-19

DATE

STATE OF

Ohio

COUNTY OF

Cuyahoga

)
) SS.
)

BEFORE ME, a Notary Public in and for said County and State, personally appeared GEORGIA MICHALSKE who acknowledged that she did sign this Petition for Regular Annexation on Application of Owner and that the same is her free act and deed.

Georgia Michalske
GEORGIA MICHALSKE

28th **SWORN TO** before me and subscribed in my presence on this day of August, 2019.

Cheryl A. Gallucci
NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, ~~2021~~

EXHIBIT "A"

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and known as being the Northwest part of Lot No. 5 in the Sanford Tract 3 and beginning at the intersection of the two public highways in the Northwest corner of said lot; thence South along the centerline of Carpenter Road, 220 feet to the true place of beginning; thence Easterly along the South line of Treasure Valley Estates Allotment as recorded in Plat Book 11, Page 64, a distance of 1100 feet to a point; thence South $1^{\circ}16'$ East a distance of 771.6 feet to an iron pin set on the existing fence line; thence N. $87^{\circ}39'$ W a distance of 1100.00 feet to a point in the centerline of Carpenter Road, passing through an iron pin set at the existing fence corner 30.00 feet from said centerline; thence Northerly along said centerline a distance of 771.6 feet to the place of beginning. Containing 19.485 acres, be the same more or less, and subject to all legal highways.

Permanent Parcel No. 001-02D-09-011

LIST OF ADJOINING OWNERS

David E. Stanislow and Barbara J. Stanislow
1896 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-106

Karoline M. Maciak and Justin A. Maciak
1890 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-105

Matthew McKinney
1882 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-104

Kevin A. Cobb and Michelle Cobb
1874 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-103

William J. Hill
1860 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-102

Theodore M. Hruschak and Lydia J. Hruschak
1852 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-101

John R. Yaeger and Dianna R. Yaeger
1844 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-100

Brian Ferrier and Joshua Takak
1836 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-099

Daniel D. Ducic, Jr. and Carmella T. Ducic
1828 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-098

Gary D. Anderson
1820 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-097

Dennis R. Stickney and Mary M. Stickney
3194 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-094

Judith A. Dobscha
3184 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-093

Keith M. Bertok and Janice A. Bertok
3174 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-187

Richard L. Grove and Zelta L. Grove
3164 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-188

Paul J. Wentz and Deanna L. Wentz
3154 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-189

Christopher M. Vance
3144 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-005

Jeffrey N. Saffle
3134 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-006

John P. Kokensparger
3124 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-007

Bruce Gager and Robin Gager
3110 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-008

Gary Devorak and Stephanie A. Devorak
3102 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-009

Luann O'Connor
3094 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-010

Milojka Majstorovic
3086 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-193

Nukihja Nahstirivuc
3086 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-196

R. Darl Fuller
1959 Carpenter Road
Brunswick, Ohio 44212
PPN: 001-02D-13-002

Diane Stoken
1812 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-096

Dale R. Michalske
501 Red Rock
Wadsworth, Ohio 44281

Donna Zatezalo
7357 Colton Court
Valley City, Ohio 44280

Dean W. Michalske
6242 106th Avenue N.
Pinellas Park, FL 33782

Georgia Michalski
19284 Idlewood Trail
Strongsville, Ohio 44149

REC'D MEDINA COUNTY CO
NOV 8 2018 AM 9:23

APPROVALS

This Plot was duly accepted by the Brunswick City Council at its regular meeting held on the _____ day of _____, 20____, Ordinance No. _____

Clerk of Council (Print & Sign)

This Plot was duly accepted by the Medina County Commissioners on this _____ day of _____, 20____.

Commissioner (Print & Sign)

Commissioner (Print & Sign)

Commissioner (Print & Sign)

Approved for Transfer this _____ day of _____, 20____.

Tax Map Draftsman (Print & Sign)

Received for Transfer this _____ day of _____, 20____.

Medina County Auditor (Print & Sign)

Received and recorded this _____ day of _____, 20____.
At _____ A.M./P.M. recorded in Plot Document No. _____
Fee: _____

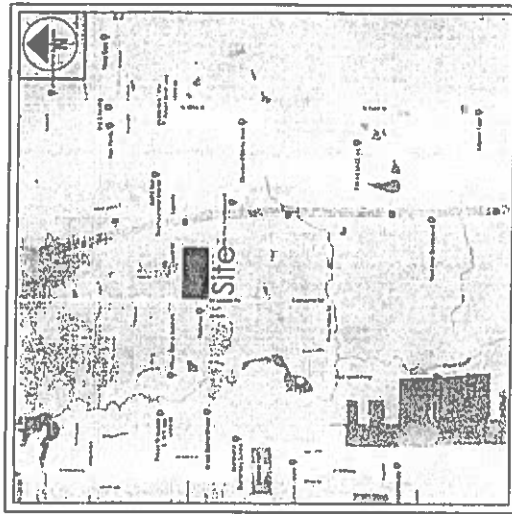
Medina County Recorder (Print & Sign)

ACCEPTANCE

• See Sheet 2 for Acceptance

**PLAT OF REGULAR
ANNEXATION
of 19.485 Acres in
Brunswick Hills Township to
the City of Brunswick**

Situated in the Township of Brunswick Hills, County of
Medina and State of Ohio and being part of Original Sanford
Tract 3, Lot No. 5



LOCATION MAP

LATITUDE: 41°13'30.11" LONGITUDE: 81°47'55.32"

Parcel Area	AREA TABLE	19.485
-------------	------------	--------

SHEET INDEX		
Sheet Number	Sheet Title	Page
2		

NOTES

• This annexation plat is based on record information only and does not constitute an actual boundary survey.

REFERENCES:

Deed & Plat documents as referenced by survey of Medina County Recorder's Records.

"Property Survey" by John K. Snodgrass, P.S. 4503, on file in Survey Book W, Page 216 of the Medina County Engineer's Survey Records.

"Subdivision of Land owned by Milojka & Velenir Mojstrovic" by Michael J. Hudik, P.S. 6788, on file in Survey Book 31, Page 38 of the Medina County Engineer's Survey Records.

BASIS OF BEARINGS:

Bearings are based on an assumed meridian and are used herein to indicate angles only.

LEGEND

DESCRIPTION	FOUND	SET
IRON NAIL	1/4" x 1/4"	1/4" x 1/4"
MONUMENT BOX	1/4" x 1/4"	1/4" x 1/4"
IRON PIPE	1/4" x 1/4"	1/4" x 1/4"
LIMITED ACCESS R/W	1/4" x 1/4"	1/4" x 1/4"
PROPERTY LINE	1/4" x 1/4"	1/4" x 1/4"
RIGHT-OF-WAY LINE	1/4" x 1/4"	1/4" x 1/4"
EASEMENT LINE	1/4" x 1/4"	1/4" x 1/4"
ORIGINAL PROP. LINE	1/4" x 1/4"	1/4" x 1/4"
ORIGINAL LOT LINE	1/4" x 1/4"	1/4" x 1/4"

SURVEYOR CERTIFICATION

This Plat was prepared from a field survey, analysis of recorded plats, recorded deeds, and survey records, as applicable. Distances are given in feet and decimal parts thereof. All dimensional and geodetic details are correct and the survey balances and closes to the best of my knowledge. All monuments shown herein exist or shall be set as shown.

Surveyor: _____ Date: 11/5/2019
P.S. No. S-4557



DRAWN BY: JMS | 2018-06-20
CHECKED BY: GPH | 2018-06-22

MICHALSKA ANNEXATION

PROJECT NUMBER: 2188
DATE: 2018-06-22

1
3

EXHIBIT "C"



TGC Engineering, LLC
1310 SHAWAN COURT, P.O. BOX 37
BLAINE CENTER, OHIO 44774
PHYSICAL ADDRESS: 1310 SHAWAN COURT, P.O. BOX 37

PLAT OF REGULAR ANNEXATION of 19.485 Acres in Brunswick Hills Township to the City of Brunswick Situating in the Township of Brunswick Hills, County of Medina and State of Ohio and being part of Original Sanford Tract 3, Lot No. 5

ACCEPTANCE

Know all men by these presents that Donna Zatezalo, owner of the lands embraced within this plat, hereby acknowledges this plat and have caused the same to be plotted and annexed to the City of Brunswick.

Donna Zatezalo 10/28/19 Date
Donna Zatezalo

County of Medina
State of Ohio

Before me, a Notary Public in and for said County and State, personally appeared Donna Zatezalo, who acknowledged this foregoing instrument and the signing of this plat to be their own free act and deed.

In testimony whereof I have hereunto set my hand and official seal at Medina, Ohio this 28th day of October 2019.

Cheryl A. Sullivan
Notary Public

8-1-20
My commission expires



ACCEPTANCE

Know all men by these presents that Dale R. Michalske, owner of the lands embraced within this plat, hereby acknowledges this plat and have caused the same to be plotted and annexed to the City of Brunswick.

Dale R. Michalske 10-25-2019 Date
Dale R. Michalske

County of Medina
State of Ohio

Before me, a Notary Public in and for said County and State, personally appeared Dale R. Michalske, who acknowledged the foregoing instrument and the signing of this plat to be their own free act and deed.

In testimony whereof I have hereunto set my hand and official seal at Medina, Ohio this 25th day of October 2019.

Cheryl A. Sullivan
Notary Public

8-1-20
My commission expires



ACCEPTANCE

Know all men by these presents that Georgia Michalske, owner of the lands embraced within this plat, hereby acknowledges this plat and have caused the same to be plotted and annexed to the City of Brunswick.

Georgia Michalske 10-26-2019 Date
Georgia Michalske

County of Cuyahoga
State of Ohio

Before me, a Notary Public in and for said County and State, personally appeared Georgia Michalske, who acknowledged the foregoing instrument and the signing of this plat to be their own free act and deed.

In testimony whereof I have hereunto set my hand and official seal at Strongsville, Ohio this 26th day of October 2019.

Cheryl A. Sullivan
Notary Public

8-1-20
My commission expires



MICHALSKA ANNEXATION

PROJECT
NUMBER

2189

DATE

2019-08-22

2
3

DRAWN BY: JMS 2018-08-20
CHECKED BY: GPH 2018-08-22



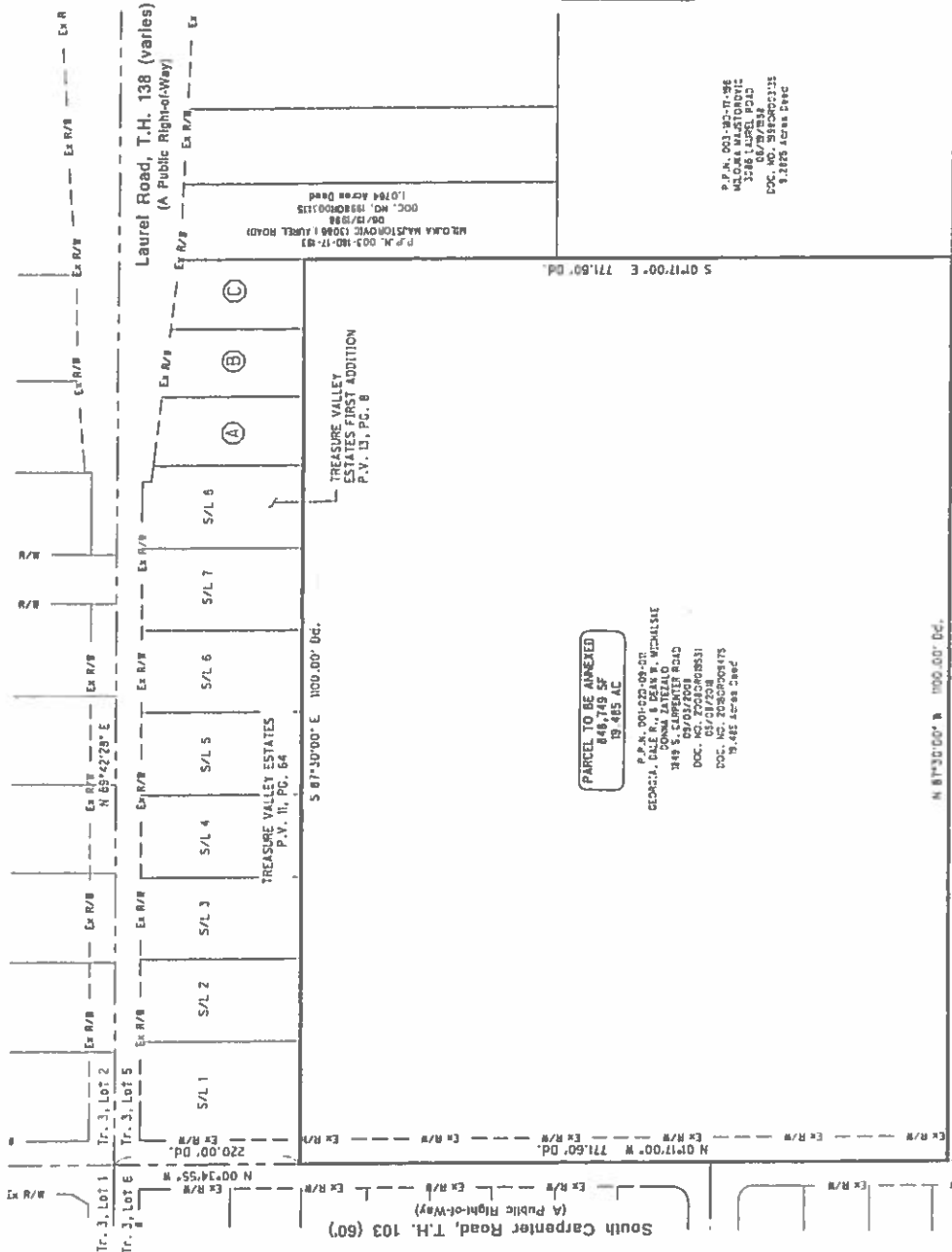
PLAT OF REGULAR ANNEXATION

of 19.485 Acres in Brunswick Hills Township to the City of Brunswick

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and being part of Original Sanford Tract 3, Lot No. 5



TCC Engineering, LLC
1310 S. MICHIGAN AVE. SUITE 100
ANN ARBOR, MI 48106
(734) 963-1100



SUBLOT / BLOCK NO.	PERMANENT PARCEL NO.	OWNER	TAX MAKING ADDRESS
1	003-180-17-094	DENNIS R. & MARY M. STICKNEY	3184 LAUREL ROAD BRUNSWICK, OH 44212
2	003-180-17-093	JUDITH A. DOBSCHA	3184 LAUREL ROAD BRUNSWICK, OH 44212
3	003-180-17-187	KEITH M. & JANICE A. BERTOX	3174 LAUREL ROAD BRUNSWICK, OH 44212
4	003-180-17-188	RICHARD L. & ZELTA L. GROVE	3184 LAUREL ROAD BRUNSWICK, OH 44212
5	003-180-17-189	PAUL J. & DEANNA L. WENTZ	3184 LAUREL ROAD BRUNSWICK, OH 44212
6	001-020-09-005	CHRISTOPHER M. YANCE	3144 LAUREL ROAD BRUNSWICK, OH 44212
7	001-020-09-006	JEFFREY N. SAFFLE	3134 LAUREL ROAD BRUNSWICK, OH 44212
8	001-020-09-007	JOHN P. KORENSPARGER	3124 LAUREL ROAD BRUNSWICK, OH 44212

P.P.N. 001-020-09-008
BRUCE ROBIN GAGER
3122 LAUREL ROAD
BRUNSWICK, OH 44212
O.R. 3/9/82
0.4209 Acres Deed

P.P.N. 001-020-09-005
GARY & STEPHANIE A. DEVORAK
3182 LAUREL ROAD
BRUNSWICK, OH 44212
O.R. 10/13/86
0.4209 Acres Deed

P.P.N. 001-020-09-006
LJANN D'CONOR
3184 LAUREL ROAD
BRUNSWICK, OH 44212
Doc. No. 2020RG1363
0.4209 Acres Deed

P.P.N. 001-020-09-007
MICHAEL M. KORTON
3184 LAUREL ROAD
BRUNSWICK, OH 44212
O.R. 10/13/86
0.4209 Acres Deed

PARCEL TO BE ANNEXED
848,749 SF
19.485 AC

P.P.N. 001-020-09-001
GEORGE J. DALE & DEANNA W. MICHALSKA
1445 S. CLIFTON ROAD
BRUNSWICK, OH 44212
DOC. NO. 2020RG0831
O.R. 03/07/2018
0.4209 Acres Deed

P.P.N. 001-020-09-002
3159 S. LAUREL ROAD
BRUNSWICK, OH 44212
O.R. 12/7/86
0.4209 Acres Deed

MICHALSKA ANNEXATION

PROJECT NUMBER
2189
DATE
2018-09-27

3

DRAWN BY: JMS
CHECKED BY: DPH

2018-09-27

2018-09-27

APPOINTMENT OF AGENT

Now comes the undersigned, **DALE R. MICHALSKE**, and hereby appoints **ROBERT T. TINL**, Attorney at Law, 3695 Center Road, Brunswick, Ohio, as the duly authorized attorney and agent for **DALE R. MICHALSKE**, as petitioner for annexation as required and authorized in Ohio Revised Code §709.02, hereby granting upon said agent full power and authority to prepare, file, amend, alter, change, withdraw, refile, substitute, compromise, delete the area, and to do any and all things necessary and essential thereto, and to take action necessary for obtaining the granting of the annexation to the City of Brunswick from the Brunswick Hills Township of the property designated and as identified in Exhibit "A" which is attached hereto and made a part hereof. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, deletion, or other things or actions for the granting of the petition shall be made in the petition, description and/or plat by said agent without further expressed consent of the petitioner.

PETITIONER:

Dale R Michalske
DALE R. MICHALSKE

8-26-19
DATE

STATE OF *Ohio*)
COUNTY OF *Medina*)

Executed before me on the *26th* day of *August*, 2019, by **DALE R. MICHALSKE**, who, under penalty of perjury in violation of Section 2921.11 of the Revised Code, represented to me to be said person, and further acknowledged that he did sign this Appointment of Agent and that said signature is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at *Medina*, *Ohio*, the *26th* day of *August*, 2019.

Cheyla Gallucci
NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, *2021*

APPOINTMENT OF AGENT

Now comes the undersigned, **DONNA ZATEZALO**, and hereby appoints **ROBERT T. TINL**, Attorney at Law, 3695 Center Road, Brunswick, Ohio, as the duly authorized attorney and agent for **DONNA ZATEZALO**, as petitioner for annexation as required and authorized in Ohio Revised Code §709.02, hereby granting upon said agent full power and authority to prepare, file, amend, alter, change, withdraw, refile, substitute, compromise, delete the area, and to do any and all things necessary and essential thereto, and to take action necessary for obtaining the granting of the annexation to the City of Brunswick from the Brunswick Hills Township of the property designated and as identified in Exhibit "A" which is attached hereto and made a part hereof. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, deletion, or other things or actions for the granting of the petition shall be made in the petition, description and/or plat by said agent without further expressed consent of the petitioner.

PETITIONER:

Donna Zatezalo
DONNA ZATEZALO

8-29-19
DATE

STATE OF Ohio)
COUNTY OF Medina)

Executed before me on the _____ day of _____, 2019, by **DONNA ZATEZALO**, who, under penalty of perjury in violation of Section 2921.11 of the Revised Code, represented to me to be said person, and further acknowledged that she did sign this Appointment of Agent and that said signature is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Medina, Ohio, the 19 day of August, 2019.

Brittney M. Lesser
NOTARY PUBLIC



BRITTNEY M. LESSER
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires 9-25-22

APPOINTMENT OF AGENT

Now comes the undersigned, **DEAN W. MICHALSKE**, and hereby appoints **ROBERT T. TINL**, Attorney at Law, 3695 Center Road, Brunswick, Ohio, as the duly authorized attorney and agent for **DEAN W. MICHALSKE**, as petitioner for annexation as required and authorized in Ohio Revised Code §709.02, hereby granting upon said agent full power and authority to prepare, file, amend, alter, change, withdraw, refile, substitute, compromise, delete the area, and to do any and all things necessary and essential thereto, and to take action necessary for obtaining the granting of the annexation to the City of Brunswick from the Brunswick Hills Township of the property designated and as identified in Exhibit "A" which is attached hereto and made a part hereof. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, deletion, or other things or actions for the granting of the petition shall be made in the petition, description and/or plat by said agent without further expressed consent of the petitioner.

PETITIONER:

Dean W Michalske
DEAN W. MICHALSKE

8/27/19

DATE

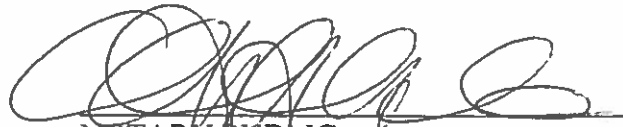
FL Dr-Lic # m242-179-54-144-D

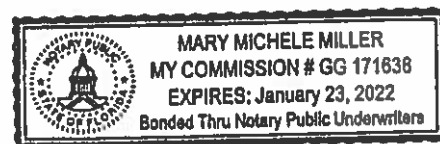
STATE OF Florida)

COUNTY OF Pinellas)

Executed before me on the 27 day of August, 2019, by **DEAN W. MICHALSKE**, who, under penalty of perjury in violation of Section 2921.11 of the Revised Code, represented to me to be said person, and further acknowledged that he did sign this Appointment of Agent and that said signature is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at ECU Credit Union, Largo, FL, the 27 day of August, 2019.


NOTARY PUBLIC



APPOINTMENT OF AGENT

Now comes the undersigned, **GEORGIA MICHALSKE**, and hereby appoints **ROBERT T. TINL**, Attorney at Law, 3695 Center Road, Brunswick, Ohio, as the duly authorized attorney and agent for **GEORGIA MICHALSKE**, as petitioner for annexation as required and authorized in Ohio Revised Code §709.02, hereby granting upon said agent full power and authority to prepare, file, amend, alter, change, withdraw, refile, substitute, compromise, delete the area, and to do any and all things necessary and essential thereto, and to take action necessary for obtaining the granting of the annexation to the City of Brunswick from the Brunswick Hills Township of the property designated and as identified in Exhibit "A" which is attached hereto and made a part hereof. Said amendment, alteration, change, correction, withdrawal, refile, substitution, compromise, deletion, or other things or actions for the granting of the petition shall be made in the petition, description and/or plat by said agent without further expressed consent of the petitioner.

PETITIONER:

Georgia Michalske
GEORGIA MICHALSKE

8-28-2019

DATE

STATE OF Ohio)
COUNTY OF Cuyahoga)

Executed before me on the 28th day of August, 2019, by **GEORGIA MICHALSKE**, who, under penalty of perjury in violation of Section 2921.11 of the Revised Code, represented to me to be said person, and further acknowledged that she did sign this Appointment of Agent and that said signature is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Strongsville, Ohio, the 28th day of August, 2019.

Cheryl Gallucci
NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, 2021

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned DALE R. MICHALSKE have made, constituted and appointed, and by these presents do make, constitute and appoint ROBERT T. TINL and TIMOTHY POWERS, my true and lawful attorneys for me, in my name, place and stead, for the limited purpose of appearing before the Medina County Commissioners to present any and all testimony relevant to my Petition for Regular Annexation on Application of Owners and to present evidentiary materials for that purpose.

I hereby give unto the said attorneys, full power to do and perform any and all and every act requisite, necessary or proper to be done in carrying out the purposes for which this power is granted as might or could be done if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my attorneys in fact or their substitute shall lawfully do or cause to be done by themselves or their substitutes lawfully designated by virtue of the power herein conferred upon them.

IN WITNESS WHEREOF, I have hereunto set my hand at Medina
6, Ohio, this 25th day of October, 2019.

DALE R. MICHALSKE

STATE OF OHIO)
COUNTY OF Medina) SS:

BEFORE ME, a Notary Public in and for said County, personally appeared the above-named **DALE R. MICHALSKE** who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

REC'D HEDIN COUNTY
AUG 20 2019 8:24

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at

Medina, Ohio this 25th day of ~~September~~^{October}, 2019.

Ceryl A. Gallucci
NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, 2020

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at

Medina, Ohio this 28th day of ~~September~~ October, 2019.

C Cheryl Gallucci
NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, 2020

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned **DEAN W. MICHALSKE** have made, constituted and appointed, and by these presents do make, constitute and appoint **ROBERT T. TINL** and **TIMOTHY POWERS**, my true and lawful attorneys for me, in my name, place and stead, for the limited purpose of appearing before the Medina County Commissioners to present any and all testimony relevant to my Petition for Regular Annexation on Application of Owners and to present evidentiary materials for that purpose.

I hereby give unto the said attorneys, full power to do and perform any and all and every act requisite, necessary or proper to be done in carrying out the purposes for which this power is granted as might or could be done if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my attorneys in fact or their substitute shall lawfully do or cause to be done by themselves or their substitutes lawfully designated by virtue of the power herein conferred upon them.

IN WITNESS WHEREOF, I have hereunto set my hand at LARGO FL
8TH day of OCTOBER, Florida, this 8TH day of September, 2019.

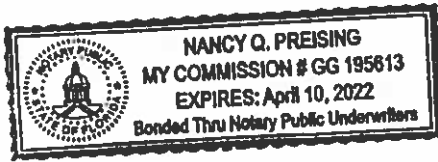

DEAN W. MICHALSKE

STATE OF FLORIDA)
COUNTY OF PineHills) SS:

BEFORE ME, a Notary Public in and for said County, personally appeared the above-named **DEAN W. MICHALSKE** who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

FL DL M242-179-54-144-0 exp 4-24-25

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at
Largo, Florida this 8th day of ~~September~~ ^{October}, 2019.



Nancy Q. Preising

NOTARY PUBLIC

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned GEORGIA
MICHALSKE have made, constituted and appointed, and by these presents do make, constitute
and appoint ROBERT T. TINL and TIMOTHY POWERS, my true and lawful attorneys for
me, in my name, place and stead, for the limited purpose of appearing before the Medina County
Commissioners to present any and all testimony relevant to my Petition for Regular Annexation
on Application of Owners and to present evidentiary materials for that purpose.

I hereby give unto the said attorneys, full power to do and perform any and all and every act requisite, necessary or proper to be done in carrying out the purposes for which this power is granted as might or could be done if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my attorneys in fact or their substitute shall lawfully do or cause to be done by themselves or their substitutes lawfully designated by virtue of the power herein conferred upon them.

IN WITNESS WHEREOF, I have hereunto set my hand at Strongsville
_____, Ohio, this 28th day of October, 2019.

Georgia Michalske
GEORGIA MICHALSKE

STATE OF OHIO)
COUNTY OF Cuyahoga) SS:

BEFORE ME, a Notary Public in and for said County, personally appeared the above-named **GEORGIA MICHALSKE** who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at

Strongsville, Ohio this 28th day of October, 2019.

Cheyla Gallucci

NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, 2020

AMENDMENT TO PETITION FOR REGULAR ANNEXATION
ON APPLICATION OF OWNERS

Robert Tinl, as Agent for the Petitioners on a petition for regular annexation on application of owners of Permanent Parcel Number 001-02D-09-011, Brunswick Hills Township, Ohio which was filed at the office of the Medina County Commissioners, Medina County, Ohio on November 8, 2019 at 9:23 a.m. hereby amends that petition to correct the spelling of the name of one of the Petitioners. Georgia Michalske, one of the Petitioners, has a surname which is properly spelled as "Michalske". The original petition listed the name "Georgia Michalski".



ROBERT T. TINL
Agent for Petitioners
3695 Center Road
Brunswick, Ohio 44212
330-225-7220 – Phone
330-225-9770 – Fax
bob@tinlanddeliman.com

NOV 13 2019 10:13
MEDINA COUNTY CO

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 89-19

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 19.485 ACRE PARCEL OF LAND (PPN 001-02D-09-011) ON CARPENTER ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners 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 19.485 acres of land on Carpenter Road (PPN 001-02D-09-011), 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 Owners, 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 January 14, 2020 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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 90-19** - An emergency resolution authorizing the City Manager to purchase three (3) Dodge Chargers for the Division of Police from Greve Dodge in an amount not to exceed \$113,000.00. - **1st Reading** (To be brought from Safety & Environment Committee, Administration/Brian Ohlin)

BACKGROUND: This purchase is to replace 2013,2014, and 2015 models as part of our annual fleet replacement plan.

PURPOSE AND EXPLANATION: This 2020 purchase is part of our annual fleet replacement plan for patrol cars.

IMPLEMENTATION SCHEDULE: After three readings the order would be placed in the first week of January 2020.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This capital purchase will first require sufficient Council appropriations to be in place. This purchase is predicated on the approval of the 2020 budget. The FY 2020 budget is currently anticipated to be adopted and effective by January 1, 2020. A purchase order cannot be certified by the Finance Director until this occurs and the funding is legally in place.

The purchase of three Dodge Charger police cruisers with emergency equipment in an amount not to exceed \$113,000.

State of Ohio Contract# OT902620

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?

Due to order timeline cutoffs we are requesting 3 readings and then passing as an emergency so the order can be placed in the first week of January 2020.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 90-19

BY: Mr. Ousley, Mr. Abella, and Mrs. Rodriguez

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE THREE (3) DODGE CHARGERS FOR THE DIVISION OF POLICE FROM GREVE DODGE IN AN AMOUNT NOT TO EXCEED \$113,000.00.

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

WHEREAS: The State contract under the State Procurement Program has been awarded to Greve Dodge.

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

SECTION 1: That the City Manager is hereby authorized to purchase three (3) Dodge Chargers for the Division of Police from Greve Dodge in an amount not to exceed \$113,000.00, subject to appropriation of funds by City Council as required by law.

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 secure pricing and timely delivery. 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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

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

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 91-19** - An emergency resolution selecting City of Wadsworth Mayor Robin Laubaugh as an additional member of the Medina County 9-1-1 Planning Committee. - **1st reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: Medina County has convened a 9-1-1- Planning Committee as provided in ORC 128.06(A). The cities of Brunswick, Medina and Wadsworth have been participating in discussions with the 9-1-1 Planning Committee and, pursuant to ORC 128.06(A)(3), have recommended Mayor Robin Laubaugh as the municipal corporation representative.

PURPOSE AND EXPLANATION: Per the ORC, said appointment requires a resolution from the legislative authorities of these municipal corporations

IMPLEMENTATION SCHEDULE: Immediately upon passage

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

In order to appoint the municipal corporation representative in the development of a final plan for implementation of a 9-1-1- system for Medina County

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 91-19

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION SELECTING CITY OF WADSWORTH
MAYOR ROBIN LAUBAUGH AS AN ADDITIONAL MEMBER OF THE
MEDINA COUNTY 9-1-1 PLANNING COMMITTEE.

WHEREAS: Ohio Revised Code Section 128.06(A) provides that a Board of County Commissioners may adopt a Resolution to convene a 9-1-1 Planning Committee;

WHEREAS: The Medina County Board of Commissioners has adopted a Resolution convening the Medina County 9-1-1 Planning Committee; and

WHEREAS: Ohio Revised Code Section 128.06(A)(3) provides that in counties with a population of one hundred seventy-five thousand (175,000) or more, the 9-1-1 Planning Committee shall consist of two (2) additional members, including the chief executive officer of a municipal corporation in the county selected by a majority of the legislative authorities of municipal corporations in the county pursuant to Resolution.

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

SECTION 1: That pursuant to Ohio Revised Code Section 128.06(A)(3), this Council hereby selects City of Wadsworth Mayor Robin Laubaugh as an additional voting member of the Medina County 9-1-1 Planning Committee.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to expedite the development of a final plan for implementation of a 9-1-1 system for Medina County. 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
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 92-19** - An emergency Ordinance to adopt the annual appropriation budget for expenditures of the City of Brunswick for the year beginning January 1, 2020 and ending December 31, 2020. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: Each year and in accordance with Ohio Revised Code Section 5705.38 (A) Council is required to adopt an annual appropriation budget.

PURPOSE AND EXPLANATION: In order to comply with the Ohio Revised Code Section 5705 any and all activity of the City must be included in the budget.

As actual information is obtained and compared to estimates or new items are requested to be added or deleted by the respective departments, it is required to present proposed budget amendments to Council for approval. This process is required by law and audited under the direction of the Auditor of State for compliance every year.

IMPLEMENTATION SCHEDULE: The 2020 Budget proposal was presented and discussed with the Finance Committee and other members of Council on November 18, 2019. This budget legislation is anticipated to be moved to the November 25, 2019 Council agenda as an emergency with suspension of the rules for one reading. This timetable would be in accordance with the Finance Committee's approved motion.

The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more timely and seamless transition into 2020.

FINANCIAL INFORMATION: Schedule of Fund Appropriations - See Exhibit A - 1/1/2020 - See Exhibit A - Various - - 76699387.92

FINANCIAL SUMMARY: The total 2020 appropriation budget for all funds (including all book internal transfers, self-insurance, agency funds, etc.) equals \$76,699,387.92.

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?

The 2020 Budget proposal was presented and discussed with the Finance Committee and other members of Council on November 18, 2019. This budget legislation is anticipated to be moved to the November 25, 2019 Council agenda as an emergency with suspension of the rules for one reading. This timetable would be in accordance with the Finance Committee's approved motion.

The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more timely and seamless transition into 2020.

**ADDITIONAL
INFORMATION:**

See Exhibit A.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 92-19



By: Mrs. Hanek, Mr. Ousley, and Mr. Delsanter

AN EMERGENCY ORDINANCE ADOPTING THE ANNUAL APPROPRIATION BUDGET FOR EXPENDITURES OF THE CITY OF BRUNSWICK FOR THE YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020

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

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

WHEREAS: City Council has publicly reviewed the 2020 Operating and Capital Program Budget and is desirous to comply with local and State Laws.

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

SECTION 1: That to provide for expenditures of the City of Brunswick, Ohio during the fiscal year beginning January 1, 2020 and ending December 31, 2020, the 2020 Operating and Capital Program Appropriation Budget, as attached hereto and incorporated herein as Exhibit "A", is hereby adopted.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that Ohio law prescribes time limitations on the adoption and certification of the 2020 Operating and Capital Appropriation Budget. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____
2nd Reading _____
3rd Reading _____
Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam

EXHIBIT A

January 1, 2020

Fund Number	Fund Name / Department	Personal Service	Other	Total
General Fund				
001	General Fund			
	City Council	169,065.00	82,130.00	\$ 251,195.00
	Mayor	100,148.00	93,169.00	\$ 193,317.00
	City Manager	190,398.00	148,192.00	\$ 338,590.00
	Information Technologies	172,406.00	286,310.00	\$ 458,716.00
	Engineering	24,194.00	316,303.00	\$ 340,497.00
	Building Department	340,678.00	235,764.00	\$ 576,442.00
	Cemetery Maintenance	-	34,050.00	\$ 34,050.00
	Janitorial Contract	-	21,627.00	\$ 21,627.00
	City Hall Building & Grounds	18,042.00	68,433.00	\$ 86,475.00
	Administrative Services	89,810.00	54,409.00	\$ 144,219.00
	Economic Development	106,893.00	252,863.00	\$ 359,756.00
	Animal Control	75,328.00	70,181.00	\$ 145,509.00
	Law Department	189,463.00	265,890.00	\$ 455,353.00
	Finance Department	254,022.00	227,758.00	\$ 481,780.00
	Income Tax Department	194,017.00	215,088.00	\$ 409,105.00
	Parks & Recreation Director	89,887.00	67,848.00	\$ 157,735.00
	General Fund Administration	-	1,015,880.00	\$ 1,015,880.00
	Planning Division/Community Development	47,442.00	33,291.00	\$ 80,733.00
	Board of Building Appeals	456.00	1,211.00	\$ 1,667.00
	Board of Zoning Appeals	3,207.00	4,923.00	\$ 8,130.00
	Board of Civil Service	14,585.00	24,770.00	\$ 39,355.00
	Board of Ethics	6,220.00	4,775.00	\$ 10,995.00
	Board of Charter Review	3,600.00	6,971.00	\$ 10,571.00
	Board of Commemorative Affairs	-	27,000.00	\$ 27,000.00
	General Fund Transfers / Advances	-	19,906,946.00	\$ 19,906,946.00
001	Total General Fund	\$ 2,089,861.00	\$ 23,465,782.00	\$ 25,555,643.00
Special Revenue Funds:				
110	Court Computerization Fund	10,656.00	19,175.00	\$ 29,831.00
111	FEMA Grant Fund	-	-	\$ -
114	Police Fund	4,413,352.00	4,253,005.00	\$ 8,633,357.00
115	Fire Fund	2,481,202.00	2,865,148.00	\$ 5,346,350.00
117	Street Repair & Maintenance Fund	1,175,569.00	2,606,991.00	\$ 3,782,560.00
118	State Highway Fund	-	186,225.00	\$ 186,225.00
119	Law Enforcement Fund	-	-	\$ -
120	Brunswick Transit Alternative (BTA) Fund	-	45,000.00	\$ 45,000.00
123	Brunswick Area Television (BAT) Fund	146,374.00	259,670.00	\$ 406,044.00
127	Parks Fund	224,070.00	403,609.00	\$ 627,679.00
129	Department of Justice Federal Grant Fund	-	85,356.53	\$ 85,356.53
130	DUI Enforcement & Education Fund	-	-	\$ -
131	Recreation Center Fund	484,327.00	666,309.00	\$ 1,150,636.00
133	Home Improvement Grant Fund (CDBG)	-	14,020.40	\$ 14,020.40
Enterprise Funds:				
223	Refuse Fund	67,834.00	2,632,483.00	\$ 2,700,317.00
224	Storm Water Management Fund	32,467.00	1,853,704.65	\$ 1,886,171.65
Capital Improvement Funds:				
300	General Permanent Improvement Fund	-	703,500.00	\$ 703,500.00
332	Road Levy Fund	-	2,568,100.00	\$ 2,568,100.00
333	Road Improvement Fund	-	5,089,496.60	\$ 5,089,496.60
334	Traffic Control Fund	-	-	\$ -
335	Public Square Fund	-	-	\$ -
336	City Building Improvement Fund	-	408,502.74	\$ 408,502.74

337	EPA Grant Fund	-	200,000.00	\$	200,000.00
339	Fire Improvement Fund	-	-	\$	-
341	Park Improvement Fund	-	18,000.00	\$	18,000.00
347	North Carpenter Road Improvement Fund	-	10,141,618.79	\$	10,141,618.79
348	Boston Road Improvement Fund	-	93,519.24	\$	93,519.24
360	Brunswick Lake Improvement Fund	-	40,575.00	\$	40,575.00
370	OPWC Multi Roads Improvement Fund	-	799,682.96	\$	799,682.96
371	OPWC Laurel Road Improvement Fund	-	1,914,664.52	\$	1,914,664.52
Self Insurance Fund:					
600	Self Insurance Fund	-	3,250,000.00	\$	3,250,000.00
Debt Service Funds:					
771	General Obligation Bond Retirement Fund	-	-	\$	-
782	Special Assessment BRF: Laurel Road (2006)	-	41,762.50	\$	41,762.50
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,948.81	\$	18,948.81
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,826.18	\$	11,826.18
Agency Funds:					
881	General Trust Agency Fund	-	750,000.00	\$	750,000.00
882	Unclaimed Money Agency Fund	-	20,000.00	\$	20,000.00
885	Flexible Spending Agency Fund	-	140,000.00	\$	140,000.00
886	Non-Residential 3% Building Permit Agency Fund	-	30,000.00	\$	30,000.00
887	Residential 1% Building Permit Agency Fund	-	10,000.00	\$	10,000.00
Grand Total				\$	76,699,387.92

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 93-19** - An emergency Ordinance amending Section 1 of Ordinance NO.93-18 to provide for a revised allocation of municipal income tax receipts during the period from January 1, 2020 through December 31, 2020. - **1st Reading** (To be brought from Finance Committee, Administration/Todd Fischer)

BACKGROUND: Per Codified Ordinance Section 880.01 (e) Council is required to pass an Ordinance when amending the distribution of municipal income taxes to various funds. Generally this process occurs at the beginning of the year when the new annual appropriation measure is being considered or “as needed” . The estimated income tax collections and distribution of net income taxes as written have also been set to comply with the levy language of the City’s two income tax specific safety levies in place for 2020.

PURPOSE AND EXPLANATION:

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

City Council has determined that the allocation formula during the period from January 1, 2020 through December 31, 2020, should maximize the amounts provided for municipal services and improvements; and

In order to carry out that purpose subject to and consistent with the requirements of Section 880.01 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 93-18;

IMPLEMENTATION SCHEDULE:

The proposed 2020 income tax allocation draft legislation and 2020 appropriation budget was presented and discussed with the Finance Committee and other members of Council on November 18, 2019. This 2020 income tax allocation legislation is anticipated to be moved to the November 25, 2019 Council agenda for one reading as an emergency with suspension of the rules. This implementation schedule matches the Finance Committee's motion. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2020.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

This piece of legislation adopts the distribution requirements for municipal income taxes and imposes a ceiling or maximum of income tax dollars that can be received in specifically listed funds. The estimated income tax collections and distribution of net income taxes as written have also been set to comply with the levy language of the City's two income tax specific safety levies. Note: The actual income taxes received ultimately relate to the fiscal impact. Actual income tax receipt amounts will become known at the completion and closure of the fiscal year.

**RECOMMENDED
ACTION:**

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

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

The proposed 2020 income tax allocation draft legislation and 2020 appropriation budget was presented and discussed with the Finance Committee and other members of Council on November 18, 2019. This 2020 income tax allocation legislation is anticipated to be moved to the November 25, 2019 Council agenda for one reading as an emergency with suspension of the rules. This implementation schedule matches the Finance Committee's motion. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2020.

**ADDITIONAL
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 93-19



By: Mrs. Hanek, Mr. Ousley, and Mr. Delsanter

AN EMERGENCY ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 93-18 TO PROVIDE FOR A REVISED ALLOCATION OF MUNICIPAL INCOME TAX RECEIPTS DURING THE PERIOD FROM JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

- WHEREAS: In accordance with Section 880.01(e) of the City of Brunswick Codified Ordinances, this Council is required to pass Ordinances from time to time to provide for the allocation of income tax receipts as required and permitted by Codified Ordinance Section 880.01; and
- WHEREAS: This Council has determined that the allocation formula during the period from January 1, 2020 through December 31, 2020 should maximize the amounts provided for municipal services and improvements; and
- WHEREAS: In order to carry out such purpose, subject to and consistent with the requirements of Section 880.01 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 93-18;
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:
- SECTION 1: That Section 1 of Ordinance No. 93-18, adopted on December 10, 2018, be and is hereby amended to read as follows:

“SECTION 1. Subject to and consistent with the provisions of Section 880.01 of the Codified Ordinances, during the period from January 1, 2020 through December 31, 2020, the income tax receipts collected under the provisions of Chapter 880 of the Codified Ordinances each month, after provision for costs of administering and enforcing the provisions of that Chapter, shall be allocated to and deposited in or transferred to the following funds in the following percentage allocations notwithstanding the tax year to which they are attributable, at the close of each month:

Fund	Allocation
Police Fund	49.25%
Fire Fund	26.50%
Street Repair & Maintenance Fund	7.50%
BTA Fund	0.25%
Parks Fund	3.50%
Capital Improvement Fund	3.25%
General Fund	9.75%

; provided that when amounts allocated to a fund reach the designated annual maximum for that fund for 2020 set forth below, no additional income tax receipts will be deposited into that fund in 2020. Any amounts in excess of such maximum allocations shall be allocated to the General Fund.

The annual maximum allocations for the various funds for 2020 shall be as follows:

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 93-19



Fund	Maximum Allocation
Police Fund	\$7,675,000
Fire Fund	\$4,750,000
Street Repair & Maintenance Fund	\$1,300,000
BTA Fund	\$15,000
Parks Fund	\$590,000
Capital Improvement Fund	No Limit
General Fund	No Limit

This Council finds and determines that, based on the City's estimated income tax receipts for 2020, the allocation percentages and maximum allocations set forth in this Section are consistent with the requirements of paragraphs (b), (c) and (d) of Section 880.01 of the Codified Ordinances. This Council shall act promptly to revise the foregoing allocation percentages and or maximum allocations if, as and when such revisions are necessary to ensure continuing compliance with the requirements of Section 880.01 of the Codified Ordinances.

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

SECTION 2: That Section 1 of Ordinance No. 93-18, as adopted on December 10, 2018, be and is hereby repealed.

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

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

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

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/25/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 94-19** - An emergency resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Natural Resources for the Plum Creek Recreation, Conservation and Flood Control Project. - **1st Reading** (To be brought from Planning & Zoning Committee, Administration/Matt Jones)

BACKGROUND: New legislation request

PURPOSE AND EXPLANATION: The project will facilitate the improvement of the Plum Creek and Brunswick Lake watershed through removal of deteriorated pipe culverts, repair of a breach in the water quality basin located immediately upstream of Brunswick Lake, and planting of vegetation along the shoreline of Plum Creek.

IMPLEMENTATION SCHEDULE: This project will commence in winter/spring 2020 and be completed by June 30, 2020.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This project is being funded by a \$200,000 appropriation in HB 529. \$196,000 being distributed to the City for project costs, whereas \$4,000 being retained by ODNR. This grant is currently not included in the 2020 budget proposal. It would require a budget amendment to include the estimated grant receipts and appropriations to authorize grant related purchase orders. It may also require additional advance legislation to temporarily fund this project until the City is reimbursed with grant proceeds at a later date. These pieces of legislation cannot be submitted until the 2020 budget document is approved and effective. From reading through the attachment and to stay consistent with the accounting structure of the State of Ohio, the Finance Director is recommending that the grant activity be budgeted in the City-wide Park Improvement Fund #341.

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 requested that legislation is passed by emergency measure with suspension of the rules 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 this project may commence and be completed in summer 2020.

**ADDITIONAL
INFORMATION:**

**Capital Improvement Community Park, Recreation/Conservation Project
Pass Through Grant Agreement
Ohio Department of Natural Resources**

This Community Recreation/Conservation Project Pass Through Agreement (hereinafter referred to as the "Agreement") is made and entered into by and between the State of Ohio, Department of Natural Resources, (hereinafter referred to as "State" or "ODNR"), acting by and through its director, pursuant to Sections 154.17, 154.22 and 1501.01 of the Ohio Revised Code and House Bill No. 529, 132nd General Assembly of the State of Ohio and the City of Brunswick, an Ohio political subdivision (hereinafter referred to as "Grantee") acting by and through its authorized representative.

Notices: All notices, demands, requests, consents, approvals and other communications required or permitted to be given pursuant to the terms of this Agreement shall be in writing, and shall be deemed to have been properly given when: 1) hand delivered with delivery acknowledged in writing; 2) sent by U.S. Certified mail, return receipt requested, postage prepaid; 3) sent by overnight delivery service (Fed Ex, UPS, etc.) with receipt; or 4) sent by fax or email, and shall be respectively addressed as follows:

(a) with respect to ODNR:

Ohio Department of Natural Resources
Office of Real Estate
2045 Morse Road, E2
Columbus, Ohio 43229
Attn: Program Manager
Email: timothy.robinson@dnr.state.oh.us

(b) with respect to the Project Grantee:

City of Brunswick
4095 Center Road
Brunswick, OH 44212
Attn: Consulting City Engineer
Email: mjones@cvelimited.com

Notices shall be deemed given upon receipt thereof, and shall be sent to the addresses appearing above. Notwithstanding the foregoing, notices sent by fax or email shall be effectively given only upon acknowledgement of receipt by the receiving party. The parties designated above shall each have the right to specify as their respective address for purposes of this Agreement any other address upon fifteen (15) days prior written notice thereof, as provided herein, to the other parties listed above. If delivery cannot be made at any address designated for notices, a notice shall be deemed given on the date on which delivery at such address is attempted.

Pursuant to House Bill No. 529, the 132nd General Assembly of the State of Ohio has appropriated funds in the amount of Two Hundred Thousand Dollars (\$200,000.00) to make a grant to the Grantee for the costs associated with the construction of a park and recreation or conservation facility in appropriation item C725E2, more fully described in as 'Plum Creek Recreation, Conservation, and Flood Control Project', (hereinafter referred to as "Project"). Furthermore, \$4,000.00 of the total Project appropriation will be used by the ODNR for the administration of the Project. The Project reference number is **MEDI-010C**.

The General Assembly has identified the Parks and Recreation Improvement Fund (Fund 7035), created and existing under Section 154.22(F) of the Revised Code, as the fund from which these monies will be disbursed.

Pursuant to ORC Chapter 154 and Article VIII Section 2i of the Ohio Constitution, capital facilities lease-appropriation bonds (the "Bonds") have been or will be issued by the Ohio Treasurer of State (the "Treasurer") for the purpose of paying the "costs of capital facilities" including acquiring,

constructing, reconstructing, rehabilitating, renovating, enlarging and otherwise improving, equipping and furnishing capital facilities for parks and recreation, all as defined and described in ORC Section 154.01(K). A portion of those Bond proceeds will be used by ODNR to provide funding to the Grantee for the Project under this Agreement. Because ODNR is funding the Project with proceeds of those Bonds, ODNR requires that the Grantee make certain representations, warranties and covenants (both affirmative and negative) concerning the Project and use of the grant funds, as more fully described or provided in this Agreement, in order to comply with federal and state laws, regulations and rules relating to those Bonds and the projects funded with proceeds of those Bonds.

NOW, THEREFORE, for the purposes of providing the funds to the Grantee pursuant to House Bill No. 529 of the 132nd General Assembly, the parties hereto covenant and agree as follows:

1. **FUNDING AMOUNT.** ODNR agrees to provide the Grantee One Hundred Ninety-Six Thousand Dollars (\$196,000.00), via qualifying advance and reimbursement, to be used toward the total cost of the Project. Four Thousand Dollars (\$4,000.00) of the amount appropriated for the Project will be retained by ODNR to cover administrative cost. In no event shall ODNR's payment to Grantee exceed One Hundred Ninety-Six Thousand Dollars (\$196,000.00). Funds for this Project have been released by the Controlling Board as of _____, and encumbered by Contract Encumbrance Record Number _____ and are so certified by the Director of Budget and Management on _____. Obligations of the State are subject to the provisions of Section 126.07 of the Ohio Revised Code. Any funds provided under this Agreement that are not spent shall be returned in full to the State.
2. **PROJECT DESCRIPTION.** The Grantee shall use the grant funds for 'Plum Creek Recreation, Conservation, and Flood Control', a project to develop recreation and conservation improvements to Plum Creek in the City of Brunswick, OH, all as more fully described in Exhibit A attached hereto.
3. **COMMENCEMENT AND TERMINATION DATES.** This Agreement commences on the date that it is approved by the Director of ODNR (the "Effective Date") and will, unless otherwise earlier terminated as provided herein, expire on the later of: i) 15 years from the date of Project completion (or Project acquisition if the Project is solely real property acquisition); or ii) the date upon which the latest Bond issuance funding or refinancing of the Project is paid in full (the "Term"). Grantee shall complete the Project on or before June 30th, 2020.
4. **NO RESTRICTIONS OF RECORD.** The Grantee hereby represents and warrants that there are not now, and there will not be, any restrictions of record with respect to the Project, including without limitation, any encumbrances, liens or other matters, which would interfere with or otherwise impair the use of the property as described on Exhibit B attached hereto, on which the Project will be located and developed as a public parks and recreation or conservation facility (the "Property"). The Grantee represents that it is the fee simple owner, or has a lease or cooperative use agreement with a term longer than the Term hereof, on the Property and that the only restrictions of record with respect to the Property are (a) any state of facts which an accurate survey might show, (b) all zoning regulations, restrictions, rules and ordinances, and other laws and regulations now in effect or hereafter adopted by any governmental agencies having jurisdiction over the Property and (c) all matters of record pertaining to the Property, including dedicated public rights-of-way and the items identified on said Exhibit B, 'Boundary Map'.

The Grantee hereby represents and warrants that there are not now, and Grantee shall not cause there to be, any restrictions of record with respect to the Project or Property, including without

limitation, any encumbrances, liens or other matters, which would interfere with or otherwise impair the use of the Property as a public parks and recreation or conservation facility.

5. **CONSTRUCTION SERVICES.** The Grantee represents that it will contract for all construction services for the Project, and will provide construction administration. The Grantee shall have the full authority to contract with third parties for the design and construction of the Project. The Grantee shall secure all necessary permits and licenses for the Project. The Grantee warrants that it will cause the Project to be constructed or acquired, as applicable, with all reasonable speed and reasonably adhere to any submitted development timeline.
6. **OPERATION, MAINTENANCE, AND UPKEEP.** The Grantee shall be solely responsible for the operation, maintenance, and upkeep of the Project, and shall take all actions reasonably necessary to ensure that the Project is available to the public for the intended parks and recreation or conservation purpose during the Term. Failure to comply with this provision or any other provision of this Agreement may result in demand for repayment of all or a portion of the grant funds paid by ODNR to Grantee under this Agreement. The amount to be repaid will be calculated based on the ratio of (x) the number of months from the event triggering the reimbursement to the final scheduled maturity date of the Bonds over (y) the total number of months that the Bonds are scheduled to be outstanding. Grantee shall not make any grant repayment unless first consulting with ODNR, and ODNR shall not accept any repayment without first obtaining the approval of the Ohio Public Facilities Commission ("OPFC").
7. **REMITTANCES.** If for any reason funds acquired through this Agreement are required to be paid, repaid or remitted to the State of Ohio, they shall be remitted in full by the Grantee within forty-five (45) days of demand to:

Ohio Treasurer of State
30 East Broad Street, 9th Floor
Columbus, Ohio 43215
8. **COPY WITH REMITTANCE.** Any such remittance shall include a copy of this Agreement. A copy of the cover letter transmitting the remittance to the Treasurer of State shall be sent simultaneously to ODNR.
9. **CONVEYANCE OF INTEREST IN PROJECT TO ODNR.** As security for the performance of the Grantee's obligations under this Agreement, the Grantee hereby conveys to ODNR an interest in the Property, consisting of the right to use and occupy the Property and the facilities funded in whole or in part with grant funds under this Agreement upon default of this Agreement by the Grantee. This interest shall be in effect during the Term of this Agreement. The Grantee hereby acknowledges and agrees that ODNR may assign or convey such right to use and occupy such facilities to the OPFC or such other State agency selected by ODNR, and Grantee does hereby consent to such assignment or conveyance. In addition, ODNR has entered into a lease with OPFC relating to the Bonds and the Project; provided that so long as Grantee shall not default under this Agreement, such lease shall not affect the Project or the use thereof. ODNR acknowledges that, absent a default by Grantee, ODNR has no right to use or occupy the Property or Project. ODNR shall have the right during the Term hereof to enter upon the Property during normal business hours for purposes of inspection of the Project for compliance with this Agreement.

- 10. PROHIBITION AGAINST DISPOSITION.** The Grantee shall not dispose of all or any part of the Project funded by ODNR through the Term of this Agreement without the prior written consent of ODNR and OPFC. All notices, demands, requests, consents, approvals and other communications to OPFC shall be addressed as follows:

Ohio Public Facilities Commission
30 East Broad Street, 34th Floor
Columbus, Ohio 43215
Attn: Assistant Secretary

- 11. WAIVER OF LIABILITY.** On and after the date of this Agreement, the Grantee agrees not to seek any determination of liability against ODNR, OPFC, the Treasurer or any department, agency or official of the State in the case of claim or suit arising from the Project including acquisition of property or any future condition, construction, operation, maintenance or use of property or facilities which may be developed in relation to the Project. The Grantee forever releases and waives any and all claims, demands and causes of action it may ever possess or assert against ODNR and its employees, agents, officials and attorneys arising from, or relating to, the Project.
- 12. INSURANCE.** Unless otherwise agreed by ODNR, the Grantee shall maintain, or cause to be maintained, at no cost to the State, commercial general liability insurance and property insurance, including, if applicable, builder's risk insurance, to insure ODNR, OPFC, the Treasurer and the State in an amount and type determined by a qualified risk assessor to be sufficient to cover the full replacement costs of improvements funded, in whole or in part, by the State, and for bodily injury, property damage, personal injury, advertising injury and employer's liability exposures of the Grantee. Unless otherwise agreed by ODNR, such insurance shall remain in force at all times from the Effective Date hereof through the Term of this Agreement.

Instead of providing the general liability and property insurance above, the Grantee may name ODNR, OPFC, the Treasurer and the State as additional insured and/or loss payees, as the coverage requires, under a self-insurance program or joint self-insurance pool created under ORC Sections 2744.08 or 2744.081, respectively, and operated by or on behalf of the Grantee, in order to meet the insurance requirements set forth herein.

- 13. BONDED AND INSURED EMPLOYEES AND AGENTS.** Prior to release of advance funds by ODNR, Grantee will provide ODNR with a document that demonstrates that all employees or agents of Grantee who are responsible for maintaining or disbursing funds acquired through this Agreement will be fully bonded or insured against loss of such funds. The bonding agent or insurer shall be licensed to do business in Ohio. No part of the funds acquired by Grantee through this Agreement shall be spent to obtain that bonding or insurance.
- 14. PUBLIC FUNDS COMPLIANCE.** The Grantee will assure compliance with all applicable federal, state, and local laws and regulations pertaining to handling, management and accountability in relation to public funds. All funds received by Grantee under this Agreement shall be deposited in one or more financial institutions that fully insure, secure or otherwise protect the funds from loss through federal deposit insurance and/or other deposit and/or collateralization strategies that protect the funds against loss. If the Grantee is a political subdivision of the State, grant funds shall be held in compliance with Chapter 135 of the Ohio Revised Code.
- 15. REPORTS AND RECORDS.** The Grantee will keep and make all reports and records associated with the Project funded under this Agreement available to the State Auditor, or the Auditor's designee, ODNR and OPFC for a period of not less than eighteen (18) years after the date of

Project closeout. These reports and records shall include a description of the Project, a detailed overview of the scope of work, and disbursement detail (including amount, date, nature/object of expenditure), and vendor information. The Grantee acknowledges that the Auditor of State and other departments, agencies and officials of the State may audit the Project at any time, including before, during and after completion. The Grantee agrees that any costs of audit by the Auditor of State or any other department, agency or official of the State will be borne exclusively by and paid solely by Grantee, and that the funds provided under this Agreement will not be used by Grantee for payment of any audit expenses for any reason at any time. Grantee will be solely responsible for all costs associated with audit.

- 16. RESTRICTIONS ON EXPENDITURES.** The Grantee affirmatively states that Grantee is fully aware of the restrictions and guidelines for expending funds granted under this Agreement and intends to comply fully with same. Grantee will implement appropriate monitoring controls to ensure that funds acquired through this Agreement are expended in accordance with all applicable laws, rules and requirements.
- 17. DETERMINATION OF INELIGIBILITY.** If it is determined by an audit by the Auditor of State or any department, agency or official of the State or other agency or entity with legal audit authority that any Project expense is ineligible, or not properly documented, the Grantee will repay that amount in full to the State.
- 18. NO FINDING FOR RECOVERY.** The Grantee represents and warrants to the ODNR that it is not subject to a finding for recovery under R.C. 9.24, or that it has taken appropriate remedial steps required under R.C. 9.24 or otherwise qualifies under that section. The Grantee agrees that if this representation or warranty is determined by ODNR to be false, this Agreement shall be void *ab initio* as between the parties to this Agreement, and any funds paid by the State hereunder immediately shall be repaid in full to the State, or an action for recovery immediately may be commenced by the State for recovery of said funds.
- 19. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT.** The Grantee will comply with the terms of Title II and Title III, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (PL 91-646), Stat. 1894 (1970), and Ohio Revised Code Chapter 163 for all real property acquisitions, and where applicable will assure that these requirements have been complied with for the Project, using funds provided by the legislature in House Bill No. 529 of the 132nd General Assembly.
- 20. PROJECT NONDISCRIMINATION.** The Grantee agrees that any facilities that may be developed now or in the future on the lands comprising the Project will be made available to all persons regardless of race, color, sex, religion, national origin, ancestry, age, military status, handicap or disability on the same terms and conditions.
- 21. EMPLOYMENT NONDISCRIMINATION.** The Grantee shall not discriminate against any employee or applicant for employment, because of race, color, religion, national origin, ancestry, sex, age, military status, handicap or disability. The Grantee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, national origin, ancestry, sex, handicap or disability. Such action will include, but is not limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. The Grantee agrees to post in conspicuous places, available to employees and applicants for employment, notices as may be provided by the State setting forth the provisions of this non-discrimination clause.

22. ODNR RIGHT TO TERMINATE. ODNR reserves the right to terminate this Agreement and to recover any funds distributed by the Grantee to contractors or other payees in violation of the terms of this Agreement if the Grantee is determined by ODNR to be unable to proceed with the Project, or if Grantee violates any of the terms herein.

23. LEGAL, FEDERAL TAX, AND OTHER COMPLIANCE. The Grantee will assure that monies expended under this Agreement are spent in conformity with the intent and purpose of the appropriation, the limitations on use set forth in the bill containing the appropriation, and Chapter 154 of the Ohio Revised Code and all other laws that apply to expenditure of monies by the Grantee. If Grantee is required to submit an annual financial report to the Auditor of State, in accordance with Auditor of State Bulletin 2001-012, then the Grantee shall report the funds it acquires through this Agreement as a separate column identified in a manner consistent with the Project description in appropriation item C725E2. If Grantee is not required to submit the aforementioned report, Grantee shall file an annual detailed expenditure report of all expenditures associated with the Project with the Auditor of State by March 1st every year until all funds provided in this Agreement have been spent. The above reports shall be sent to the address provided in Auditor of State Bulletin 2001-012.

The Grantee agrees to comply with all applicable federal, state and local laws and regulations, in the conduct of the Project and acknowledges that its employees are not employees of ODNR with regard to the application of the Ohio Public Employees Retirement law, Fair Labor Standards Act minimum wage and overtime provisions, Federal Insurance Contribution Act, Social Security Act, Federal Unemployment Tax Act, Internal Revenue Code, Ohio revenue and tax laws, Ohio Workers' Compensation Act and Ohio unemployment compensation law.

The Grantee agrees to use funds provided under this Agreement in accordance with the Ohio Constitution and any state or federal laws and regulations that may apply. The Grantee shall repay ODNR any funds improperly expended. Additionally, the Grantee agrees to comply with all requirements within its control necessary to preserve the tax status of all tax-exempt or tax-advantaged bonds, the proceeds of which are used to provide the funding to Grantee set forth in this Agreement. Unless otherwise determined by the OPFC, such requirements include, but are not limited to, ensuring that the funds provided under this Agreement finance capital expenditures (as opposed to operating expenses) and are not used to refund or otherwise refinance existing debt of the Grantee. Grantee shall be liable for any payments to the Internal Revenue Service or the U.S. Treasury as penalties or to preserve the tax status of tax-exempt or tax-advantaged bonds, and any other costs, resulting in whole or in part from actions taken by Grantee, including the failure of Grantee to comply with federal income tax laws applicable to such bonds. The Grantee agrees to consult with OPFC if the Grantee is uncertain as to what expenditures are eligible to be financed with funds provided under this Agreement.

24. CONSTRUCTION CONTRACT COMPLIANCE. Grantee represents that it will comply with the Executive Order of the Governor of Ohio regarding equal employment and that it will include in any construction contracts for the Project provisions for compliance with the terms and conditions of the Copeland Anti-Kick Back Act, 18 U.S.C. §874, as the same are supplemented by regulations promulgated by the U.S. Department of Labor in 29 CFR, Part 3.

25. MODIFICATION. This Agreement may be modified if agreed to in writing by both parties.

26. ETHICS CERTIFICATION. The Grantee, by signature on this document, certifies that it: (i) has reviewed and understands the Ohio ethics and conflict of interest laws as found in Ohio Revised Code Chapter 102 and in Ohio Revised Code Sections 2921.42 and 2921.43, and (ii) will take no

action inconsistent with those laws The Grantee understands that failure to comply with Ohio's ethics and conflict of interest laws is, in itself, grounds for termination of this Agreement and may result in the loss of other contracts or grants with the State.

27. SEVERABILITY. Each provision hereof shall be separate and independent and the breach of any provision by either party hereto shall not discharge or relieve the other party from its obligations to perform each and every covenant to be performed by it hereunder. If any provisions hereof (or the application thereof to any person, firm or corporation or to any circumstances) shall be deemed invalid or unenforceable by any court of competent jurisdiction, the remaining provisions of this Agreement (or the application of such invalid provision to such persons, firms or corporations or circumstances other than those as to which it is invalid or unenforceable), shall not be affected thereby, and said provisions hereof shall be valid and enforceable to the fullest extent permitted by law.

28. MISCELLANEOUS.

- a. Controlling Law. This Agreement and the rights of the parties hereunder shall be governed, construed, and interpreted in accordance with the laws of the State of Ohio. Grantee consents to jurisdiction in a court of proper jurisdiction in Franklin County, Ohio.
- b. Waiver. A waiver by any party of any breach or default by the other party under this Agreement shall not constitute a continuing waiver by such party of any subsequent act in breach of or in default hereunder.
- c. Successors and Assigns. Neither this Agreement nor any rights, duties or obligations hereunder may be assigned or transferred in whole or in part by Grantee, without the prior written consent of ODNR.
- e. Conflict. In the event of any conflict between the terms and provisions of the body of this Agreement and any exhibit hereto, the terms and provisions of the body of this Agreement shall control.
- f. Entire Agreement. This Agreement contains the entire agreement between the parties hereto and shall not be modified, amended or supplemented, or any rights herein waived, unless specifically agreed upon in writing by the parties hereto. This Agreement supersedes any and all previous agreements, whether written or oral, between the parties.
- g. Execution. This Agreement is not binding upon ODNR unless executed in full.
- h. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.
- i. Electronic Signatures. Any party hereto may deliver a copy of its counterpart signature page to this Agreement electronically pursuant to R.C. Chapter 1306. Each party hereto shall be entitled to rely upon an electronic signature of any other party delivered in such a manner as if such signature were an original.

29. TIME IS OF THE ESSENCE. Time is of the essence in this Agreement.

30. OPEN TRADE: Pursuant to R.C. § 9.76 (B) the Grantee warrants that the Grantee is not boycotting any jurisdiction with whom the State can enjoy open trade, including Israel, and will not do so during the contract period.

IN TESTIMONY WHEREOF, the Grantee and ODNR have caused this Agreement to be executed by their respective duly authorized officers.

FOR THE GRANTEE:

CITY OF BRUNSWICK

Signature

Printed Name: _____

Printed Title: _____

FOR THE STATE OF OHIO, ODNR:

Steven Gray

Assistant Director

Ohio Department of Natural Resources

Date: _____

ATTORNEY CERTIFICATION

Community Park, Recreation, or Conservation Project Number: **MEDI-010C**

I, _____ [name and title], acting as attorney for the City of Brunswick ("Grantee"), and for the reliance of the Ohio Department of Natural Resources, do certify that from my examination of the Capital Improvement Community Park Recreation or Conservation Project — Pass Through Grant Agreement (the "Agreement") and my knowledge of Grantee's organization, that acceptance of the Agreement by Grantee and the execution thereof by the signing officer has been duly authorized and is proper and in accordance with the laws of the State of Ohio. Grantee is a legally constituted public entity with full authority and legal capacity to perform all obligations and terms of the Agreement. Upon signature by the signing officer, the Agreement, in my opinion, is a legal obligation of Grantee in accordance with the terms thereof, and Grantee possesses the legal authority to fully perform all obligations incurred by Grantee in signing this Agreement. Grantee's acceptance of the Agreement and the signing officer's execution thereof, _____ has _____ has not* been authorized by the governing body of Grantee, or has otherwise been authorized by grantee's charter. (Resolution or Ordinance No. _____, dated _____, 201____).

*If "has not" is checked, please indicate the reason. _____

Legal Counsel for Grantee _____
(Signature)

Printed Name of Legal Counsel _____

Address _____

Registration Number _____

EXHIBIT A

PROJECT INFORMATION PACKAGE

Forms and requested materials (maps, etc.) on pages 3-11 comprise the '**Project Information Package**'. Please complete all forms on pages 3-11 and send with all other requested materials on pages 3 -11 (only) to the address below. This is the first step in the project coordination process.

Tim Robinson
ODNR
Office of Real Estate
2045 Morse Road, E2
Columbus, Ohio 43229-6693



BASIC INFORMATION

1. Awarded Project Sponsor: City of Brunswick
2. Address, including zip code:
City of Brunswick Municipal Center
4095 Center Road
Brunswick, Ohio 44212
3. Tax Identification Number: 34-6006433
4. Telephone Number: 330-225-9144
5. Contact Person & Title: Matt Jones, P.E. - Consulting City Engineer
6. Email: mjones@cvelimited.com
7. Telephone Number: 330-558-6830
8. Brief Description of Project:

The Plum Creek Restoration and Drainage Project will improve the water quality of Plum Creek in 3 ways. The first is by removing an impediment, concrete culverts, to Plum Creek. The second way is by repairing a breach to a storm water basin that presently allows the free flow of storm water into Plum Creek. The third way is with the planting of vegetation along the shoreline of Plum Creek.

This project will improve conservation opportunities to the public by their ability to view robust wetland areas by the planting and bank restoration of various areas located around Plum Creek along with improving water quality and sediment control to areas downstream.

CITY OF BRUNSWICK
MEDINA COUNTY, OHIO

**PLUM CREEK
RESTORATION AND
DRAINAGE PROJECT**

0 100 200 300 400
ft
1 inch = 400 feet

BOYER DR
COLE RD
EDGEBROOKE DR
ALDERWOOD OVAL
WILTSHIRE DR
ASCOT DR
SCARBOROUGH DR
SANDWOOD DR
MONTE VISTA DR
TYLER DR
VAN BUREN DR
EISENHOWER DR
TOWN CENTER BLVD
CENTER RD
OLD EAGLE DR
NOTTINGHAM DR
TOWSLEE ELEMENTARY SCHOOL
ST MARK LUTHERAN CHURCH AND SCHOOL
BRUNSWICK TOWN CENTER

00318D04012
00318D04031
Lake Brunswick

As an official designee of the sponsor, I certify that the sponsor understands that the property identified on this Boundary Map cannot be converted from public outdoor recreation during the COMPLIANCE period without the written approval of the Director of the Ohio Department of Natural Resources.

Carl DeForest
City Manager/Safety Director

Local Coordinator - Printed Name Original Signature Date 10/18/19

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 94-19

BY: Mr. Delsanter, Mr. Hanek, and Mrs. Rodriguez

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PLUM CREEK RECREATION, CONSERVATION AND FLOOD CONTROL PROJECT.

WHEREAS: Pursuant to House Bill No. 529, the Ohio General Assembly has appropriated funds in the amount of \$200,000.00 for the Plum Creek Recreation, Conservation and Flood Control Project.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with the Ohio Department of Natural Resources for the Plum Creek Recreation, Conservation and Flood Control Project.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary as the Project needs to be completed on or before June 30, 2020. 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
Fijabi Julien-Gallam, CMC