



BRUNSWICK CITY COUNCIL AGENDA

Valerie Zak Ward 3	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	Brian Ousley At-Large	Joseph Delsanter At-Large	Anthony Capretta Ward 4
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Administration Representatives

APRIL 12, 2021
In Council Chambers
At 7:00 PM
REVISED

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Minutes
 - (a) Regular Council Meeting Minutes dated March 22, 2021.
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending March 2021 will be posted on the website and added to the minutes for the record;
 - (b) Motion to approve the Mayor's recommendation to appoint Diane Madonna to fulfill an unexpired term on the Medina County Advisory Council on Aging and Disability expiring September 11, 2021, and to appoint to a 3-year term expiring September 11, 2024;
 - (c) Motion to approve the Mayor's recommendation to appoint Howard Gross to fulfill an unexpired term on the Zoning Board of Appeals expiring March 10, 2023;
 - (d) Motion to approve the Mayor's recommendation to appoint Stephen Hill to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring March 9, 2023;
 - (e) Motion to approve the Mayor's recommendation to appoint Anthony Cirino to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring January 27, 2022;
 - (f) Mayor's recommendation to appoint Howard J Gross to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring March 9, 2023;
 - (g) Mayor's Update

6. Clerk of Council's Report
7. Council Committee Reports:
 - Economic Development Committee.....Mr. Hanek
 - Services, Utilities, Technology & Cable Committee.....Mr. Abella Jr.
 - Services, Utilities, Technology & Cable Committee Meeting Minutes dated February 22, 2021
 - Services, Utilities, Technology & Cable Committee Meeting Minutes dated March 8, 2021
 - Finance Committee.....Mrs. Hanek
 - Safety & Environment Committee.....Mr. Capretta
 - Safety & Environment Committee Meeting Minutes dated February 8, 2021
 - Safety & Environment Committee Meeting Minutes dated February 22, 2021
 - Planning & Zoning Committee.....Mr. Delsanter
 - Planning & Zoning Committee Meeting Minutes dated February 22, 2021
 - Planning & Zoning Committee Meeting Minutes dated March 22, 2021
 - Parks, Recreation & Community Committee.....Mrs. Zak
 - Building & Building Code Committee.....Mr. Ousley
 - Building & Building Code Committee Meeting Minutes dated March 8, 2021
8. Other Boards and Commissions
 - (a) Committee of the Whole Meeting Minutes dated March 22, 2021
9. Reading of Legislation and Action on Legislation:
 - a. 3rd Reading(s)
 - b. 2nd Reading(s)
 - ORD. NO. 23-2021** - An ordinance repealing Section 1266.04(d) of the City of Brunswick Codified Ordinances. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)
 - c. 1st Reading(s)
 - ORD. NO. 32-2021** - An ordinance repealing Chapter 1264 of the City of Brunswick Codified Ordinances and eliminating the I-D Industrial Distribution District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 33-2021 - An ordinance amending Chapter 1270 of the City of Brunswick Codified Ordinances.- **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 34-2021 - An ordinance establishing Section 1274.09(k) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

ORD. NO. 35-2021 - An ordinance amending Section 1280.06 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

RES. NO. 36-2021 - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2021-2022 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

RES. NO. 37-2021 - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, INC. for the 2021 Asphalt Road Program in an amount not to exceed \$1,150,250.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 38-2021 - An emergency resolution authorizing the City Manager to enter into a three (3) year agreement with Total Performance Service, Inc. for the provision of vehicle maintenance for the Division of Police. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

ORD. NO. 39-2021 - An emergency ordinance amending Ordinance NO. 36-98 by expanding the purpose of the Brunswick Lake Fund #360. - **1st Reading** (To be brought from the Committee-of-the-Whole, *Administration/Todd Fischer*)

RES. NO. 40-2021 - An emergency resolution accepting the petition for annexation of 1.7311 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

ORD. NO. 41-2021 - An emergency ordinance authorizing the City Manager to enter into a Real Estate Transfer Agreement with the Brunswick City School District. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*)

RES. NO. 42-2021 - An emergency resolution supporting the proposed Pearl Road Reconstruction Project and urging State and Federal Legislators to support funding for the project. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

10. City Manager's Report

11. Unfinished Business
12. New Business
13. Adjournment

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, MARCH 22, 2021

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:07 p.m. at the Municipal Complex.

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

Others Present: Mayor Ron Falconi, Clerk of Council Fijabi Gallam, City Manager Carl DeForest, and Acting Law Director Dennis Nevar.

Correspondence: There was none.

Approval of Minutes:

Michael Abella Jr. moved to approve the Regular Council Meeting Minutes dated March 8, 2021, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

Mayor's Report:

Mayor Ron Falconi presented a proclamation to Krista R. Wasowski, the Medina County Health Commissioner, to proclaim the week of April 5-11, 2021, as National Public Health Week 2021 in Brunswick, and he expressed the City's appreciation for all the work that the Medina County Health Department does for the community. Mayor Falconi called upon the people of Brunswick to observe the week by helping families, friends, neighbors, co-workers, and leaders to better understand the value of public health and to adopt preventive lifestyle habits in light of this year's theme, "Building Bridges to Better Health."

Commissioner Wasowski expressed her appreciation for the proclamation and introduced Morgan Jones, the Brunswick Representative for the Medina County Board of Health.

Joseph Delsanter moved to approve the Mayor's recommendation to appoint Lisa Jackson-Clements to fulfill an unexpired term on the Zoning Board of Appeals expiring January 25, 2022, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

Nicholas Hanek moved to approve the Mayor's recommendation to appoint Anthony Bayer to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring March

9, 2023, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

Anthony Capretta moved to approve the Mayor's recommendation to appoint Aaron Brockler to fulfill a 2-year term on the Juvenile Diversion Board expiring February 11, 2023, seconded by Valerie Zak. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

Valerie Zak moved to approve the Mayor's recommendation to reappoint Morgan Jones to the Medina County Board of Health expiring March 1, 2027, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Valerie Zak, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Anthony Capretta, Michael Abella Jr., Patricia Hanek. Nays - 0. Motion Carried.

The Mayor advised the council of his recommendation to appoint Diane Madonna to fulfill an unexpired term on the Medina County Advisory Council on Aging and Disability expiring September 11, 2021, and to appoint to a 3-year term expiring September 11, 2024.

The Mayor advised the council of his recommendation to appoint Howard Gross to fulfill an unexpired term on the Zoning Board of Appeals expiring March 10, 2023.

The Mayor advised the council of his recommendation to appoint Stephen Hill to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring March 9, 2023.

The Mayor advised the council of his recommendation to appoint Anthony Cirino to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring January 27, 2022.

Clerk of Council's Report:

Clerk of Council Fijabi Julien-Gallam announced that the Mayor's office is looking for a Business representative for the Financial Audit, Review & Advisory Committee for an unexpired term.

Council Committee Reports:

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

Councilman Nicholas Hanek had no formal reports this evening.

Services, Utilities, Technology & Cable Committee.....Mr. Abella Jr.:

Michael Abella Jr. moved to approve the Services, Utilities, Technology & Cable Committee formal report dated November 23, 2020, as written, seconded by Anthony Capretta. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Patricia Hanek moved to approve the Finance Committee formal report dated November 23, 2020, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Brian Ousley, Patricia Hanek, Joseph Delsanter, Michael Abella Jr., Anthony Capretta, Valerie Zak, Nicholas Hanek. Nays - 0. Motion Carried.

Safety & Environment Committee.....Mr. Capretta:

Anthony Capretta moved to approve the Safety & Environment Committee formal report dated November 23, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 7, Patricia Hanek, Valerie Zak, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Joseph Delsanter. Nays - 0. Motion Carried.

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

Joseph Delsanter moved to approve the Planning & Zoning Committee Meeting formal report dated December 21, 2020, as written, seconded by Brian Ousley. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Parks, Recreation & Community Committee.....Mrs. Zak:

Valerie Zak moved to approve the Parks, Recreation & Community Committee Meeting formal report dated December 21, 2020, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

Building & Building Code Committee.....Mr. Ousley:

Councilman Brian Ousley 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 26, 2020, and March 8, 2021, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

Reading of Legislation and Action on Legislation:

3rd Reading(s) There was none.

2nd Reading(s) There was none.

1st Reading(s)

ORD. NO. 26-2021 - An emergency ordinance adopting the recommendation of the Brunswick Community Reinvestment Area Housing Council to continue all active agreements in 2021 and accepting the 2020 CRA Status Report. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*):

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

Michael Abella Jr. moved to adopt Ordinance Number 26-2021, seconded by Anthony Capretta. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

ORD. NO. 27-2021 - An ordinance establishing Section 1242.02(76.1) of the Codified Ordinances of the City of Brunswick by defining small box discount store. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 27-2021 - Mr. Delsanter moved ordinance to second reading and back to Planning Commission for review.

ORD. NO. 28-2021 - An ordinance amending Section 1266.04 of the Codified Ordinances of the City of Brunswick deleting subsections (e) and (f) in their entirety. - **1st Reading** (To be brought from Planning and Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 28-2021 - Mr. Delsanter moved ordinance to second reading and back to Planning Commission for review.

ORD. NO. 29-2021 - An ordinance amending the Design Guidelines for the Southeast Neighborhood of the Brunswick Town Center Special Planning District No. 2. - **1st Reading** (To be brought from Planning and Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 29-2021 - Mr. Delsanter moved ordinance to second reading and back to Planning Commission for review.

ORD. NO. 30-2021 - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the codified ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Fijabi Gallam*):

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

Michael Abella Jr. moved to adopt Ordinance Number 30-2021, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

RES. NO. 31-2021 - An emergency resolution supporting the environmental restoration of Healey Creek and urging state and federal legislators to support funding for the project. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*):

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

Michael Abella Jr. moved to adopt Resolution Number 31-2021, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

City Manager's Report:

City Manager Carl DeForest

- Thanked Medina County Health Department for their assistance and guidance during the pandemic and information on the vaccine distribution. The Brunswick Recreation Center was volunteered as a site to give COVID vaccines.
- Reminded everyone about the tornado sirens that are scheduled to go off on Wednesday, March 24, 2021, at 9:50 am. It is a nationwide tornado drill. The second test is scheduled for Friday, April 3, 2021, at noon.
- Reminded everyone that the local filing income tax deadline is April 15, 2021, pursuant to the Ohio Revised Code 718.05. The City of Brunswick local tax deadline must follow the same deadline that is set by the State of Ohio for state tax returns. If the state deadline is changed due to the IRS deadline change, the City would communicate this to the public.

Unfinished Business: There was none.

New Business:

Consideration of a new liquor permit request from Riser Foods CO., DBA GETGO 3390 located at 3351 Center Road, Brunswick, Ohio 44212: *The administration had no objections.*

Consideration of a liquor permit transfer request from 4280 Bar LLC., 4280-82 Shenandoah PKWY, Brunswick, Ohio 44212 to 42EIGHTY LLC, DBA 42EIGHTY 4280-82 Shenandoah PKWY, Brunswick, Ohio 44212: *The administration had no objections.*

Adjournment:

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

There being no further business, the meeting adjourned at 7:27 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

DRAFT

April 1, 2021

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF MARCH 2021

WAIVERS/COURT/BONDS

DEPOSITS (March) 38,065.10

DEBITS (March) (38,065.10)

Checks to be written in March:

Treasurer State of Ohio	\$ 7,128.00
City of Medina MIATF	\$ 50.00
City of Medina IDATF	\$ 216.00
City of Brunswick Finance Dept/Police Fund *	\$29,671.10
Misc.Checks (bond refunds & transfers/restitution)	<u>\$ 1,000.00</u>
TOTAL for the month	\$38,065.10

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

Service Charges/Fees for prior month \$259.93

MAYOR RONALD FALCONI



TERESA BENO, CLERK OF COURTS

APPLICATION FOR COMMITTEE APPOINTMENT

MEDINA COUNTY
144 N. Broadway Street
Medina, Ohio 44256

FEB 23 2021

COMMITTEE/BOARD/COMMISSION APPLYING FOR: City of Brunswick Rep

NAME OF CANDIDATE: Diane m Madonna
First Middle Initial Last

ADDRESS: 1906 Thorpe CR Brunswick OH 44212
Street City State Zip Code

TELEPHONE: - - 216-210-1264 EMAIL: dmado258@gmail.com
Work Home/Cell

Are you related to any current employee of the County? ☒ No ☐ Yes
If yes, give name and position _____

Are you an elected or appointed public official? ☒ No ☐ Yes
If yes, please specify: _____

Have you ever been convicted of a violation of any law, other than minor traffic (DUI convictions must be disclosed)? ☒ No ☐ Yes (if yes, please specify) _____

EDUCATION:
High School: Ringgold HS Date of Graduation: 6/1976
Post High School Education: Wheeling Jesuit University Graduation: 5/1980

MILITARY HISTORY:
Branch of Service: N/A Discharge Date: _____
Type of Discharge: _____ Highest Rank: _____

EMPLOYMENT HISTORY:
Present or last employer: Retired
Dates of employment: from / / to / /
Your title & duties: _____

Previous employment:
Hmc Clinical Director 9/1996 9/2016
Company Position From To

Company Position From To

REFERENCES (List three people not related to you who have definite knowledge of your qualifications for this position):

Name	Address	Telephone #
Amy Wermer	3168 Central Park W Medina, OH	330-421-7381
Laura Toth	Laurel Rd Brunswick, OH	330-204-4452
Pat Stropko-O'Leary	19543 Ellsworth Strongsville, OH	440-241-9082 44149

STATEMENT: Please provide a brief statement why you feel you are qualified for this appointment. If you are seeking reappointment, please indicate what your contributions have been to the Committee/Board/Commission during the time of your service.

I have been a member of the Advisory Council since 2018 as Council At Large. I am applying to switch to the City of Brunswick Rep.

I have served as back-up Secretary of the board and participated in Fundraiser prior to COVID. I attend the majority of the monthly meetings.

I certify that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that any false statements will void this application and any actions based on it. My signature below authorizes the Medina County Board of Commissioners, or its agents, to verify the accuracy of this information including employment and education verification.

Signature of Applicant: Diane M Madena Date: 2-23-2021

Please return completed application by _____ to the Medina County Commissioners Office, 144 N. Broadway Street, Medina, Ohio 44256

MAR 08 2021

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Howard Gross PHONE 330 225-3681

STREET 1377 Troon Ave CELL 216 536-6414

Years of Residency 21

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Board of Zoning & Appeals EMAIL howard.gross003@gmail.com

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL Berea

COLLEGE

SPECIAL TRAINING

CURRENT EMPLOYMENT

City Middleburg Hts Address 7375 Engle RD Title Superintendent Dates 1990 - Present

RELEVANT PAST EMPLOYMENT

Company Address Title Dates

Company Address Title Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>Mick Stacko</u>	<u>4648 Inverness Av</u>	<u>330 273-6970</u>
2.	<u>Keith Price</u>	<u>13639 Arrowhead trail</u>	<u>440 263-2653</u>
3.	<u>Steve Scharschmitt</u>	<u>1533 Augusta</u>	<u>440 570-6337</u>

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

I desire to be apart of the Board of Zoning and Appeals for the city of Brunswick so I can have the opportunity to contribute my expertise and knowledge to the vision and mission of the city. Qualifications: 30+ years serving in the City of Middleburg Hts. 20 in management. Doing concrete, sewer inspection. And help make policy for the service department

ATTACH RESUME IF DESIRED.

Signature: Howard Gross Date: 3/2/21

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

**APPLICATION FOR
BOARDS AND COMMISSIONS**

MAR 02 2021

NAME Stephen Hill PHONE 234-738-8820

STREET 3785 Chelsea Drive CELL _____

Years of Residency 14

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Brunswick Resident on Financial EMAIL hill.2200@osu.edu

EDUCATION	DEGREE	YEAR GRADUATED
HIGH SCHOOL <u>Brunswick High School</u>	<u>BA</u>	<u>2022</u>
COLLEGE <u>The Ohio State University</u>		
SPECIAL TRAINING <u>Finance & Law</u>		

CURRENT EMPLOYMENT

<u>Papa John's</u>	<u>4260 Center Road, Brunswick, OH</u>	<u>Driver</u>	<u>2017-2020</u>
Company	Address	Title	Dates

RELEVANT PAST EMPLOYMENT

<u>Student Painters</u>	<u>Brunswick, OH</u>	<u>Painter</u>	<u>2018</u>
Company	Address	Title	Dates
<u>Ohio State</u>	<u>1760 University Drive, Mansfield, OH</u>	<u>Telecounselor</u>	<u>2019</u>
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Business Leaders in Law

Buckeye Alumni Club

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>Kayla Garrabrandt</u>	<u>Mansfield, OH</u>	<u>419-651-2715</u>
2.	<u>Katie Dorton</u>	<u>Cleveland, OH</u>	<u>216-600-6045</u>

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

Currently, I am a Junior pursuing a bachelors degree in Finance at The Ohio State University, career, acquainted with financial tasks. The opportunity to be on the committee allows myself to improve and sustain financial activities for the city. Applying my knowledge and expertise to circumstances, will make a significant impact for the city and provides a way to make an impact. I believe this is a great opportunity for a young man, as myself, to make an impact on our society.

ATTACH RESUME IF DESIRED.

Signature:  Date: 02/28/2021

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

EDUCATION

The Ohio State University, Fisher College of Business
Bachelor of Science in Business Administration
Major: Finance and Law Minor: Public Affairs Urbanization
GPA: 3.84

Columbus, Ohio
May 2022 (Expected)

WORK EXPERIENCE**Papa John's**

Driver/Manager/Insider

Brunswick, OH
June 2017 – April 2018, May 2019- Present

- Regulated operations inside of the business, responsible for inventory
- Properly trained new members, marketed for the company to promote growth through flyers, online ads, and social media
- Performed risk management with dissatisfied customers
- Utilized communication skills by interacting with customers in the store, over the phone, or on deliveries

Student Painters

Student Painter

Brunswick, OH
May 2018 - August 2018

- Tasked with painting houses, barns, sheds, and decks
- Satisfied customers expectations by precisely painting all items adequately and professionally
- Executed communicating with the customers on the specific job

Hornby and Son Construction

Craftsman

Grafton, OH
May 2016 – May 2020

- Performed tasks year-round with electrical and pipe fitting in winter, outdoor projects completed in spring and summer
- Poured concrete, designed driveways, walkways, and steps for customers in the Elyria area
- Roofed houses mainly for the elderly and low-income families at reduced rates
- Resolved plumbing issues by rerouting and renovating old pipelines
- Administrated clean up processes after construction duties were fulfilled

Ohio State Student Life

Telecounselor

Mansfield, OH
January 2019 – April 2019

- Communicated with interested students on the benefits, activities, and questions about The Ohio State University
- Performed administrative tasks, professionalism, and customer care service
- Marketed strategies Ohio State university wanted to use to convince students to attend The Ohio State University

INVOLVEMENT**Business Leader in Law**

Club Member

Columbus, OH
August 2020- Present

- Build a community of students interested in both business and law, and to encourage educational growth and professional development within that community
- Discuss and review current laws and policies that have an effect on the business environment
- Communicate and analyze pending court cases with fellow members, educating others on campus about the potential impacts of these rulings in our society

Buckeye Volunteer

Volunteer

Mansfield, OH
January 2019- May 2019

- Volunteered working with the Mansfield soup kitchens through Buckeye Alumni Club
- Helped prepare and feed food to the homeless in the city of Mansfield
- Organized and managed the duties of a few co-workers

People to People Ambassador Program

United States Student Ambassador

Cleveland, OH
January 2010- August 2012

- Represented the United States traveling to England and France, learning customs and traditions
- Demonstrated professionalism, etiquette, and respect
- Assigned to strengthen the relationship between the United States with France and England through conversation with similar students

MAR 15 2021

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APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Anthony Cirino PHONE 330-273-5588

STREET 5375 Charleston Dr., Valley City CELL 216-312-6575

Years of Residency _____ Registered Brunswick Voter: YES _____ NO ☒

POSITIONED DESIRED: Financial Audit, Review and Advisory Committee EMAIL dracirino@gmail.com

EDUCATION _____ DEGREE _____ YEAR GRADUATED _____

HIGH SCHOOL Euclid High School 1990

COLLEGE John Carroll University - B.S. 1994

SPECIAL TRAINING Kansas City University of Medicine - D.O. 1998

CURRENT EMPLOYMENT

Company	Address	Title	Dates
<u>Cirino Eye Center</u>	<u>3898 Center Road Brunswick</u>	<u>Eye Surgeon</u>	<u>2006-</u>

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
<u>Cleveland Clinic</u>		<u>Eye Surgeon</u>	<u>2004-06</u>

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

Fellow - American Academy of Ophthalmology

Brunswick Youth Sports baseball and soccer coach

St. Ambrose CYO basketball coach

REFERENCES (other than relation):

NAME	ADDRESS	PHONE
1. _____	_____	_____
2. <u>Fr. Bob Stec - St. Ambrose Church</u>	<u>330-460-7300</u>	_____
3. <u>William Sado - Riverside Optical</u>	<u>330-220-2100</u>	_____

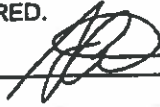
QUALIFICATIONS AND DESIRE FOR SERVING: (Attach sheet if needed*)

I am a board certified eye physician and surgeon. I have had my own practice in Brunswick for 15 years

I have been selected to be on Cleveland Magazine's list of Best Physicians in 2017, 2018, 2019 and 2020

I have five children, who have all attended St. Ambrose School and we belong to the parish. I care about our city and its future.

ATTACH RESUME IF DESIRED.

Signature:  Date: 3/15/2021

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

MAR 22 2021

STREET 1377 Troon Ave CELL 216-644-6957

Registered Brunswick Voter: YES X NO

Financial Audit, review and advisory committee

HIGH SCHOOL Brunswick High School

COLLEGE Cuyahoga Community Collgege / Baldwin Wallace (Finance / Bus. Mgmt)

SPECIAL TRAINING

Gross Investments	1377 Troon Ave Brunswick OH	Owner / Investment Advisor	Present
Company	Address	Title	Dates

Westpoint Wealth Management	66 Front St. Berea OH	Investment Advisor	Jan 2019 - AUG 2020
Company	Address	Title	Dates

Company	Address	Title	Dates
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Northern Medina County Chamber Alliance Member

	NAME	ADDRESS	PHONE
1.	Joe Romito	3715 Kings Post	440-343-8324
2.	Tony Capretta	4188 Dennis Ln.	216-355-6408
3.	Steve Scharschmidt	1556 Augusta Ln.	440-570-6337

In addition to a higher education in finance at Baldwin Wallace, I have run my own landscaping business here in the Brunswick community for the past 12 years. So I have a good understanding of reading financial statements, generating profits, etc. In the financial services industry, I work with clients and businesses on a high level providing solutions for them including but not limited to asset protection, risk management, portfolio management, and more. I would love to get more involved in my local community and give back any way that I can to a city that has been a blessing to grow up and live in for over twenty years.

Signature:  Date: 3/16/2021

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SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

February 22, 2021

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Anthony Capretta, Committee Member Brian Ousley, Joseph Delsanter, Nicholas Hanek, Valerie Zak, Patricia Hanek, City Manager/Safety Director Carl DeForest, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Fire Chief Josh Erskine, Police Chief Brian Ohlin, Acting Law Director Dennis Nevar, Seth Greenfield, Council Clerk Fijabi Julien-Gallam, Brian Lasik.

The meeting convened at 6:32 p.m.

DISCUSSION ITEMS:

RES. NO. 19-2021 - An emergency resolution authorizing the City Manager to purchase 1,000 tons of Clearland enhanced road salt for the Service Department from Cargill Road Safety in an amount not to exceed \$78,000.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

Mr. Barnett provided a history that resolutions 19-2021 and 20-2021 go together in terms of background. Currently, there are roughly 1100 tons of rock salt in stock, whereas an additional 1300 tons could be purchased. This year, about 4300 tons of salt has been used. In comparison to the last several winters, a larger amount of rock salt has been used; with the larger number of smaller storms. The City is nearing the end of the stock pile of enhanced salt.

Mr. Barnett explained that Clearland is a material that has been around for many years; a premixed enhanced salt. The City is looking to buy 1000 tons for \$78.00 per ton, although that entire amount may not be bought this year; if not, it would be purchased in the fall.

Mr. Ousley inquired about the blue salt that was previously used, whether this was the same. Mr. Barnett indicated that the blue salt is what was running low and that this was a different material. The blue salt had been mixed over two years ago and had been sitting, in which some of that would still be used; that salt is difficult to mix. Clearland is about the same product and comes premixed at roughly the same price as the blue salt. The new salt would be green.

Mr. Capretta moved this resolution to tonight's Council Agenda of February 22, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

RES. NO. 20-2021 - An emergency resolution authorizing the purchase of an additional 300 tons of road for the 2020-2021 winter season in an amount not to exceed \$16,026.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

Mr. Barnett summarized that in the spring, a resolution was brought to Council to buy 3000 tons of rock salt through the ODOT bid, whereas the City usually obtains the white salt; non-enhanced salt. There was a commitment made to ODOT to buy 3000 tons, plus or minus ten percent. More salt may

be anticipated. The goal was to warrant the option to obtain the additional 300 tons, taking the number to 3300 tons. This would allow the City to do so if need be.

Mr. Ousley moved this resolution to tonight's Council Agenda of February 22, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

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

Respectfully submitted,

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

Michael Abella Jr.
Chairman

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

March 8, 2021

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Anthony Capretta, Committee Member Brian Ousley, Joseph Delsanter, Nicholas Hanek, Valerie Zak, Patricia Hanek, City Manager/Safety Director Carl DeForest, Engineer Matt Jones, Community & Economic Development Director Grant Aungst, Acting Law Director Dennis Nevar, Carl Bilski, Tim Power, Howard Elko, Council Clerk Fijabi Julien-Gallam, Residents, News Media.

The meeting convened at 6:16 p.m.

DISCUSSION ITEMS:

RES. NO. 25-2021 – An emergency resolution authorizing the City Manager to enter into an agreement with Set In Stone Contracting, LLC for the Laurel Road Reconstruction Phase 3 Project in an amount not to exceed \$839,448.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

Mr. Jones advised that this was the lowest and best bid on this project; below the City's estimate. This was last year's OPWC (Ohio Public Works Commission) project, which was not completed due to the pandemic. This would still be within the rights to implement this year, and in the rules of the OPWC funding. The scope of work would be removing and replacing deteriorated concrete pavement joints and slabs, placing a chip seal interlayer and a three inch asphalt overlay. Work limits would be between Coventry Drive and South Carpenter Road, including the South Carpenter intersection, and likely to include the Coventry Drive intersection; due to the bids coming in less.

Mr. Jones spoke further about the expected work which would entail all of the storm sewer crossovers and catch basins being removed and replaced; with sidewalk replacement as needed. The contractor was prepared to start as early as April.

Mr. Ousley raised question as to whether the company had done this new type of work before. Mr. Jones indicated that the company has had experience in this type of work.

Mr. Capretta moved this resolution to tonight's Council Agenda of March 8, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

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

Respectfully submitted,

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

Michael Abella Jr.
Chairman

DRAFT

SAFETY & ENVIRONMENT COMMITTEE MEETING

February 8, 2021

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Valerie Zak, Nicholas Hanek, Patricia Hanek, Joseph Delsanter, Community & Economic Development Director Grant Aungst, City Manager/Safety Director Carl DeForest, Finance Director Todd Fischer, Fire Chief Josh Erskine, Police Chief Brian Ohlin, Law Director Kenneth Fisher, Tim Powers, Assistant Clerk of Council Holly Quellos, News Media.

The meeting convened at 6:20 p.m.

DISCUSSION ITEMS:

ORD. NO. 11-2021 - An emergency ordinance amending section 246.02 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

Chief Ohlin explained that this was the amendment to the alarm ordinance for both Police and Fire. It allows for updating of the new definitions within the ordinance, and also establishes the new fee structure for those that have gone above three false alarms at any given time; including all false alarms with residential and/or commercial.

Mrs. Zak moved this ordinance to tonight's Council Agenda of February 8, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

RES. NO. 12-2021 - An emergency resolution authorizing the City Manager to purchase a 2021 Dodge Charger Police Cruiser with police equipment installed for the Division of Police from Greve Dodge in an amount not to exceed \$39,995.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

Chief Ohlin summarized that this was in place to replace a front line patrol vehicle. Following approval, the Police Department would purchase the police vehicle and it would go into service for regular patrol duties. This would be replacing a current 2015 Dodge Charger that had roughly 106,000 miles on it, in which the older cruiser would then be put up for auction. Mr. Ohlin indicated that there was a total of 19 marked police cars.

Mr. Abella moved this resolution to tonight's Council Agenda of February 8, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

RES. NO. 15-2021 - An emergency resolution authorizing the City Manager to enter into an agreement with Finley Fire Equipment Company for the purchase of a new Pierce Saber Pumper for the Division of Fire in an amount not to exceed \$375,000.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Josh Erskine*)

Chief Erskine summarized this amount was lower than the state bid, and due to the truck having been used as a demo at Daytona International Speedway.

Mrs. Zak moved this resolution to tonight's Council Agenda of February 8, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

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

Respectfully submitted,

Anthony P. Capretta

Anthony Capretta
Chairman

SAFETY & ENVIRONMENT COMMITTEE MEETING

February 22, 2021

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Val Zak, Nicholas Hanek, Brian Ousley, Joseph Delsanter, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Fire Chief Josh Erskine, Police Chief Brian Ohlin, Acting Law Director Dennis Nevar, Seth Greenfield, Council Clerk Fijabi Julien-Gallam, Brian Lasik.

The meeting convened at 6:16 p.m.

DISCUSSION ITEMS:

RES. NO. 16-2021 - 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 \$120,000.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

Chief Ohlin explained that this resolution pertained to an update for a resolution that had been approved at the end of 2019 for the purchase of three Dodge Police Cruisers; budgeted for in 2020. However, due to issues with manufacturing and availability of the vehicle from Dodge, the order was unable to be processed. Currently for 2021, he wanted to use the previously authorized money. However, the 2021 State Bid on this specific vehicle came in higher than what was planned in 2020. Adjustments were made with the Finance department, in which the resolution now states not to exceed \$120,000.000. The resolution will facilitate that 2020 purchase, however, Chief Ohlin is doing it presently in 2021. The vehicle orders would need done through Dodge as soon as approvals are granted.

Mr. Ousley asked for clarification about the original purchase and wanted to know if purchasing three vehicles at once would help with a better cost. Chief Ohlin indicated that the original request was to replace three vehicles last year, which was the typical request to purchase a few at a time. He indicated that the vehicles are priced per unit and were the cost that the state program offers.

Mrs. Zak moved this resolution to tonight's Council Agenda of February 22, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

ORD. NO. 17-2021 - An emergency ordinance establishing the position of School Resource Officer Supplemental in the Division of Police. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

Chief Ohlin summarized ordinances 17-2021 and 18-2021, whereas they relate. This was to be able to create a mechanism that would allow members of the Police Administration, Lieutenants, and the Chief's office to do School Resource Officer functions through the grant funding. The history was that the Division of Police receives this grant from the Medina County Drug Abuse Council, which is approximately \$190,000.00 to help with the School Resource Officer program.

That grant consisted of three components, two of which entailed full time School Resource Officers that are assigned. There are ten school buildings in the district with two officers assigned; primarily at the High School and the new Middle School. The additional funding within the grant allows to have officers spend time in the other eight schools. This allows for placing officers at the schools to further add to security and safety, and also to strengthen relationships between students and the Police officers.

The Supplemental is a mechanism to enhance the School Resource Officer presence in the district. Ordinance 17-2021 creates the position, whereas 18-2021 establishes the pay range. Chief Ohlin reiterated that the funds were not coming out of regular Police operations nor the levies that support them. This is separate grant funding for this purpose.

Mr. Abella moved this ordinance to tonight's Council Agenda of February 22, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

ORD. NO. 18-2021 - An emergency ordinance establishing the pay range for the position of School Resource Officer Supplemental in the Division of Police. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

Mrs. Zak moved this ordinance to tonight's Council Agenda of February 22, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Ousley spoke about an email that Council just received from a resident questioning the grant in reference, in the amount of \$190,000.00. The resident had concerns as to whether the city would have to cover these funds. Chief Ohlin reiterated that this does not come out of the City's budget.

Chief Ohlin clarified that the money comes from the Medina County Drug Abuse Commission, and that money was not lost from the reorganization. The Medina County Drug Task Force is funded by that money, whereas the second priority of that committee is the School Resource Officer programs throughout the county. The Division of Police has benefited greatly from that priority. Prior to the organization, the Police received zero dollars toward the School Resource Officer program, and are in a better position with the grant funding than ever before.

Question was raised about future funding and the need to continue to reapply. Chief Ohlin indicated that as long as that priority stays and the funding is available, that it would in fact, continue to be applied for. The grant funding allows the Police Department to enhance what has been practiced.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:28 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Anthony P. Capretta

Anthony Capretta
Chairman

PLANNING AND ZONING COMMITTEE

February 22, 2021

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Nicholas Hanek, Committee Member Brian Ousley, Patricia Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Fire Chief Josh Erskine, Police Chief Brian Ohlin, Acting Law Director Dennis Nevar, Seth Greenfield, Council Clerk Fijabi Julien-Gallam, Brian Lasik.

The meeting convened at 6:20 p.m.

DISUSSION ITEMS:

ORD. NO. 23-2021 - An ordinance establishing Section 1266.04(d) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

Mr. Aungst summarized that as the code is periodically reviewed, there would be more of these types of requests. If Council were to vote in favor of this ordinance, it would be moved to the Planning Commission for review; and then back to City Council. This was partly to clean up the language in the code. This one dealt with a single use retailer of 40,000 square feet or more. The City does not have that availability in the industrial parks at this point; therefore, it ends up taking space. Mr. Aungst explained that if someone were to approach the City for use that would be in conjunction with manufacturing, as long as it is not their primary source of business, then the City could review that under certain sections of the code and move forward; it would not detract from anything. There was not a need as a place holder at this point.

Mr. Ousley moved this ordinance to tonight's Council Agenda of February 22, 2021, for one reading, and to be referred back to the Planning Commission for review. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:31 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Joseph Delsanter
Chairman

DRAFT

PLANNING AND ZONING COMMITTEE

March 22, 2021

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Nicholas Hanek, Committee Member Brian Ousley, Patricia Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Acting Law Director Dennis Nevar, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 7:02 p.m.

DISCUSSION ITEMS:

ORD. NO. 27-2021 - An ordinance establishing Section 1242.02(76.1) of the Codified Ordinances of the City of Brunswick by defining small box discount store. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

Mr. Aungst summarized that this provides the ability to actually define small box discount stores. These relate back to the City's update to the Comprehensive Plan. This would be the first one to define it.

Mr. Hanek moved this ordinance to tonight's Council Agenda of March 22, 2021, for first reading, and to be referred back to the Planning Commission. Vote – 3 Ayes, 0 Nays.

ORD. NO. 28-2021 - An ordinance amending Section 1266.04 of the Codified Ordinances of the City of Brunswick deleting subsections (e) and (f) in their entirety. - **1st Reading** (To be brought from Planning and Zoning Committee, *Administration/Grant Aungst*)

Mr. Aungst indicated that this entails updating the codified ordinances.

Mr. Hanek moved this ordinance to tonight's Council Agenda of March 22, 2021, for first reading, and to be referred back to the Planning Commission. Vote – 3 Ayes, 0 Nays.

ORD. NO. 29-2021 - An ordinance amending the Design Guidelines for the Southeast Neighborhood of the Brunswick Town Center Special Planning District No. 2. - **1st Reading** (To be brought from Planning and Zoning Committee, *Administration/Grant Aungst*)

Mr. Aungst explained that in this area, which is a well-established location, the City wants to make certain to maintain what is there and enhance it for the long term; with high quality businesses in the community. He spoke about the two years of planning to the update of the Comprehensive Plan, and now enacting these items.

Mr. Hanek expressed his gratitude to the Administration for helping these coming to fruition. Mr. Delsanter pointed out that every piece of legislation was previously discussed in committees. He

concurred with Mr. Hanek and expressed his gratitude that a thorough implementation of the Comprehensive Plan was coming into action. He felt this was great for the City.

Mr. Hanek moved this ordinance to tonight's Council Agenda of March 22, 2021, for first reading, and to be referred back to the Planning Commission. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 7:07 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Joseph Delsanter
Chairman

BUILDING AND BUILDING CODE COMMITTEE

March 8, 2021

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Anthony Capretta, Committee Member Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Nicholas Hanek, Valerie Zak, Carl Bilski, Tim Power, Acting Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Engineer Matt Jones, Howard Elko, Community & Economic Development Director Grant Aungst, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:04 p.m.

DISCUSSION ITEM:

Update on Building & Building Code

Mr. Aungst began by talking about the challenging year of 2020, and some plans for 2021. Most of the information discussed was in the annual report; available online. Although it was a challenging year, work did not slow down in the Building department. Much was moved to online, phone, virtual meetings, and virtual planning. One of the changes made included a department drop box located in the City's vestibule, which has been very effective. It has been utilized daily with drop offs from community members, builders and stake holders. It has helped tremendously, and with streamlining the operation.

In early spring of 2020, Kim Hawkins filled a vacancy in the Building department as the part time Building Secretary and has done an excellent job. The pandemic was a help by providing the needed time to train and understand the processes in the department; for all areas of the department. When the pandemic hit, it became problem solving mode with regard to how to deliver services to the community and still remain safe. Many resources were used along with training. Building and Commissions related items were moved to online. This has worked very well, in which there have been many compliments and positive feedback received from many developers, community members, and stake holders.

Many permits were still issued and inspections were still conducted. If there were on-site inspections, it was insisted that facilities be empty of people while things were reviewed. Video and photographs were also accepted as needed. Mr. Aungst expressed that he was very proud of the team, as the department remains in good standing as a certified Building department. The department follows Ohio building standards and the law. There has also been the focus of continuing education for all of the team members. Some associations that the department works with include Ohio Building Officials Association, International Association of Electrical Inspectors, International Code Council, the Building Officials Conference of Northeast Ohio, and the Five County Building Association; all of which have certification and help the overall community.

Some of the projects this year that were larger than some, include Trillium Creek on Center Road, Jiffy Lube, Chick-fil-A, 360 Construction's new property build, and Baskets Galore; having filled an empty building and added on with a major renovation. Furthermore, McDonald's major renovation on Center Road, Saint Collette Church addition, Romeos Pizza new location, Songs Salon, and Brunswick Family Dental, to name a few. There was a total of 2735 permits issued in 2020, which many were for individual home owners investing in their homes; this is great news for the community and increasing their values.

Businesses have had a wide variety of investments from new buildings, renovations, and updates. There were 7 new single family homes built last year, with a total construction value of roughly \$1.9 million. Residential improvements were in the construction value of just above \$16,000,000.00. For commercial and industrial additions and alterations, there were 18 permits; with the construction value of about \$2.5 million. New commercial and industrial buildings were roughly \$2.3 million in cost. In total, there was a range of roughly \$23 million invested in the community, which does not include the positive impact of long term; increasing property values, businesses, and jobs.

More permits were issued this year. There were 62 foreclosures; less than in 2019. There were 910 contractor registrations. 194 reviews were done. Property maintenance areas had approximately 861 complaints. There was just over 700 inspections for property maintenance; not building. Those were lower due to staff being out for a time because of the pandemic. Renting unit registrations were up to 695 for individual homes, duplexes, or triplexes. Pertaining to grass and weed, there were 122 complaints with 158 grass cuts. Mr. Aungst commended the staff in the Building department and expressed his appreciation for their hard work during challenging times.

Mr. Aungst spoke about the challenges of 2020. The department was down one electrical inspector. However, another great inspector was added to the team with many valuable years of experience, Bob Kirkpatrick. Moving into 2021, there are many projects from the previous year with planning and development over time; such as Meijer's Store. Mr. Barnett anticipates Bank of America coming in, as well as a number of new housing developments. He spoke positive about the food pantry in the lobby. The Brunswick community is moving onward and forward.

Mr. Capretta asked whether inspectors were able to check on the violations at Hickory Ridge Plaza. Mr. Aungst indicated that four notices were given this week, and it is inspected weekly. He is in communication with the owner on a very regular basis; which is the still the same owner.

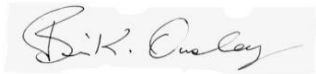
Mr. Ousley noted that he received a message over the weekend about a tavern in Brunswick Hills that is near a City development, and the loud noise it creates during concert season until early morning hours. The residents wanted to reiterate the problem early. The development has a hard time over the summer with this. Mr. Aungst pointed out that most of this falls under the noise ordinance and under a Police directive. Mr. DeForest concurred. He indicated that the City partners with the Township as

much as possible, however, it can be more challenging dealing with businesses in another jurisdiction. He agreed it has been an issue in the past. Efforts are being made to try and provide some relief for those residents. Mr. Ousley hoped for resolve on this issue.

ADJOURNMENT:

Being no further business, Mr. Abella Jr. moved to adjourn at 6:15 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Ousley", is placed on a light gray rectangular background.

Brian Ousley
Chairman



COMMITTEE OF THE WHOLE MEETING

March 22, 2021

IN ATTENDANCE: Vice Mayor Michael Abella Jr., Nicholas Hanek, Brian Ousley, Anthony Capretta, Valerie Zak, Patricia Hanek, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Acting Law Dennis Nevar, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, Grace Gallucci, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:09 p.m.

DISCUSSION ITEMS:

A discussion regarding a possible Boston Road interchange for I-71

Mr. Barnett recapped that for a number of years there have been discussions about the need for an interchange in the area of Boston Road. Around 2017, NOACA (Northeast Ohio Areawide Coordinating Agency) completed a study for two interchanges, one for Boston Road and I-71, and one for State Route 162 and I-71. At that time, Mr. Barnett had talked with Council regarding their input. This interchange would entail a half interchange southbound on I-71, to include an exit ramp onto Boston Road, and also an entrance ramp from Boston back onto I-71; southbound only.

Mr. Barnett's estimation was that there is a lot of traffic backing up from Route 82 on I-71 in Strongsville. With normal funding sources, the City would be looking at roughly \$8.5 million; the cost would be the same for Strongsville. The alternative, which was given to Council, was basically taking North Carpenter, as it approaches Boston Road, and turning that street onto Sturbridge Lane; which would come out across from Howe Road, a signalized intersection. That would be a four way interchange and go through the neighborhood. Mr. Barnett indicated that Council was not in support of this.

Mrs. Gallucci, Director of NOACA (Northeast Ohio Areawide Coordinating Agency) has reviewed options. She explained that there was an interest nonetheless, due to covid funds pouring into the state, whereas there would be additional infrastructure dollars available; if the infrastructure bill were to pass. Currently, it is the track window for applications. Going back to the previous studies, it had appeared that Brunswick was not interested in moving forward primarily because of the funding max requirement. Mrs. Gallucci inquired that if there was available funding, would Council then want to consider the interchange; and if there were other reasons for not supporting it.

Mr. Barnett clarified that there was concern about increased traffic on Boston Road, and having traffic from North Carpenter through a residential area. He has discussed this with Mr. Aungst. Another concern would be truck traffic using the exit to travel to Valley City. He indicated that Strongsville

was in the process of extending Foltz Industrial Parkway. As they continue to increase their industrial park, efforts were being made to get Foltz Industrial onto Boston Road; this may still be in their plans.

Mr. Abella raised the primary concern, how this would affect residential homes and force some residents to move, as well as the potential affect on the oil pipe line. Besides the residential impact, there are the surrounding areas of homes which would not be pleased. The only possibility to be able to move forward with this would be implementing something going north; rather than south. Mr. Abella did not foresee any support on this at all. He felt that if this was mainly a Strongsville traffic problem, then Brunswick residents do not support this. He spoke about this inconveniencing the residents and their homes, as well as the high cost. That amount of money would be more impactful for the city streets, in which there has been much accomplished. The interchange is being proposed to mostly alleviate issues that are not in Brunswick, but Strongsville. Mrs. Gallucci understood and expressed her respect to Council, for their concern for the residents. Mr. Delsanter concurred with Mr. Abella. With his experience in the trucking business, he realized the negative impact the traffic would make.

Mrs. Gallucci explained that NOACA did an I-71 corridor study, whereas they looked at a few other options including a northern and southern analysis. She believed that ODOT (Ohio Department of Transportation) was going to move forward with additional exploratory options. Since this is an alleviations problem, primarily serving the City of Strongsville, Mr. Delsanter conveyed that it would bring additional issues. He questioned whether Drake Road had been looked at for similar options due to that road being intended for heavier traffic. Mrs. Gullucci did not know further details, however, there were 12 different alternatives discussed with ODOT, Strongsville, the County, along with Brunswick. She indicated that NOACA was not trying to advance anything and their desire was to collaborate with locals who want transportation improvements. Brunswick was gracious to participate in the last study. It was clear to Mrs. Gallucci that the issue was not just about funding, but the impact that this would have on properties, homes, and the pipeline. Her understanding was that Council still held the same position as in 2017; even if funding were to be resolved.

Mrs. Zak concurred with Mr. Abella and Mr. Delsanter, whereas she is the Councilwoman for Ward 3; the northern end of the city by Boston Road. She felt it would be more of a hindrance to the residents and not a help to them. She stated that she would not be in support of it. Mrs. Hanek agreed that the main issue has always been the negative impact that it would have on the community; the same as it was in 2017.

Mr. Gallucci expressed her appreciation to Mr. Barnett for the invite, and commented that she would present Council's feedback accurately to her team. Mr. Abella concluded that with the contention of this body, Council are not looking to move forward with this. Mr. Abella concluded that Council respected people that have to live in their homes.

REVIEW LEGISLATION:

ORD. NO. 26-2021 - An emergency ordinance adopting the recommendation of the Brunswick Community Reinvestment Area Housing Council to continue all active agreements in 2021 and accepting the 2020 CRA Status Report. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

Mr. Aungst shared that this was visited annually. There is a need to get the information to the state timely. The City continues to have investments from the business community throughout the

community for improvements to the property, and continue to be very well maintained; as the inspectors inspect any property under the CRA (Community Reinvestment Area) agreement. Mr. Aungst indicated that it was still working well. This is a critical tool for the businesses to help them grow.

Mrs. Zak moved this ordinance to tonight's Council Agenda of March 22, 2021, as an emergency, with suspension of the rules. Votes – 7 Ayes, 0 Nays.

ORD. NO. 30-2021 - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the codified ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Fijabi Gallam*)

Mrs. Gallam summarized that updates are made to the codifications twice a year; as of two years ago. The next one would be in September. This would allow changes to be made on the website and in the code books.

Mr. Delsanter moved this ordinance to tonight's Council Agenda of March 22, 2021, as an emergency, with suspension of the rules. Votes – 7 Ayes, 0 Nays.

RES. NO. 31-2021 - An emergency resolution supporting the environmental restoration of Healey Creek and urging state and federal legislators to support funding for the project. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

Mr. Barnett updated everyone that Healey Creek has flooding and erosion issues, along with a lot of things that the City would like to do. The City does not have the funds, which total roughly \$3.7 million. However, with what is taking place with the federal government and the passage of \$1.9 trillion, there may be some funds that become available. The City are actively seeking money, whereas some may or may not be obtained. In talking with the senators, the hope was to have a resolution that Council supports the project to help the chances of obtaining funds.

Mr. Hanek moved this resolution to tonight's Council Agenda of March 22, 2021, as an emergency, with suspension of the rules. Votes – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Delsanter brought up the issuing of permits, pertaining to the ice cream truck. Mr. DeForest clarified that permits have not been issued since November. Brunswick's status has been a red county and is the fourth worst county in the state, regarding the number of Covid cases per capita. He felt it was important to default to the safety of the community. However, if Brunswick changes to an orange county, it could be reconsidered.

Mr. Delsanter expressed frustration pertaining to this. Mr. DeForest spoke to the County Board of Health, the City of Medina, the City of Wadsworth, and stated that it comes down to a judgment issue. Medina is not currently issuing permits as well. He indicated that this had been consistent since November, 2020. Mr. Abella concurred that if the county were to drop back down to the color orange, then permits could return again. Mr. Abella felt positive about this.

As discussion ensued, Mr. Delsanter brought up examples of businesses that walk up to homes, such as Door Dash and pizza delivery. He felt that there were multitudes of businesses that were similar, in which the ice cream truck business does not leave their door, and cannot have the same opportunity. Mr. DeForest noted that there was a difference between the businesses mentioned and solicitors, stating that a vender is significantly different. He reiterated that those businesses mentioned, were not solicitors. Mr. DeForest explained that he is looking out for the wellbeing of the residents. Mr. Delsanter hoped for a path that could relieve the issue and wanted further discussions. He found it perplexing.

Mr. Hanek made everyone aware of the petition that was asking Council to change the current ordinances whereas ice cream trucks are placed in the same category as a solicitor. He questioned if the law department could do anything to regulate and/or change ice cream trucks category to something other than door-to-door solicitors; unless already implemented. Mr. Nevar indicated that the resolution creating codified ordinance 836.12 was passed on September 14, 2020, on three readings, and covered this. It related to frozen dessert peddlers and vehicles, whereas they are required to register with the city for permits. There is expanded requirements in terms of background as it relates to a business that invites minors to purchase. The entire chapter entailing this provides legislatively, that the Administration is to administer that application, background check, and permit issuance procedure.

Mr. Nevar added that the difference between a door-to-door peddler solicitor and a businesses like Door Dash, UPS, Amazon, or Fed Ex, is that those businesses are “invited” to your home. An order is placed and delivery is requested. He pointed out that a door-to-door solicitor is not the same, and the purpose of that legislation was to regulate people that are not invited to your home. There are specific provisions included that residents can have a placard on their doors saying “no solicitors permitted”. If that is violated, then they are in legal violation of the ordinance.

Mr. Hanek shared that the residents questions was whether there can be a change in the current ordinances that place ice cream trucks in the same category as door-to-door solicitors. Mr. Nevar clarified that it is already done per codified ordinance 836.12 that was passed in September.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn the Committee of the Whole Meeting at 7:02 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, reading "Holly Quellos". The signature is written in dark ink on a light-colored background.

Holly Quellos
Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 4/12/2021

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. 23-2021** - An ordinance repealing Section 1266.04(d) of the City of Brunswick Codified Ordinances. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In accordance with the Advance Brunswick Comprehensive Plan Update, City Council has determined that retail uses are not appropriate in the I-L Light Industrial District.

PURPOSE AND EXPLANATION: Section 1266.04(d) of the City of Brunswick Codified Ordinances authorizes the Planning Commission to issue conditional zoning certificates for single-user, retail businesses with a minimum gross floor area of 40,000 sq. ft. in the I-L Light Industrial District. As recommended by the Advance Brunswick Comprehensive Plan Update, retail uses are not appropriate in the I-L District.

IMPLEMENTATION

SCHEDULE: First reading on February 22, 2021, then refer back to the Planning Commission for a public hearing.

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 legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 23-2021

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

AN ORDINANCE REPEALING SECTION 1266.04(d) OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

WHEREAS: Codified Ordinance Section 1266.04(d) authorizes the Planning Commission to issue conditional zoning certificates for retail use in the I-L Light Industrial District; and

WHEREAS: This Council has determined that retail uses are not appropriate in the I-L Light Industrial District.

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

SECTION 1: That Section 1266.04(d) of the City of Brunswick Codified Ordinances is hereby repealed in its entirety.

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

PLANNING COMMISSION



MEMORANDUM

DATE: April 1, 2021

TO: City Council
Carl S. DeForest, City Manager

FROM: Pam Plavecski, Planning & Zoning Coordinator *pp*

SUBJECT: Text amendment to Section 1266.04(d)
Ordinance No. 23-2021

The Planning Commission, at their meeting on April 1, 2021, voted to **recommend approval** to City Council of Ordinance No. 23-2021 **repealing** Section 1266.04(d) of the Codified Ordinances of the City of Brunswick to allow single-user, minimum 40,000 sq. ft. retail businesses in the I-L Light Industrial District as a conditionally permitted use. This text amendment will regulate development within the city as suggested by the Advance Brunswick Comprehensive Plan 2020 Update.

City Council held their first reading on the above ordinance at their meeting on February 22, 2021.

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

PROPOSED LEGISLATION



DATE: 4/12/2021

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. 32-2021** - An ordinance repealing Chapter 1264 of the City of Brunswick Codified Ordinances and eliminating the I-D Industrial Distribution District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: There is no property located in the City of Brunswick that is zoned in the I-D Industrial Distribution District, and it has been determined that this district is no longer necessary and shall be eliminated in its entirety.

PURPOSE AND EXPLANATION: Chapter 1264 entitled I-D Industrial Distribution District was established on June 11, 1997 when the current Zoning Code was adopted. To date, there are no instances of this zoning district in the city. Per the recommendations of the Advance Brunswick Comprehensive Plan 2020 Update, the I-D District is no longer necessary.

IMPLEMENTATION SCHEDULE:

Immediately.

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?

First reading on April 12th; then refer back to the Planning Commission for a public hearing.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 32-2021

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

AN ORDINANCE REPEALING CHAPTER 1264 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES AND ELIMINATING THE I-D
INDUSTRIAL DISTRIBUTION DISTRICT.

WHEREAS: There is no property located in the City that is zoned in the I-D Industrial
Distribution District; and

WHEREAS: It has been determined that the I-D Industrial Distribution District is no longer
necessary.

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

SECTION 1: That Chapter 1264 of the City of Brunswick Codified Ordinances is hereby
repealed in its entirety.

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

PROPOSED LEGISLATION



DATE: 4/12/2021

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. 33-2021** - An ordinance amending Chapter 1270 of the City of Brunswick Codified Ordinances.- **1st Reading** (To be brought from Planning & Zoning Committee, Administration/Grant Aungst)

BACKGROUND: Section 1270.05 - Tables A through C, Basic Design and Regulatory Elements of the Codified Ordinances, are hereby amended in accordance with attached Exhibit "A". These amendments state that Instructional Signs shall be permitted a maximum sign face area of four (4) square feet. Additionally, Section 1270.06(c) shall be repealed in its entirety, which shall eliminate the maximum two-inch height lettering on an instructional sign. Furthermore, Section 1270.10(a)(3) is amended to read "Temporary signs shall be removed with forty-eight (48) hours of expiration of the temporary sign permit. Temporary signs shall be permitted for not more than fifty (50) days per calendar year, except as otherwise provided by state and/or federal law."

PURPOSE AND EXPLANATION: In order to provide a more business-friendly approach to instructional signs and temporary signs, the above amendments are proposed.

IMPLEMENTATION SCHEDULE:

Immediately,

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?

First reading on April 12, 2021; then refer back to the Planning Commission for a public hearing.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 33-2021

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

AN ORDINANCE AMENDING CHAPTER 1270 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Tables A through C, Basic Design and Regulatory Elements, of Codified Ordinance Chapter 1270 are hereby amended in accordance with Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 2: That Section 1270.06(c) of the Codified Ordinances is hereby repealed in its entirety.

SECTION 3: That Section 1270.10(a)(3) of the Codified Ordinances is hereby amended to read as follows:

“Temporary signs ~~that are erected in order to announce or advertise a specific event~~ shall be removed within forty-eight (48) hours of expiration of the temporary sign permit~~seven (7) days after the close of such event, except as otherwise provided by state and/or federal law.~~ Temporary signs shall be permitted for ~~a maximum of fifteen (15) consecutive days and~~ not more than a total of fifty (50) ~~seventy-five (75)~~ days per calendar year, except as otherwise provided by state and/or federal law.”

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

EXHIBIT A

Table A: R-R, R-L, R-M Residential Districts Basic Design and Regulatory Elements								
Type of Sign Permitted	Number of Signs Permitted	Maximum Sign Face (S.F.)	Minimum ROW Setback (ft.)	Side Line Setback (ft.)	Maximum Height (ft.)	Permit Required	Lighting Permitted	Other Special Requirements
Ground (multi-family, residential development and conditional uses permitted in Residential Districts)	1/entrance	25	10	15	7' for sign face and maximum 2' high exposed base	Yes	Yes	
Wall	1	One times wall width	Building	Building	---	Yes	Yes	
Temporary	4	32 sq. ft. /property	Height of sign	15	5	Yes	No	See Sections 1270.10 and 1216.08
Inflatable	1	Not to exceed height	Equal to height	Equal to height	30	Yes	Yes Int./Ext.	See Sections 1270.10 (duration) and 1270.13
<u>Instructional</u>	See Section 1270.06	24	1	5	2	Yes	Yes	See Section 1270.06

**Table B: C-N, C-G, GW-C, C-O, and C-H Commercial Districts
Basic Design and Regulatory Elements**

Type of Sign Permitted	Number of Signs Permitted	Maximum Sign Face (sq. ft.)	Minimum R.O.W. Setback (ft.)	Side Line Setback (ft.)	Maximum Height (ft.)	Permit Required	Lighting Permitted	Other Special Requirements
Wall: C-N, C-G, GW-C, and C-H	1 per street frontage/tenant	2 times wall Width	Building	Building	---	Yes	Yes	Maximum area: 250 sq. ft. See Section 1270.07
Wall: C-O	1 per street frontage/tenant	1 times wall width	Building	Building	---	Yes	External only	Limited to either wall or ground. See Section 1262.06(e)
Ground	1 per street frontage	40	2	15	7' for sign face and maximum 2' high exposed base	Yes	Yes Back lit or Internal	25 ft. from Residential District. See Section 1270.17 for electronic moving message/digital display requirements. 500' minimum distance between signs.
Monument - Unified Site with minimum of five (5) tenants and 15,000 square feet gross floor area	1 per street frontage	90	2	15	20	Yes	Yes Back lit or Internal	25 ft. from Residential District. 500' minimum distance between signs.
Monument – Unified Site with minimum ten (10) tenants and 60,000 square feet gross floor area	1 per street frontage	160	2	15	40	Yes	Yes Back lit or Internal	25 ft. from Residential District. 500' minimum distance between signs.
Pole	---	---	---	---	---	---	---	Pole signs are prohibited. See Sections 1270.11.

Table B: C-N, C-G, GW-C, C-O, and C-H Commercial Districts (Continued)
Basic Design and Regulatory Elements

Type of Sign Permitted	Number of Signs Permitted	Maximum Sign Face (sq. ft.)	Minimum R.O.W. Setback (ft.)	Side Line Setback (ft.)	Maximum Height (ft.)	Permit Required	Lighting Permitted	Other Special Requirements
High Rise	1	120	Located within 900' of the I-71 centerline & within 50' of the principal parking area	Located within 900' of the I-71 centerline & within 50' of the principal parking area	55' above the pavement elevation of I-71 at the S.R. 303 overpass	Yes	Yes	See Section 1270.08 Permitted in C-H District or conditionally permitted use under Section 1266.04(d).
Inflatable	1	Not to exceed height	Equal to height	Equal to height	30	Yes	Yes Int./Ext.	See Sections 1270.10 (duration) and 1270.13
Murals	1 per building	Entire area of bldg. wall on uninterrupted plane	---	---	---	Yes	Yes	See Section 1270.16
Temporary	4	32/property	Height of sign	15	5	Yes	No	See Sections 1270.10 and 1216.08
Instructional	See Section 1270.06	24	1	5	2	Yes	Yes	See Section 1270.06

**Table C: I-L and I-D Industrial Districts
Basic Design and Regulatory Elements**

Type of Sign Permitted	Number of Signs Permitted	Maximum Sign Face (S.F.)	Minimum ROW Setback (ft.)	Side Line Setback (ft.)	Maximum Height (ft.)	Permit Required	Lighting Permitted	Other Special Requirements
Wall	1 per street frontage/tenant	3 times the wall width	Building	Building	--	Yes	Yes	See Section 1270.07
Ground	1 per street frontage/entrance	40	5	15	7' for sign face and maximum 2' high exposed base	Yes	Yes	More than 200 ft. from a residential district. 500' minimum distance between signs.
Pole Sign	---	---	---	---	---	---	---	Pole signs are prohibited. See Sections 1270.11.
Temporary	4	32/property	Height of sign	15	5	Yes	No	See Sections 1270.10 and 1216.08
Inflatable	1	Not to exceed height	Equal to height	Equal to height	30	Yes	Yes Int./Ext.	See Sections 1270.10 (duration) and 1270.13
Instructional	See Section 1270.06	24	1	5	2	Yes	Yes	See Section 1270.06

PROPOSED LEGISLATION



DATE: 4/12/2021

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. 34-2021** - An ordinance establishing Section 1274.09(k) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: Section 1274.09(k) of the Codified Ordinances is hereby established to read as follows: "Customers shall not be permitted to enter upon the property or dwelling unit upon which the home occupation is conducted."

PURPOSE AND EXPLANATION: This will provide continuity with Section 1280.11 Home Offices, subsection (c) of the Codified Ordinances, which states "Customers shall not come to the dwelling."

IMPLEMENTATION SCHEDULE:

Immediately.

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?

First reading on April 12, 2021; then refer back to the Planning Commission for a public

hearing.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 34-2021

BY: Committee-of-the-Whole

AN ORDINANCE ESTABLISHING SECTION 1274.09(k) OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 1274.09(k) of the Codified Ordinances is hereby established to read
as follows:

“(k) Customers shall not be permitted to enter upon the property or dwelling unit
upon which the home occupation is conducted.”

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

PROPOSED LEGISLATION



DATE: 4/12/2021

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. 35-2021** - An ordinance amending Section 1280.06 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, Administration/Grant Aungst)

BACKGROUND: Section 1280.06(c) of the Codified Ordinances is hereby amended to read as follows: "Detached Buildings. In residential districts, detached accessory buildings, including private garages, shall be located between the front of the dwelling and the rear lot line. Detached accessory buildings shall be located a minimum of 10 feet from the side and rear property lines and a minimum of 15 feet from the rear of the principal building." Additionally, Section 1280.06(f) of the Codified Ordinances is hereby amended to read as follows: Commercial or Industrial Districts. Accessory buildings in commercial or industrial districts shall be located in compliance with the minimum side and rear yard setbacks established for the principal building."

PURPOSE AND EXPLANATION: The above proposed amendments will allow residents with smaller yards to have sufficient space to construct an accessory building, while maintaining adequate distance between adjacent residential properties. Additionally, increasing the setbacks for commercial and industrial accessory buildings will provide greater protection for adjacent residential properties.

IMPLEMENTATION SCHEDULE: Immediately.

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?

First reading on April 12, 2021; then refer back to the Planning Commission for a public hearing.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 35-2021

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

AN ORDINANCE AMENDING SECTION 1280.06 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 1280.06(c) of the Codified Ordinances is hereby amended to read as follows:

“(c) Detached Buildings. In residential districts, detached accessory buildings, including private garages, shall be located between the front of the dwelling and the rear lot line. Detached accessory buildings shall ~~comply with all side and rear yard requirements. However, no more than one such building per lot may be located 5 feet from a side and/or rear property line, provided it is located at least 20 feet from the principal building~~ be located a minimum of 10 feet from the side and rear property lines and a minimum of 15 feet from the rear of the principal building.”

SECTION 2: That Section 1280.06(f) of the Codified Ordinances is hereby amended to read as follows:

“(f) Commercial or Industrial Districts. Accessory buildings in commercial or industrial districts shall be located ~~a minimum of five feet from a side or rear property line~~ in compliance with the minimum side and rear yard setbacks established for the principal building.”

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 4/12/2021

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. 36-2021** - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2021-2022 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: The ODOT Office of Contracts Purchasing Services provides the opportunity for municipal corporations to participate in the State's purchase of sodium chloride (road salt) for snow and ice removal.

PURPOSE AND EXPLANATION: This agreement would allow the City to purchase sodium chloride (road salt) through the ODOT contract. The provides an economy of scale that typically provides lower prices than the City can receive on its own and helps the City keep salt costs as low as possible. The City of Brunswick has participated in this program in the past years with benefit.

IMPLEMENTATION SCHEDULE: The participation agreement deadline to have submitted completed legislation and the committed quantity of sodium chloride is no later than April 30, 2021.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Per ton salt price and purchasing requirements would be based on the new ODOT contract that is yet to be determined. Purchases will be limited to Council adopted budget and the certified purchase order amount in accordance with Ohio Revised Code Section 5705.41D.

Amount: 2,750 tons
Account: Salt & Cinders (117-0420-55300)

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 so that the legislation will be enacted and delivered to ODOT prior to the their April 30, 2021 deadline.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 36-2021

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

AN EMERGENCY RESOLUTION AUTHORIZING PARTICIPATION IN THE
OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT FOR
ROAD SALT FOR THE 2021-2022 WINTER SEASON.

WHEREAS: Ohio Revised Code Section 5513.01(B) provides the opportunity for political subdivisions to participate in contracts of the Ohio Department of Transportation (“ODOT”) for purchase of supplies, including road salt; and

WHEREAS: The City has participated in ODOT contracts for road salt in past years, which participation minimizes road salt costs and price increases.

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

SECTION 1: The City Manager is hereby authorized and directed, upon the approval of the Law Director, to enter into all necessary agreements with ODOT for the purchase of road salt for the 2021-2022 winter season upon the following terms:

- a) The City agrees to be bound by all terms and conditions established by ODOT in the Winter Contract for Road Salt (the “Contract”) and acknowledges that upon award of the Contract by the Director of ODOT, the City will be bound by all such terms and conditions contained therein.
- b) The City hereby acknowledges that upon formal execution of the Contract by the Director of ODOT, a contract between the City and the awarded road salt supplier (the “Supplier”) shall be created.
- c) The City hereby agrees to be solely responsible for resolving all claims or disputes arising out of the participation in the Contract and agrees to hold ODOT harmless from any claims, actions, expenses or other damages arising therefrom.
- d) The City hereby requests a total of 2,750 tons of Sodium Chloride (road salt), which the City agrees to purchase from the Supplier at the delivered price per ton as per the Contract.
- e) The City hereby agrees to purchase a minimum of 90% of the above requested road salt quantity from Supplier during the effective period of the Contract from September 1, 2021 through April 30, 2022.
- f) The City hereby agrees to place orders with and directly pay the Supplier on a net 30 basis for all road salt delivered pursuant to the Contract.
- g) The City hereby acknowledges that should the City wish to rescind its election to participate under the Contract, the City will do so no later than Thursday, June 1, 2021 by sending a written email request to ODOT Office of Contract Sales, Purchase Section at Contracts.Purchasing@dot.ohio.gov. Upon receipt, ODOT shall respond that it has received the rescission request

and confirm removal of the City's request to participate in the Contract. The City hereby acknowledges that it is the sole responsibility of the City to ensure that ODOT has timely received this Resolution and/or any rescission request and ODOT shall not be held responsible or liable for failure to timely receive the City's request to participate in the Contract and/or any rescission request.

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 this Resolution must be submitted to ODOT by April 30, 2021 to allow for participation in the Contract for the 2021-2022 winter season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 4/12/2021

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

FROM: Carl S. DeForest, City Manager
Matt Jones

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 37-2021** - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, INC. for the 2021 Asphalt Road Program in an amount not to exceed \$1,150,250.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

BACKGROUND: Authorization for public bid granted by City Council motion on March 8, 2021. Konstruction King's bid for this project was the lowest and best bid received.

PURPOSE AND EXPLANATION: The proposed project will remove and replace deteriorated concrete pavement joints/slabs and install a chip seal interlayer 1.5" asphalt overlay, and chip seal wearing course with mastic surface seal on various residential streets in Wards 1 and 2. Concrete repairs in Wards 3 and 4 will occur under a separate program which is forthcoming. This project is being partially funded by the Road Levy.

IMPLEMENTATION

SCHEDULE: The project is anticipated to commence in May and be completed in September.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

Amount: \$1,150,250.00. The priority order of funds & account codes will go in the following order: Fund #332 Road Levy Improvement Fund account#332-0473-56881; then Fund #117 Street R&M Fund 117-0420-56881 and if any other cost remainder would go to Fund #333 Road Capital Projects Fund account#333-0474-56870.

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 during the 2021 construction season.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 37-2021

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KONSTRUCTION KING, INC. FOR THE 2021 ASPHALT ROAD PROGRAM IN AN AMOUNT NOT TO EXCEED \$1,150,250.00.

WHEREAS: The City of Brunswick received five (5) bids for the 2021 Asphalt Road Program (the "Program"), in accordance with public bidding requirements; and

WHEREAS: The five (5) received public bids were opened on April 7, 2021 with Konstruction King, Inc. determined to be the lowest and best bidder.

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 Konstruction King, Inc., the lowest and best bidder, for the 2021 Asphalt Road Program in an amount not to exceed \$1,150,250.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Program during the 2021 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 4/12/2021

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

FROM: Carl S. DeForest, City Manager
Brian Ohlin

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 38-2021** - An emergency resolution authorizing the City Manager to enter into a three (3) year agreement with Total Performance Service, Inc. for the provision of vehicle maintenance for the Division of Police. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

BACKGROUND: A Emergency resolution authorizing the City Manager to enter into a 3 year contract with TPS Tire and Service Center to provide repair and maintenance services for police vehicles.

PURPOSE AND EXPLANATION: After a public bidding process was completed for police vehicle repair and maintenance, the lowest and best bidder was TPS Tire and Service Center. We are seeking approval to enter into a new 3 year contract for this service.

IMPLEMENTATION

SCHEDULE: After three readings and council approval we are requesting this as an emergency so that the maintenance contract will continue after the current contract expires on June 8th.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The cost for this contract will be variable and will be based on the amount of and the type of services ordered. Cost for services are limited to sufficient Council appropriations and future certified purchase order amounts pursuant to ORC 5705.41 D.

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 are requesting an emergency so that the new contract can take effect on upon the current contract expiring on June 8th.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 38-2021

BY: Mr. Capretta, Mr. Abella and Mrs. Zak

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR AGREEMENT WITH TOTAL PERFORMANCE SERVICE, INC. FOR THE PROVISION OF VEHICLE MAINTENANCE FOR THE DIVISION OF POLICE.

WHEREAS: The City of Brunswick received two (2) bids for the provision of vehicle maintenance for the Division of Police in accordance with public bidding requirements; and

WHEREAS: The two (2) public bids were opened on March 30, 2021, with Total Performance Service Inc. determined to be the lowest and best bidder.

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 a three (3) year Agreement with Total Performance Service Inc for the provision of vehicle maintenance for the Division of Police.

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 existing vehicle maintenance agreement expires on June 8, 2021. 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: 4/12/2021

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

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

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 39-2021** - An emergency ordinance amending Ordinance NO. 36-98 by expanding the purpose of the Brunswick Lake Fund #360. - **1st Reading** (To be brought from the Committee-of-the-Whole, *Administration/Todd Fischer*)

BACKGROUND: On March 16, 1998 City Council adopted Ordinance #36-98 to create the Brunswick Lake Fund #360. The original purpose of this fund was to account for the purchase of, and all related costs associated with, land parcels, and the establishment of the Brunswick Lake area. The Brunswick Lake area with an improved dam and dredged lake, now also includes retail, restaurants, a medical facility, housing, a hotel, and a park with walking paths and a nature center. In addition, the City and the Medina County Park District previously entered into a cooperative agreement for the Medina County Park District to maintain the park area, including the nature center. Now, the City is desirous in increasing the connectivity and accessibility to Brunswick Lake park by expanding the purpose of the Brunswick Lake Fund #360. The City Administration is requesting that the purpose of the Brunswick Lake Fund #360 be expanded to include any and all associated costs necessary to increase the connectivity and accessibility to Brunswick Lake Park. This would include, but not be limited to, installation of multi-use trails, acquisition of property, etc. The City desires to install a multi-use path from Plum Creek Park north to Brunswick Lake Park. The City has received \$801,500 in grants from the Ohio Department of Natural Resources to assist in the completion of the first two phases of the trail from Plum Creek Park north. The City believes the completion of these first two phases along a third phase would ultimately complete a ten foot-wide, asphalt, multi-use trail that will link critical recreational and institutional assets with residential neighborhoods, a school, local businesses and two parks. This would become the first linear multi-purpose trail in Northern Medina County.

PURPOSE AND EXPLANATION: See Background above

IMPLEMENTATION SCHEDULE: City Administration plans to present the above info to the Committee of the Whole on Monday April 12, 2021. The Administration will request for this Ordinance to be placed on the April 12, 2020 Council agenda as an emergency with suspension of the rules to reduce the amount of

time it will be necessary to connect Plum Creek Park to Brunswick Lake Park.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

In March of 2021, the Brunswick Lake Fund #360 had \$672,376.05 in unappropriated funds. The City is desirous in expanding the purpose for the Brunswick Lake Fund #360 and to use the remaining funds to expand the connectivity and accessibility of the Brunswick Lake Park. Budget amendments to increase the appropriations will be necessary if this legislation is approved. All costs over \$25,000 will be required to be approved by City Council. Construction costs would also be required to be competitively bid per City law and would be required to be separately encumbered through the purchase order process provided sufficient appropriations were in place at the time.

**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?

City Administration is requesting emergency with suspension of the rules in order to begin planning and completing Phase III of the trail as soon as possible. The first two phases of the trails are expected to begin during 2021.

**ADDITIONAL
INFORMATION:**

Wanted to add a special thank you to the Ohio Department on Natural Resources, Envision, Chagrin Valley Engineering, City Administration and City Council for making this multi-purpose trail link project and vision a possibility.

CITY OF BRUNSWICK, OHIO
ORDINANCE NUMBER 36-98

By Mr. Wadsworth, Mr. Umpleby & Mr. Rocha

AN EMERGENCY ORDINANCE TO CREATE A CAPITAL PROJECT
FUND ENTITLED: BRUNSWICK LAKE FUND

WHEREAS: The City of Brunswick will be purchasing the
Brunswick Lake property from the Trust for Public
Land: and

WHEREAS: The City needs to account for this purchase along
with all related costs, and account for the sale of
parcels: and

WHEREAS: Council would like to comply with state statute
which requires the receipt and expenditures of this
venture be accounted for in a separate fund.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following fund is hereby created:

The Brunswick Lake Fund #360

SECTION 2: That this ordinance is hereby declared to be an
emergency measure immediately necessary for the
preservation of the public health, welfare, and
safety, and for the additional reason that it would
be in the best interest of the City to comply with
state statute and account for the receipts and
expenditures of this venture in a separate fund, as
the purchase of said property is set to take place
the end of March 1998. Therefore, the same shall be
in full force and effect from and after its passage
by the required number of votes.

PASSED: 1st reading March 16, 1998

Rules Suspended: AYES 6 NAYS 0

ADOPTED: March 16, 1998 AYES 6 NAYS 0

ATTEST: _____
Clerk of Council
Barbara J. Roth

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 39-2021

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

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 36-98 BY
EXPANDING THE PURPOSE OF THE BRUNSWICK LAKE FUND #360.

WHEREAS: On March 16, 1998, City Council adopted Ordinance No. 36-98, which established the Brunswick Lake Fund #360 to account for the purchase of property for the establishment of the Brunswick Lake area, including all costs related thereto;

WHEREAS: Since the passage of Ordinance No. 36-98, the Brunswick Lake area has been developed to include retail, restaurants, a medical facility, housing, a hotel and a park with walking paths and a nature center; and

WHEREAS: The City is desirous of increasing the connectivity and accessibility to Brunswick Lake Park, which would include, without limitation, installation of multi-use trails and acquisition of property necessary thereto.

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

SECTION 1: That the purpose of the Brunswick Lake Fund #360 shall be expanded to account for: (a) expenditures related to any and all costs associated with any and all projects resulting in an increase in the connectivity and accessibility to Brunswick Lake Park, including, without limitation, installation of multi-use trails and acquisition of property necessary thereto; and (b) the receipt of all funds relative to any and all projects resulting in an increase in the connectivity and accessibility to Brunswick Lake Park, including, without limitation, installation of multi-use trails and acquisition of property necessary thereto

SECTION 2: That this Ordinance 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 meet Ohio Department of Natural Resources grant funding timelines. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 4/12/2021

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 40-2021** - An emergency resolution accepting the petition for annexation of 1.7311 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND:

PURPOSE AND

EXPLANATION: Annexation to be considered by City Council as an emergency with suspension of rules on April 12, 2021

**IMPLEMENTATION
SCHEDULE:**

**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?

ADDITIONAL

INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 40-2021

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF 1.7311 ACRES OF LAND KNOWN AS BEING PART OF BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO.

WHEREAS: The Medina County Commissioners, on February 9, 2021, by Resolution No. 21-0118 attached hereto as Exhibit "A", approved the Petition for Regular Annexation on Application of Owner of 1.7311 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio;

WHEREAS: Pursuant to Ohio Revised Code Section 709.04, the legislative authority of the City of Brunswick must accept or reject the petition for annexation at the next regular session after the expiration of sixty (60) days of the date of filing the certified transcript of all orders of the board of county commissioners, the petition, map and all other papers on file relating to the annexation proceedings with the clerk of the municipal corporation, which occurred on February 9, 2021; and

WHEREAS: The Clerk of the municipal corporation is required to lay the transcript and the accompanying map or plat and petition before the legislative authority.

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

SECTION 1: That the Petition for Regular Annexation on Application of Owner of 1.7311 acres of land known as being part of Brunswick Hills Township is hereby accepted.

SECTION 2: That the Clerk is hereby authorized and ordered to make three (3) copies containing the petition, the map or plat accompanying the petition, a transcript of the proceedings of the board of county commissioners, and all resolutions and ordinances in relation to the annexation, with a certificate to each copy that it is correct. Each certificate shall be signed by the Clerk in her official capacity and shall be authenticated by the seal of the municipal corporation, if applicable.

SECTION 3: That the Clerk is hereby authorized and ordered to forthwith deliver one such copy of this Resolution to the Medina County Auditor, one such copy to the Medina County Recorder, and one such copy to the Ohio Secretary of State.

SECTION 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to comply with the time requirements of Ohio Revised Code Section 709.04. 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

Medina County Commissioners

Stephen D. Hambley
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

February 9, 2021

VIA REGULAR MAIL AND EMAIL

Fijabi Julien-Gallam
Clerk of Council
4095 Center Road
Brunswick, OH 44212

Re: Regular Annexation – 1.7311 acres
299 N. Carpenter Road, Brunswick, Ohio 44212

Dear Fijabi;

Enclosed please find a certified copy of Resolution No. 21-0118 approving the petition for the regular annexation of 1.7311 acres of land known as being part of Brunswick Hills Township to the City of Brunswick which was approved by the Board of Commissioners on this date.

Thank you.

Sincerely,



Rhonda J. Beck
Clerk of the Board

cc: Brunswick Hills Township
Joshua Lamb, Esq.
Medina County Auditor

REGULAR MEETING – TUESDAY, FEBRUARY 9, 2021

The Board of County Commissioners of Medina County, Ohio, met in regular session on this date with the following members present:

Stephen D. Hambley

Colleen M. Swedyk

William F. Hutson

Mr. Hambley offered the following resolution and moved the adoption of same, which was duly seconded by Mrs. Swedyk.

RESOLUTION NO. 21-0118

**APPROVING THE PETITION FOR THE REGULAR ANNEXATION OF
1.7311 ACRES OF LAND KNOWN AS BEING PART OF
BRUNSWICK HILLS TOWNSHIP
TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO**

WHEREAS, a petition for annexation of 1.7311 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio was filed with the Clerk of the Board of Medina County Commissioners on November 12, 2020 in accordance with Ohio Revised Code Section 709.02, and

WHEREAS, the day and hour and has come for the rendering of a decision by the Board of County Commissioners on said petition for annexation, and

WHEREAS, the State of Ohio has provided landowners a number of legal methods for annexations of property to municipal corporations to occur that balance the desires, needs and benefits of the petitioners, municipality and townships, and

WHEREAS, proper procedures were followed and notices given, and a public hearing commenced on February 2, 2021 in accordance with Section 709.032 of the Ohio Revised Code, and

WHEREAS, the Board of County Commissioners now finds that based on the preponderance of the substantial, reliable, and probative evidence on the entire record that said petition meets the following requirements and conditions:

1. The petition meets all of the requirements set forth in, and was filed in the manner provided in Section 709.02 of the Ohio Revised Code:
 - a. the territory proposed to be annexed is contiguous to the City of Brunswick;
 - b. the petition was signed by a majority of the authorized owners of real estate within the territory to be annexed;
 - c. each petition's signature includes the date it was obtained and no signature was obtained more than 180 days before the date of filing;
 - d. the petition contains an accurate legal description of the perimeter and an accurate map/plot of the territory to be annexed;
 - e. the petition states the person who would act as agent for the petitioner; and
 - f. the agent filed with the petition a list of all tract, lots or parcels within and adjacent to the territory to be annexed, including names, addresses of owners, and permanent parcel numbers.
2. The petition meets the following requirements set forth in Section 709.03 of the Ohio Revised Code:
 - a. The Clerk of the Board of County Commissioners notified the agent of the date, time, and place of the hearing;
 - b. the agent provided proof the required notices to: (1) the clerk of the municipality; (2) the fiscal officer of the township involved; and (3) the clerk of the board of commissioners;
 - c. the agent provided the required notices to: (1) all property owners within the territory proposed for annexation, and (2) adjacent property owners;
 - d. the agent has provided proof of the required notice published in a newspaper of general circulation;
 - e. the legislative authority of the municipality has adopted a statement by ordinance/resolution relative to services the municipality will provide with an approximate date by which it will provide said services upon annexation; and

The Clerk of the Board of County Commissioners of Medina County, Ohio does hereby certify that the foregoing is a true and correct copy of the resolution adopted by said Board on 2/9/21
Monica J. Beck

REGULAR MEETING – TUESDAY, FEBRUARY 9, 2021
RESOLUTION NO. 21-0118 (CONT'D.)

- f. the municipality filed its statement of municipal services with the board of county commissioners at least 20 days before the date of the annexation hearing.
3. The petition meets all of the requirements set forth in Section 709.033 of the Ohio Revised Code:
 - a. the petition meets all of the requires set forth in and was filed in the manner provided in Section 709.02 of the Ohio Revised Code;
 - b. the persons signing the petition are owners of real estate located in the territory proposed to be annexed and at the time the petition was filed, the number of valid signatures on the petition constitutes a majority of the owners of the real estate in that territory;
 - c. the municipal corporation to which the territory is proposed to be annexed has complied with Division (D) of Section 709.03 of the Ohio Revised Code;
 - d. the territory proposed to be annexed is not unreasonably large;
 - e. on balance, the general good the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted; and
 - f. no street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem.

The Board of Medina County Commissioners, upon review of substantive, reliable and probative evidence, finds that:

- 1) The annexation involves a 1.7311 acres parcel located on the east side of North Carpenter Road between Boston Road and Grafton Road in Brunswick Hills Township, identified as PPN 001-02B-05-004, owned by Ermitano Santiago and Anna Santiago located at 299 North Carpenter Road, Brunswick, Ohio 44212. It is not unreasonably large and is adjacent and contiguous to the land of the municipal corporation of the City of Brunswick;
- 2) Two individuals own the property and both owners signed the petition; therefore, the petition contains signatures of the majority (51%) of owners;
- 3) The City of Brunswick Resolution No. 97-2020 adopted December 21, 2020 declared intention by the City of Brunswick to provide municipal services to the subject property; the landowner is in agreement the annexed territory would receive adequate services sufficient to establish the general good of the territory being annexed;
- 4) The petitioner has proved that the land after annexation will enjoy a level of services comparable or adequate to that enjoyed prior to the annexation;
- 5) No street or highway will be divided or segmented by the boundary line between a township and the municipality as to create a road maintenance problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Medina County, Ohio that having found that the conditions of the Ohio Revised Code have been met, the Petition to Annex 1.7311 acres of land from Brunswick Hills Township to the City of Brunswick, Medina County, Ohio, attached as Exhibit A, is hereby approved and granted in accordance with the law.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the agent for the petitioners, fiscal of the township, and clerk of the municipality, and that a complete record of the annexation proceeding be sent to the clerk of the municipality after the expiration of 30 days after journalization if no appeal has been timely filed under Section 709.07 of the Revised Code.

Voting AYE thereon: Mr. Hambley, Mrs. Swedyk and Mr. Hutson

Adopted: February 9, 2021

Prepared by: Commissioners' Office

**PETITION FOR REGULAR ANNEXATION OF LAND TO THE CITY OF
BRUNSWICK FROM BRUNSWICK HILLS TOWNSHIP**

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

Pursuant to Section 709.02 of the Ohio Revised Code, the undersigned, being all the legal owners of the real property located at 299 N. Carpenter Road, Brunswick, Ohio 44212 (the "Property"), which is contiguous and adjacent to the City of Brunswick, hereby petitions the Board of Commissioners for Medina County for the regular annexation of the Property to the City of Brunswick from the Brunswick Hills Township.

An accurate legal description of the Property to be annexed to the City of Brunswick is attached hereto as Exhibit A and is made a part hereof. An accurate map of the Property sought to be annexed is set forth in Exhibit B, which is attached hereto and made a part hereof. There are two (2) owners of the Property.

Pursuant to O.R.C. §709.02(D), the list of the Property to be annexed to the City of Brunswick is set forth in Exhibit C, which is attached hereto and made a part hereof. The undersigned are the sole owners of the Property sought to be annexed. All the owners of the Property subject to this petition for annexation have consented to this petition and have executed the same.

Pursuant to O.R.C. §709.02(D), a list of all properties adjacent to and/or directly across the street from the Property sought to be annexed are contained in Exhibit C hereto (including but not limited to the name and mailing address of each owner and the permanent parcel number of the relevant properties).

The name of the person hereby appointed to act as agent for the undersigned petitioner is Joshua E. Lamb, Trigilio, Stephenson & Dattilo, PLL., 5750 Cooper Foster Park Road, Suite 102, Lorain, Ohio 44053, Telephone No. (440) 988-9500, Fax No. (440) 988-9511, who can be emailed at jlamb@tsohiolaw.com.

Ermitano Santiago
Ermitano Santiago

Date: 9-18-2020

Ada Iris Santiago
Ada Iris Santiago

Date: 9-18-2020

State of Ohio :
County of Lorain : ss.

This is an acknowledgment clause. No oath or affirmation was administered to the signers.

On this 18th day of September, 2020, before me, a Notary Public, in and for said County and State, personally came Ermitano Santiago and Ada Iris Santiago, the Petitioners in the foregoing Petition for Regular Annexation, who acknowledged that they executed the foregoing instrument and the same is their free act and deed.

Rebecca L. Lengyel
Notary Public



Rebecca L. Lengyel
Notary Public, State of Ohio
My Commission Expires 8/20/2023

EXHIBIT A

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio: And known as being a part of Original Brunswick Township Lot No. 23 in Tract No. 2, bounded and described as follows:

Beginning at an iron pin found on the centerline of Carpenter Road (C.H. 103) (60 feet wide) at the northwest corner of said Lot No. 23. Said iron pin also being at the northwest corner of land conveyed to Grace F. & Earle L. Behner by deed recorded in Volume 117, Page 172 of Medina County Records;

Thence South 2 deg. 30' 00" West, along the centerline of Carpenter Road and the west line of Lot No. 23, 121.42 feet to the southwest corner of land conveyed by Earle L. & Grace F. Behner to James H. and Jacqueline Hollan by deed recorded in Volume 354, Page 457 of Medina County Records and the principal place of beginning of the parcel herein described;

Thence South 81 deg. 57' 49" East, along the south line of land so conveyed to James H. & Jacqueline Hollan, 605.40 feet to an iron pin set on the westerly line of Interstate Highway 71. Said line passing through an iron pin found 29.55 feet, as measured along said line, from the centerline of Carpenter Road;

Thence South 2 deg. 52' 06" East, along the westerly line of Interstate Highway 71, 111.50 feet to an iron pin set at an angle therein;

Thence South 1 deg. 22' 00" East, along the westerly line of Interstate Highway 71, 13.11 feet to an iron pin set at the northeast corner of land conveyed by Earle L. & Grace F. Behner to Noubar Kouyoumdjian by deed recorded in Volume 367, Page 377 of Medina County Records;

Thence North 82 deg. 08' 18" West along the north line of land so conveyed to Noubar Kouyoumdjian, 616.59 feet to the northwest corner thereof, the centerline of Carpenter Road and the west line of Lot No. 23. Said line passing through an iron pin found 29.40 feet, as measured along said line, from the centerline of Carpenter Road;

Thence North 2 deg. 30' 00" East, along the centerline of Carpenter Road and the west line of Lot No. 23, 124.88 feet to the principal place of beginning and containing 1.7311 Acres of Land, more or less, according to a survey prepared by Carl L. Craddock, Registered Surveyor No. 5762 for and in behalf of Bock & Clark, under Project No. 87214, dated December 7, 1987 and subject to all legal highways.

Permanent Parcel No. 001-02B-05-004

EXHIBIT "B"

PLAT OF REGULAR ANNEXATION of 1.7311 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 known as being part of Original Brunswick Township Lot No. 23 in Tract No. 2

LOCATION MAP

LATITUDE: 41.2679
LONGITUDE: -81.8072

SITE

CARPENTER ROAD (60', C.H. 103)

ORIGINAL LOT 24, TRACT 2
ORIGINAL LOT 23, TRACT 2

MAR A. Symon
Doc. No. 2020000001
01/01/2020
P.P.N. 001-028-06-003
255 N Carpenter Road, Brunswick, OH 44212

PARCEL TO BE ANNEXED
76,407 sq. ft.
1.7311 acres

Emanuel Santiago & Ada Iris Santiago
O.R. 263 Page 440, 07/31/1985
O.R. 625 Page 81, 05/27/1993
P.P.N. 001-028-05-004
1.7311 acres (deed)
298 N Carpenter Road, Brunswick, OH 44212

Barbara S. Snyder
O.R. 233 Page 142
01/16/1985 Page 87-004
P.P.N. 001-028-07-004
311 N Carpenter Road, Brunswick, OH 44212



1" = 50'

STATE OF OHIO
INTERSTATE 71
(P.P.N. 001-039-07-013)

APPROVALS
THIS PLAT 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 PLAT WAS DULY ACCEPTED BY THE
MEDINA COUNTY COMMISSIONERS ON THE
____ DAY OF
____, 20__

COMMISSIONER (PRINT & SIGN)

COMMISSIONER (PRINT & SIGN)

COMMISSIONER (PRINT & SIGN)

APPROVALS
APPROVED FOR TRANSFER THIS ____ DAY OF
____, 20__

TAX MAP DRAFTSMAN (PRINT & SIGN)

RECEIVED FOR TRANSFER THIS ____ DAY OF
____, 20__

MEDINA COUNTY CLERK (PRINT & SIGN)

RECEIVED AND RECORDED THIS ____ DAY OF
____, 20__
AT ____ A.M./P.M. RECORDED IN PLAT
DOCUMENT NO. ____
FILE: ____

MEDINA COUNTY RECORDER (PRINT & SIGN)

ACCEPTANCE
KNOW ALL MEN BY THESE PRESENTS THAT EMANUEL SANTIAGO AND ADA IRIS
SANTIAGO, OWNERS OF THE LANDS EMBRACED WITHIN THIS PLAT, HEREBY
ACKNOWLEDGE THIS PLAT AND HAVE CAUSED THE SAME TO BE PLATTED AND
ANNEXED TO THE CITY OF BRUNSWICK.

Emanuel Santiago
EMANUEL SANTIAGO

Ada Iris Santiago
ADA IRIS SANTIAGO

COUNTY OF MEDINA STATE OF OHIO
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY, WHO ACKNOWLEDGED
APPEARED EMANUEL SANTIAGO AND ADA IRIS SANTIAGO, WHO ACKNOWLEDGED
THE FOREGOING INSTRUMENT AND THE SINGING 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 ____ DAY OF ____ 20__

Notary Public
NOTARY PUBLIC MY COMMISSION EXPIRES



Barbara S. Snyder
Notary Public, State of Ohio
My Commission Expires 11/11/22



Janel R. Schmitt
Janel R. Schmitt, PS # 8633
August 3, 2020

North Star Surveying, LLC
2772 Marks Road Valley City, OH 44280
440-822-5707 janel.schmitt@gmail.com

EXHIBIT "C"**INFORMATION RELATING TO OWNERS OF REAL PROPERTY
SOUGHT TO BE ANNEXED**

Owners' Name and Address	Permanent Parcel Number	Total Acreage of Property to be Annexed
Ermitano Santiago & Ada Iris Santiago 299 North Carpenter Road Brunswick, Ohio 44212	001-02B-05-004	1.7311

**LIST OF OWNERS OF PROPERTY ADJACENT TO AND DIRECTLY
ACROSS THE STREET FROM PETITIONERS**

Owner's Name and Mailing Address	Permanent Parcel Number
Mark A. Sigmon 285 North Carpenter Road Brunswick, Ohio 44212 & 5872 Wedgewood Road Medina, Ohio 44256	001-02B-05-003
Eleanor S. Snyder 311 North Carpenter Road Brunswick, Ohio 44212	001-02B-07-004
Sandra C. Seitz 298 North Carpenter Road Brunswick, Ohio 44212	003-18B-09-073
Diane Renee Zavcer and Rosemary Gleydura 286 North Carpenter Road Brunswick, Ohio 44212	003-18B-09-069
Philip U. Coker and Ashley M. Coker 310 North Carpenter Road Brunswick, Ohio 44212	003-18B-15-159
State of Ohio 241 Stanford Parkway Findlay, Ohio 45850 & 906 Clark Avenue Ashland, Ohio 44805	001-02B-07-013
State of Ohio 241 Stanford Parkway Findlay, Ohio 45850 & 906 Clark Avenue Ashland, Ohio 44805	001-02B-08-001

Enclave at Autumn Creek Homeowners Association Inc. c/o Steven M. Ott, Statutory Agent 1300 E. 9 th Street, Suite 1520 Cleveland, Ohio 44114 & 5090 Park Avenue W Seville, Ohio 44273	003-18B-22-254
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**CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 97-2020**

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 1.7311 ACRE PARCEL OF LAND (PPN 001-02B-05-004) ON NORTH CARPENTER ROAD.

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

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

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 1.7311 acres of land on North Carpenter Road (PPN 001-02B-05-004), 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 February 2, 2021 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 November 23, 2020

2nd Reading December 14, 2020

3rd Reading December 21, 2020

ADOPTED: December 21, 2020 AYES 7 NAYS 0

ATTEST:


Acting Clerk of Council
Holly Quellos

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 12/21/2020

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: RES. NO. 97-2020 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.7311 acre parcel of land (PPN 001-02B-05-004) on North Carpenter Road. - 3rd Reading (Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick.

PURPOSE AND EXPLANATION: The approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the February 2, 2021 hearing date.

IMPLEMENTATION SCHEDULE: The approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the February 2, 2021 hearing date

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Be passed as an emergency measure upon three (3) readings.

NOTICE OF FILING OF PETITION FOR REGULAR ANNEXATION

Date: November 12, 2020

VIA CERTIFIED MAIL:
RETURN RECEIPT REQUESTED

Clerk of Brunswick City Council
c/o Fijabi Julien-Gallam
4095 Center Road
Brunswick, Ohio 44212

This notice is given to you in your capacity as Clerk of City Council of Brunswick, Ohio.

You are advised that a Petition for Regular Annexation was filed by Ermitano Santiago and Ada Iris Santiago in Medina County, Ohio with the Board of Commissioners of Medina County, Ohio on November 12, 2020 at 9:37 a.m., for the annexation of 1.7311 acres located at 299 North Carpenter Road, Brunswick, Ohio 44212 from Brunswick Hills Township, Ohio to the City of Brunswick, Ohio.

The Medina County Board of Commissioners has scheduled the hearing on the Petition for Regular Annexation for Tuesday, February 2, 2021 at 10:00 a.m. in the Medina County Commissioners' Hearing Room, 144 N. Broadway Street, Room 201, Medina, Ohio 44256.

A true and correct copy of the time-stamped Petition for Regular Annexation that was filed with the Medina County Board of Commissioners, along with all attachments or documents accompanying the Petition for Regular Annexation, is attached hereto.



Joshua E. Lamb, Agent for
Petitioners Ermitano Santiago and
Ada Iris Santiago
5750 Cooper Foster Park Road,
Suite 102
Lorain, Ohio 44053
(440) 988-9500

**PETITION FOR REGULAR ANNEXATION OF LAND TO THE CITY OF
BRUNSWICK FROM BRUNSWICK HILLS TOWNSHIP**

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

Pursuant to Section 709.02 of the Ohio Revised Code, the undersigned, being all the legal owners of the real property located at 299 N. Carpenter Road, Brunswick, Ohio 44212 (the "Property"), which is contiguous and adjacent to the City of Brunswick, hereby petitions the Board of Commissioners for Medina County for the regular annexation of the Property to the City of Brunswick from the Brunswick Hills Township.

An accurate legal description of the Property to be annexed to the City of Brunswick is attached hereto as Exhibit A and is made a part hereof. An accurate map of the Property sought to be annexed is set forth in Exhibit B, which is attached hereto and made a part hereof. There are two (2) owners of the Property.

Pursuant to O.R.C. §709.02(D), the list of the Property to be annexed to the City of Brunswick is set forth in Exhibit C, which is attached hereto and made a part hereof. The undersigned are the sole owners of the Property sought to be annexed. All the owners of the Property subject to this petition for annexation have consented to this petition and have executed the same.

Pursuant to O.R.C. §709.02(D), a list of all properties adjacent to and/or directly across the street from the Property sought to be annexed are contained in Exhibit C hereto (including but not limited to the name and mailing address of each owner and the permanent parcel number of the relevant properties).

The name of the person hereby appointed to act as agent for the undersigned petitioner is Joshua E. Lamb, Trigilio, Stephenson & Dattilo, PLL., 5750 Cooper Foster Park Road, Suite 102, Lorain, Ohio 44053, Telephone No. (440) 988-9500, Fax No. (440) 988-9511, who can be emailed at jlamb@tsohiolaw.com.

Ermitano Santiago
Ermitano Santiago

Date: 9-18-2020

Ada Iris Santiago
Ada Iris Santiago

Date: 9-18-2020

State of Ohio :
County of Lorain : ss.

This is an acknowledgment clause. No oath or affirmation was administered to the signers.

On this 18th day of September, 2020, before me, a Notary Public, in and for said County and State, personally came Ermitano Santiago and Ada Iris Santiago, the Petitioners in the foregoing Petition for Regular Annexation, who acknowledged that they executed the foregoing instrument and the same is their free act and deed.

Rebecca L. Lengyel
Notary Public



Rebecca L. Lengyel
Notary Public, State of Ohio
My Commission Expires 8/30/2023

EXHIBIT A

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio: And known as being a part of Original Brunswick Township Lot No. 23 in Tract No. 2, bounded and described as follows:

Beginning at an iron pin found on the centerline of Carpenter Road (C.H. 103) (60 feet wide) at the northwest corner of said Lot No. 23. Said iron pin also being at the northwest corner of land conveyed to Grace F. & Earle L. Behner by deed recorded in Volume 117, Page 172 of Medina County Records;

Thence South 2 deg. 30' 00" West, along the centerline of Carpenter Road and the west line of Lot No. 23, 121.42 feet to the southwest corner of land conveyed by Earle L. & Grace F. Behner to James H. and Jacqueline Hollan by deed recorded in Volume 354, Page 457 of Medina County Records and the principal place of beginning of the parcel herein described;

Thence South 81 deg. 57' 49" East, along the south line of land so conveyed to James H. & Jacqueline Hollan, 605.40 feet to an iron pin set on the westerly line of Interstate Highway 71. Said line passing through an iron pin found 29.55 feet, as measured along said line, from the centerline of Carpenter Road;

Thence South 2 deg. 52' 06" East, along the westerly line of Interstate Highway 71, 111.50 feet to an iron pin set at an angle therein;

Thence South 1 deg. 22' 00" East, along the westerly line of Interstate Highway 71, 13.11 feet to an iron pin set at the northeast corner of land conveyed by Earle L. & Grace F. Behner to Noubar Kouyoumdjian by deed recorded in Volume 367, Page 377 of Medina County Records;

Thence North 82 deg. 08' 18" West along the north line of land so conveyed to Noubar Kouyoumdjian, 616.59 feet to the northwest corner thereof, the centerline of Carpenter Road and the west line of Lot No. 23. Said line passing through an iron pin found 29.40 feet, as measured along said line, from the centerline of Carpenter Road;

Thence North 2 deg. 30' 00" East, along the centerline of Carpenter Road and the west line of Lot No. 23, 124.88 feet to the principal place of beginning and containing 1.7311 Acres of Land, more or less, according to a survey prepared by Carl L. Craddock, Registered Surveyor No. 5762 for and in behalf of Bock & Clark, under Project No. 87214, dated December 7, 1987 and subject to all legal highways.

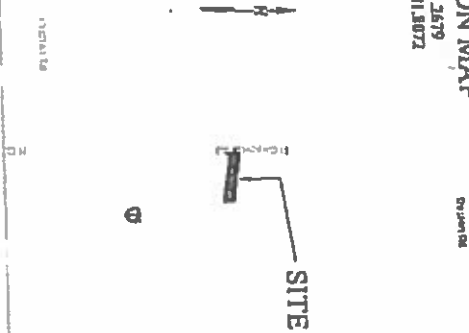
Permanent Parcel No. 001-02B-05-004

PLAT OF REGULAR ANNEXATION of 1.7311 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 known as being part of Original Brunswick Township Lot No. 23 in Tract No. 2

LOCATION MAP

LATITUDE: 41.2679
LONGITUDE: -81.8072



CARPENTER ROAD (60', C.H. 103)

ORIGINAL LOT 24, TRACT 2
ORIGINAL LOT 23, TRACT 2

Left A. Sporn
Doc. No. 20700000061
6/16/2020
P.P.N. 001-028-05-003
285 N Carpenter Road, Brunswick, OH 44212

Ernesto Santiago & Ada Ila Santiago
O.R. 283 Page 440, 07/31/1985
O.R. 625 Page 81, 05/27/1993
P.P.N. 001-028-05-004
1.7311 acres (deed)
289 N Carpenter Road, Brunswick, OH 44212

Edward B. Sargent
O.R. 235 Page 142
6/16/1985
P.P.N. 001-028-07-004
311 N Carpenter Road, Brunswick, OH 44212

PARCEL TO BE ANNEXED
76,497 sq. ft.
1.7311 acres



APPROVALS
THIS PLAT WAS DULY ACCEPTED BY THE
BRUNSWICK CITY COUNCIL, AT ITS REGULAR
MEETING HELD ON THE ____ DAY OF
JANUARY, 20__

ORDINANCE NO. ____

CLERK OF COUNCIL (PRINT & SIGN)

THIS PLAT WAS DULY ACCEPTED BY THE
MEDINA COUNTY COMMISSIONERS ON THE
____ DAY OF ____ 20__

COMMISSIONER (PRINT & SIGN)

COMMISSIONER (PRINT & SIGN)

COMMISSIONER (PRINT & SIGN)

APPROVALS
APPROVED FOR TRANSFER THIS ____ DAY OF
____ 20__

TAX MAP DEPARTMENT (PRINT & SIGN)

RECEIVED FOR TRANSFER THIS ____ DAY OF
____ 20__

MEDINA COUNTY ALTIMA (PRINT & SIGN)

RECEIVED AND RECORDED THIS ____ DAY OF
____ 20__

AT A.M./P.M. RECORDED IN PLAT
DOCUMENT NO. ____

MEDINA COUNTY RECORDER (PRINT & SIGN)

ACCEPTANCE
KNOW ALL MEN BY THESE PRESENTS THAT ERNESTO SANTIAGO AND ADA ILLA
SANTIAGO, OWNERS OF THE LAND SUBJACENT WITHIN THIS PLAT, HEREBY
ACKNOWLEDGE THIS PLAT AND HAVE CAUSED THIS SAME TO BE PLATED AND
ANNEXED TO THE CITY OF BRUNSWICK.

Ernesto Santiago
ERNESTO SANTIAGO

Ada Ila Santiago
ADA ILLA SANTIAGO

COUNTY OF MEDINA, STATE OF OHIO
BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY
APPEARED ERNESTO SANTIAGO AND ADA ILLA SANTIAGO, 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
Lodi, Ohio, this ____ day of ____ 20__.

Blaine C. Schmitt
NOTARY PUBLIC



My Commission Expires 12/31/21

North Star Surveying, LLC
2722 Matis Road, Valley City, OH 44280
440-822-5707 jensodt.schmitt@gmail.com

Jensodt R. Schmitt, P.S. # 6623
August 3, 2020



EXHIBIT "C"**INFORMATION RELATING TO OWNERS OF REAL PROPERTY
SOUGHT TO BE ANNEXED**

Owners' Name and Address	Permanent Parcel Number	Total Acreage of Property to be Annexed
Ermitano Santiago & Ada Iris Santiago 299 North Carpenter Road Brunswick, Ohio 44212	001-02B-05-004	1.7311

**LIST OF OWNERS OF PROPERTY ADJACENT TO AND DIRECTLY
ACROSS THE STREET FROM PETITIONERS**

Owner's Name and Mailing Address	Permanent Parcel Number
Mark A. Sigmon 285 North Carpenter Road Brunswick, Ohio 44212 & 5872 Wedgewood Road Medina, Ohio 44256	001-02B-05-003
Eleanor S. Snyder 311 North Carpenter Road Brunswick, Ohio 44212	001-02B-07-004
Sandra C. Seitz 298 North Carpenter Road Brunswick, Ohio 44212	003-18B-09-073
Diane Renee Zavcer and Rosemary Gleydura 286 North Carpenter Road Brunswick, Ohio 44212	003-18B-09-069
Philip U. Coker and Ashley M. Coker 310 North Carpenter Road Brunswick, Ohio 44212	003-18B-15-159
State of Ohio 241 Stanford Parkway Findlay, Ohio 45850 & 906 Clark Avenue Ashland, Ohio 44805	001-02B-07-013
State of Ohio 241 Stanford Parkway Findlay, Ohio 45850 & 906 Clark Avenue Ashland, Ohio 44805	001-02B-08-001

Enclave at Autumn Creek Homeowners Association Inc. c/o Steven M. Ott, Statutory Agent 1300 E. 9 th Street, Suite 1520 Cleveland, Ohio 44114 & 5090 Park Avenue W Seville, Ohio 44273	003-18B-22-254
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Medina County Commissioners

Adam Friedrich
Patricia G. Geissman
William F. Hutson

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 12, 2020

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 12, 2020 to annex 1.7311 acres located in Brunswick Hills Township to the City of Brunswick

Date: Tuesday, February 2, 2021
Time: 10:00 AM
Location: Commissioners' Hearing Room
144 N. Broadway St., Room 201
Medina, OH 44256

Please arrive at the above location no later than 9:30 a.m.


Rhonda Beck, Clerk
Board of Medina County
Commissioners

Delivered via email:
jlamb@tschilaw.com
fgallam@brunswick.oh.us
kesber@brunswickhillstwp.org

PROPOSED LEGISLATION



DATE: 4/12/2021

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

FROM: Carl S. DeForest, City Manager
Matt Jones

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 41-2021** - An emergency ordinance authorizing the City Manager to enter into a Real Estate Transfer Agreement with the Brunswick City School District. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*)

BACKGROUND: New legislation request

**PURPOSE AND
EXPLANATION:**

The Plum Creek Greenway Phase 1 project will construct a 10-foot-wide asphalt trail from Plum Creek Park to Mooney Park. A portion of the trail will be located on property currently owned by the Brunswick City School District. As a condition of the ODNR Clean Ohio Trails grant funding, the property must be transferred to the City before construction can begin. In exchange for the school district property, the City will transfer a strip of property on the south side of Manhattan Avenue to the School District to allow for an improved vehicular access point to Brunswick Middle School.

IMPLEMENTATION

SCHEDULE: The property transfer will occur immediately upon approval by City Council and the Brunswick School Board. The trail is planned for construction this summer.

**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?

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 property transfer may commence and be completed in time for the trail to be built during the 2021 construction season.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 41-2021

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO
ENTER INTO A REAL ESTATE TRANSFER AGREEMENT WITH THE
BRUNSWICK CITY SCHOOL DISTRICT.

WHEREAS: The City of Brunswick is the owner of the real property located at 4274 Manhattan Avenue, Brunswick, Ohio known as PPN 003-18D-01-061 (the “City Property”);

WHEREAS: The Brunswick City School District is the owner of the real property located at 1931 Huntington Circle, Brunswick, Ohio known as PPN 003-18D-22-029 (the “School District Property”);

WHEREAS: Pursuant to City of Brunswick Charter Section 8.01(b), City Council may, by Ordinance, authorize the transfer and conveyance by deed of any real property owned by the City and not needed for municipal purposes to the School District to be used as an athletic field, a playground for children or for school sites, upon such terms as are agreed to between the City and the School District;

WHEREAS: Pursuant to Ohio Revised Code Section 3313.40, the City and School District are further authorized to exchange real property if they City and School District determine that the exchange will be mutually beneficial;

WHEREAS: As part of the funding for the construction of the Plum Creek Greenway Phase I Trail Project (the “Project”), the Ohio Department of Natural Resources requires the City to own a portion of the School District Property consisting of approximately 0.7636 acres upon which the Project will be constructed; and

WHEREAS: In consideration for the conveyance of such portion of the School District Property to the City, the School District has requested exchange of an approximate 0.0675 acre portion of the City Property to the School District.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into a Real Estate Transfer Agreement with the School District in the general form as attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION 2: That this Council hereby declares that the portion of the City Property to be conveyed to the School District is not needed for any municipal purpose and that the proposed property exchange is mutually beneficial to the City and School District.

SECTION 3: That this Ordinance 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 meet Ohio Department of Natural Resources grant funding timelines. 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

REAL ESTATE TRANSFER AGREEMENT

THIS REAL ESTATE TRANSFER AGREEMENT (the “Agreement”) is entered into by and between City of Brunswick, a chartered municipal corporation existing and operating pursuant to the laws of the State of Ohio (the “City”) and the Brunswick City School District, a political subdivision of the State of Ohio (the “School District”).

WHEREAS, the City is the owner of the real property located at 4274 Manhattan Avenue, Brunswick, Ohio known as PPN 003-18D-01-061 (the “City Property”);

WHEREAS, the School District is the owner of the real property located at 1931 Huntington Circle, Brunswick, Ohio known as PPN 003-18D-22-029 (the “School District Property”);

WHEREAS, pursuant to City of Brunswick Charter Section 8.01(b), Brunswick City Council may, by ordinance, authorize the transfer and conveyance by deed of any real property, owned by it and not needed for Municipal purposes, to the Board of Education of the City of Brunswick, to be used as an athletic field, a playground for children or for school sites, upon such terms as are agreed to between the City of Brunswick and the Board of Education;

WHEREAS, pursuant to Ohio Revised Code 3313.40, the City and the School District are further authorized to exchange real property if the City and the School District determined that the exchange will be mutually beneficial;

WHEREAS, as part of the funding for construction of the Plum Creek Greenway Phase I Trail Project, the Ohio Department of Natural Resources requires the City to own the portion of the School District Property, as further depicted in Exhibit A and described in Exhibit B, upon which a portion of the Trail will be constructed; and

WHEREAS, the School District is desirous of obtaining a portion of the City Property, as further depicted in Exhibit C and described in Exhibit D, to allow access to School facilities from Manhattan Avenue; and

WHEREAS, the City and the School District have determined that an exchange of the properties set forth in this Agreement will be mutually beneficial.

NOW, THEREFORE, in exchange for good and valuable consideration in the amount of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, the City and the School District hereby agree as follows:

1) Property Transfer. Within three (3) business days of satisfaction of all Contingencies to Closing detailed in Section 5 herein (the “Closing” or “Closing Date”), the parties hereto shall exchange, by Quit Claim Deeds (collectively the “Deeds”), the following real property (collectively the “Properties”):

- a) The School District shall convey to the City the portion of the School District Property identified as “Split Parcel #1A”, including all rights

appurtenant thereto, consisting of approximately 0.7636 acres depicted in the Plat of Survey/Lot Split attached hereto as Exhibit “A” and as further described on Exhibit “B” attached hereto, both of which are incorporated herein by reference.

- b) The City shall convey to the School District the portion of the City Property identified as “Split Parcel, 0.0675 Acres”, including all rights appurtenant thereto, consisting of approximately 0.0675 acres depicted in the Map of Survey attached hereto as Exhibit “C” and as further described on Exhibit “D” attached hereto, both of which are incorporated herein by reference.

2) “AS IS” Nature of Sale. The parties acknowledge and agree that the respective Properties are being conveyed “AS IS – WHERE IS” and that except as expressly set forth herein, neither party has not made, does not make and will not make any warranties or representations, express or implied, or arising by operation of law, regarding the respective Properties.

3) Escrow Agent/Title Company. The Escrow Agent/Title Company for this transaction shall be Guardian Title & Guaranty Agency, Inc., 7550 Lucerne Drive, Suite 310, Middleburg Heights, Ohio 44130. Upon full execution of this Agreement (the “Effective Date”), an executed copy of this Agreement shall be deposited with the Title Company and this Agreement shall serve as the escrow instructions (the “Escrow”). The Title Company may attach its standard conditions of acceptance thereto; provided, however, that in the event said standard conditions of acceptance are inconsistent with or in conflict with the terms and provisions hereof, then the terms and provisions of this Agreement shall control.

4) Title Matters.

A. Upon the Effective Date of this Agreement, the City shall immediately order separate commitments (the “Title Commitments”) from the Title Company to issue an owner’s title insurance policy for the respective Properties, who shall cause the respective Title Commitments to be completed within ten (10) business days of the Effective Date hereof. The Title Company shall simultaneously deliver copies of the respective Title Commitments, the vesting deed(s), and all documents referenced therein, to the parties. The Title Commitments are subject to review and approval by each respective party no later than ten (10) calendar days following receipt (the “Objection Notice Deadline”). If either party objects to any such title exception (the “Unpermitted Encumbrances”), such party must deliver written notice (the “Objection Notice”) to the other party on or prior to the Objection Notice Deadline. Any and each such title exception to which each respective party does not timely object in writing on or prior to the Objection Notice Deadline shall thereafter constitute a “Permitted Encumbrance”. Upon receipt of the Objection Notice, such receiving party shall have ten (10) calendar days in which to cause the removal or correction of the Unpermitted Encumbrances or otherwise assure the objecting party that such Unpermitted Encumbrances will be removed or corrected prior to the Closing Date (it being understood that each party may, but shall not be required to, remove or correct any Unpermitted Encumbrance). If such receiving party fails or refuses to cause the removal or correction of the Unpermitted Encumbrances or otherwise fails to assure the objecting party that such Unpermitted Encumbrances will be removed or corrected prior to the Closing Date within said ten (10) calendar day period, the objecting party may elect, upon written notice to the

other party to be received on or before the tenth (10th) calendar day following such party's failure or refusal, to: (x) accept title as such party is able to convey, in which event all exceptions in Schedule B of the Title Commitment, including without limitation, the Unpermitted Encumbrances set forth in the Objection Notice and not removed or corrected, shall become Permitted Encumbrances; or (y) terminate this Agreement and, except as otherwise expressly provided in this Agreement, neither party shall have any further rights, obligations, or liability hereunder.

B. The City shall be responsible for the preparation, completion and filing of the Plat of Survey/Lot Split and legal description of Exhibits A and B. The School District shall be responsible for the preparation, completion and filing of the Map of Survey and legal description of Exhibits C and D.

5) Contingencies to Closing. The transaction contemplated herein is contingent upon the following:

- a) Approval and recording of necessary Lot Split Plats.
 - b) Delivery of all documents as required by Section 7 herein.
 - c) Formal approval of this Agreement as may be required by the Brunswick City Council and School District Board of Education. If such approvals are rejected by either part, this Agreement shall terminate and, except as otherwise expressly provided in this Agreement, neither party shall have any further rights, obligations, or liability hereunder.
- 6) Closing Costs, Charges and Prorations.
- a) At Closing, the Title Company shall charge the City with respect to the conveyance of the Split Parcel, 0.0675 Acres: (i) one-half (1/2) the cost of the transfer fees, conveyance taxes, Escrow fees, Owner's Title Insurance Policy cost, Title Examination fees, Deed recording fees, preparation of the Lot Split Plat and legal description, Lot Split Plat recording fees, , and all other customary transfer fees; (ii) one-half of the costs listed in Article 6(b)(i); (iii) the cost of removing any Unpermitted Exceptions which the City has agreed to remove; (iv) the cost of releasing all existing liens of record upon the City Property; and (v) proration of real estate taxes and assessments chargeable to the City relative to the City Property on the Closing Date, if any.
 - b) At Closing, the Title Company shall charge the School District with respect to the conveyance of the Split Parcel #1A: (i) one-half (1/2) the cost of the transfer fees, conveyance taxes, Escrow fees, Owner's Title Insurance Policy cost, Title Examination fees, Deed recording fees, preparation of the Lot Split Plat and legal description, Lot Split Plat recording fees, and all other customary transfer fees; (ii) one-half of the costs listed in Article 6(a)(i); (iii) the cost of removing any Unpermitted Exceptions which the School District has agreed to remove; (iv) the cost of releasing all existing liens of record upon the School District Property; and (v) proration of real

estate taxes and assessments chargeable to the School District relative to the School District Property on the Closing Date, if any.

- c) Each party shall bear its own legal fees and, for the property that it is conveying, Deed preparation expenses.

7) Closing Deliveries.

- a) At Closing, the City shall:

- i) deliver to the School District a duly executed and recordable Deed conveying the portion of the City Property to the School District, subject only to the Permitted Exceptions; and
- ii) deliver such additional documents as shall be reasonably required to consummate the transaction contemplated by this Agreement.

- b) At Closing, the School District shall:

- i) deliver to the City a duly executed and recordable Deed conveying the portion of the School District Property to the City, subject only to the Permitted Exceptions; and
- ii) deliver such additional documents as shall be reasonably required to consummate the transaction contemplated by this Agreement.

8) Notices. Any notice which may be or is required to be given pursuant to the provisions of this Agreement shall be personally delivered, sent by certified or registered mail, by overnight delivery service, or by electronic mail as follows:

If to the City:

Carl S. DeForest, City Manager
4095 Center Road
Brunswick, Ohio 44212
cdeforest@brunswick.oh.us

With a copy to:

Kenneth J. Fisher, Law Director
Kenneth J. Fisher Co., L.P.A.
50 Public Square, Suite 2100
Cleveland, Ohio 44113
kfisher@fisher-lpa.com

If to the School District:

Michael Mayell, Superintendent

3643 Center Road
Brunswick, Ohio 44212
Mmayell@bcsoh.org

With a copy to:

Squire Patton Boggs (US) LLP
41 South High Street
2000 Huntington Center
Columbus, Ohio 43215
Attention: Matthew L. Sagone, Esq.
Email: matthew.sagone@squirepb.com

Delivery of the notice shall be deemed effective upon receipt. Either party hereto may change the notification address above by sending a notice in writing to the other party at the address set forth hereinabove of the new notice address.

9) Binding Effect. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, nominees and assigns. Each person executing this Agreement in a representative capacity warrants their authority to do so.

10) Entire Agreement. This Agreement shall constitute the entire agreement between the parties hereto. No oral understanding shall be of any effect. Any other understanding or changes of this Agreement must be in writing and signed by both parties hereto. Whenever any period of time is specified herein for the taking of any action or the giving of any notice, the period shall be computed by excluding the day upon which the period is specified to commence and including the last day of the period specified.

11) Miscellaneous. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio. The invalidity or unenforceability of any term or provision of this Agreement or the non-application of such term or provision to any person or circumstance shall not impair or affect the remainder of this Agreement, and its application to other persons and circumstances and the remaining terms and provisions hereof shall not be invalidated but shall remain in full force and effect. Time is of the essence in this Agreement in each and all of its provisions. Any extension of time granted for the performance of any duty under this Agreement shall not be considered an extension of time for the performance of any other right or obligation under this Agreement. Captions, titles to sections and paragraph headings used herein are for convenience of reference and shall not be deemed to a limit or alter any provisions hereof.

12) Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed an original copy and all of which, when taken together, will be deemed one and the same. Signatures or counterparts delivered by email, facsimile or other electronic means shall be deemed binding originals.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this Real Estate Transfer Agreement as of the dates indicated below.

CITY OF BRUNSWICK

BRUNSWICK CITY SCHOOL DISTRICT

Carl S. DeForest, City Manager

Date: _____

Rich Nowak, President

Date: _____

Mark Pepera, Treasurer

Date: _____

Approved as to form:

Kenneth J. Fisher, Law Director

EXHIBIT A

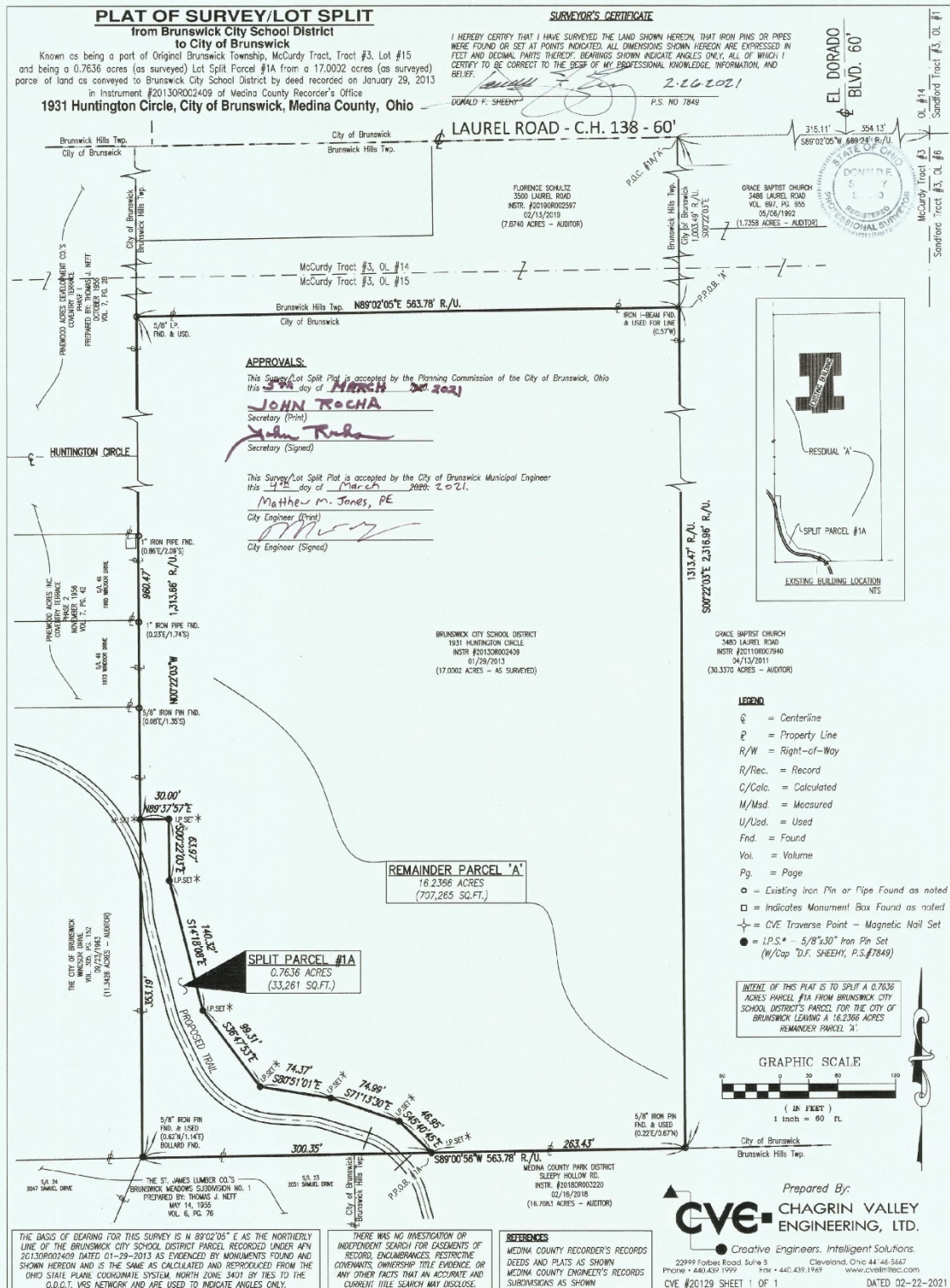


EXHIBIT B

LEGAL DESCRIPTION
0.7636 ACRES LOT SPLIT PARCEL #1A
FROM: BRUNSWICK CITY SCHOOL DISTRICT
TO: CITY OF BRUNSWICK
CITY OF BRUNSWICK, COUNTY OF MEDINA, OHIO

Page 1 of 2

Situated in the City of Brunswick, County of Medina and State of Ohio and known as being a part of Original Brunswick Township, McCurdy Tract #3, Lot #15 and being a **0.7636 acres (33,261 sq.ft.) Lot Split Parcel #1A** from the 17.0002 acres (as surveyed) Parcel of land as conveyed to the Brunswick City School District by deed recorded on January 29, 2013 in Instrument #2013OR002409 of Medina County Recorder's Office and further bounded and described as follows;

Beginning on the centerline of Laurel Road – C.H. 138 (60 feet wide) at the Northwestern corner of a 1.7358 acres (Auditor) parcel of land as conveyed to Grace Baptist Church by deed recorded on May 06, 1992 in Volume 697, Page 655 of Medina County Recorder's Office, said point being the Northeastly corner of Brunswick Hills Township and being South 89°02'05" West, distant 669.24 feet as measured along said centerline from the intersection with the Easterly line of said Original Lot #14 of said Township;

Thence **South 00°22'03" East**, along the Easterly line of said Brunswick Hills Township's line, the Westerly line of said Grace Baptist Church's land and the Westerly line of a 30.3370 acres (Auditor) second parcel of land as conveyed to said Grace Baptist Church by deed recorded on April 13, 2011 in Instrument #2011OR007940 of Medina County Recorder's Office, a distance of **2,316.96 feet** (5/8" iron pin found – 0.22'E/0.67'N) to the Southwesterly corner thereof on the Northerly line of a 16.7083 acres (Auditor) Parcel of land as conveyed to Medina County Park District by deed recorded on February 16, 2018 in Instrument #2018OR003220 of Medina County Recorder's Office, said line being the Northerly line of Brunswick Hills Township;

Thence **South 89°00'56" West**, along said Northerly line of Medina County Park District's land, Brunswick Hills Township line, a distance of **263.43 feet** to a 5/8" x 30" iron pin set (capped "D.F. Sheehy, S-7849) and the Principal Place of Beginning of the Premises herein intended to be described;

Course 1: Thence continuing **South 89°00'56" West**, along said Northerly line of Medina County Park District's land and the Northerly line of the "St. James Lumber Co's Brunswick Meadow Subdivision #1" as recorded in Plat Volume 6, Page 76 of Medina County Plat Records, a distance of **300.35 feet** (5/8" iron pin found w/bollard - 0.62'N/1.14'E) to the Southeasterly corner of a 11.3428 acres (Auditor) Coventry Terrace Phase 2-A as shown on the plat of "Pinewood Acres, Inc. Coventry Terrace Phase-2" as recorded in Volume 7, Page 42 of Medina County Recorder's Office as conveyed to the City of Brunswick by deed recorded on September 23, 1963 in Volume 305, Page 152 of Medina County Recorder's Office;

- Course 2:** Thence **North 00°22'03" West**, along the Easterly line of said Phase 2-A, City of Brunswick's land, a distance of **353.19 feet** to a 5/8" x 30" iron pin set (capped "D.F. Sheehy, S-7849);
- Course 3:** Thence **North 89°37'57" East**, perpendicular to said Easterly line of Phase 2-A, City of Brunswick's land, a distance of **30.00 feet** to a 5/8" x 30" iron pin set (capped "D.F. Sheehy, S-7849);
- Course 4:** Thence **South 00°22'03" East**, parallel with and at a perpendicular distance of 30.00 feet East of said Easterly line of Phase 2-A, City of Brunswick's land, a distance of **63.97 feet** to a 5/8" iron pin set (capped "D.F. Sheehy, S-7849);
- Course 5:** Thence **South 14°18'08" East**, a distance of **140.32 feet** to a 5/8" x 30" iron pin set (capped "D.F. Sheehy, S-7849);
- Course 6:** Thence **South 36°47'53" East**, a distance of **99.31 feet** to a 5/8" x 30" iron pin set (capped "D.F. Sheehy, S-7849);
- Course 7:** Thence **South 80°51'01" East**, a distance of **74.37 feet** to a 5/8" x 30" iron pin set (capped "D.F. Sheehy, S-7849);
- Course 8:** Thence **South 71°13'30" East**, a distance of **74.99 feet** to a 5/8" x 30" iron pin set (capped "D.F. Sheehy, S-7849);
- Course 9:** Thence **South 45°40'45" East**, a distance of **46.95 feet** to the Principal Place of Beginning and containing an area of **0.7636 acres (33,261 sq.ft.)** of land as surveyed, calculated and described from Medina County Recorder's Office according to a survey by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering Ltd., in January 2021, be the same more or less but subject to all legal highways and easements of record;

The **Basis of Bearings** for this legal description is **North 89°02'05" East** as the Northerly line of the Brunswick City Scholl District parcel under Instrument #2013OR002409 dated January 29, 2013 as evidenced by monuments found and shown hereon and is the same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network and are used to indicate angles only;

CVE #20129 - LS-1A
January 22, 2021 (jaw)
January 25, 2021 (bas)

EXHIBIT C

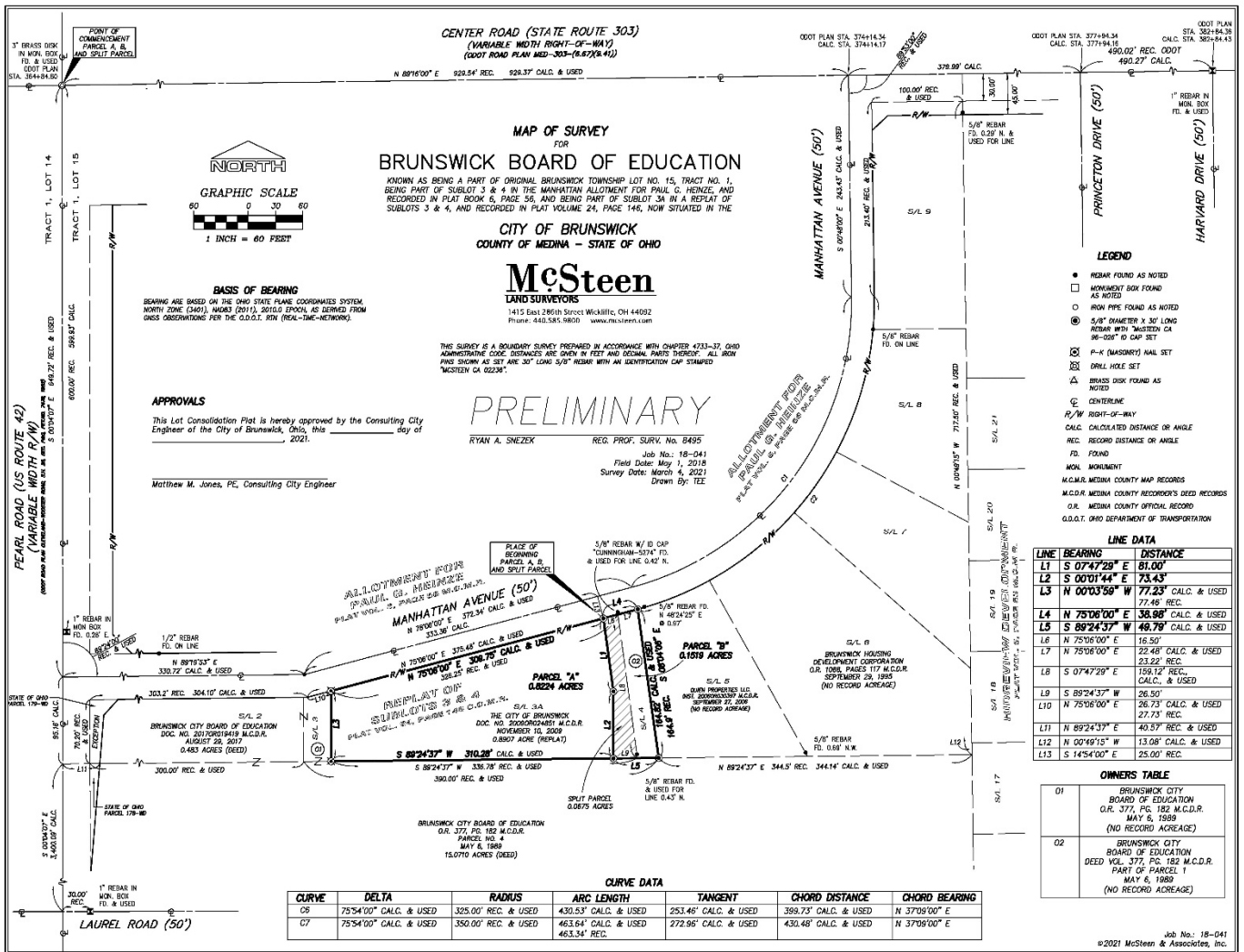


EXHIBIT D



Project No. 18-041
March 4, 2021

LEGAL DESCRIPTION Split Parcel Brunswick City Board of Education Brunswick, Ohio

Situated in the City of Brunswick, County of Medina, and State of Ohio, being part of Original Brunswick Township Lot No. 15, Tract No. 1, being part of Sublot 4 in the Manhattan Allotment for Paul G. Heinze, and recorded in Plat Book 6, Page 56, and being part of Sublot 3A in a Replat of Sublots 3 & 4, and recorded in Plat Volume 24, Page 146, and being part of a parcel of land conveyed to The City of Brunswick by deed recorded on November 10, 2009 in Document Number 2009OR024851 (0.8907 acres) of Medina County Recorder's Records, and more fully described as follows:

Commencing at a 3-inch brass disk in monument box (ODOT Plan Sta. 364+84.80) found on the westerly line of Lot 15, at the centerline intersection of Pearl Road (U.S. Route 42) (Variable Width Right-of-Way) and Center Road (State Route 303) (Variable Width Right-of-Way); Thence, South 00°-04'-07" East along the westerly line of Lot 15 and the centerline of Pearl Road, 649.72 feet to the centerline intersection of Pearl Road and Manhattan Avenue (50 feet wide); Thence North 89°-19'-53" East, along the centerline of Manhattan Avenue, 330.72 feet to an angle point; Thence North 78°-06'-00" East continuing along the centerline of Manhattan Avenue, 333.36 feet to a point; Thence South 14°-54'-00" East, 25.00 feet to an iron pin set on the southerly right-of-way of Manhattan Avenue, and being the **PLACE OF BEGINNING** of the parcel herein described;

Course No. 1: Thence **North 75° 06' 00" East**, along the southerly right-of-way line of Manhattan Avenue, **16.50 feet**; to the northwest corner of a land conveyed to Brunswick City Board of Education by deed recorded on May 6, 1989 in Deed Volume 377, Page 182 (part of Parcel 1) (No Record Acreage), (a 5/8-inch rebar with ID cap "Cunningham-5274" was found North 0.42 feet);

Course No. 2: Thence **South 07° 47' 29" East**, along the westerly line of said Board of Education Parcel, passing a 5/8-inch rebar at 158.69 feet, a total of **159.12 feet** to the northerly line of land conveyed to Brunswick City Board of Education by deed recorded on May 6, 1989 in Deed Volume 377, Page 182 (Parcel 4) (15.0710 acres);

Course No. 3: Thence **South 89° 24' 37" West**, along the northerly line of said Board of Education Parcel, **26.50 feet** to an iron pin set;

Page 1 of 2



Project No. 18-041
March 4, 2021

LEGAL DESCRIPTION
Split Parcel
Brunswick City Board of Education
Brunswick, Ohio

Course No. 4: Thence **North 00° 01' 44" West**, along a new split line, **73.43 feet** to an iron pin set at an angle point;

Course No. 5: Thence **North 07° 47' 29" West**, continuing along said new split line, **81.00 feet**, to the **PLACE OF BEGINNING**, containing **0.0675 acres**, more or less, but subject to all highways, covenants, and easements of legal record surveyed in March 2021 by Ryan A. Snezek, Registered Professional Land Surveyor No. 8495 on behalf of **McSteen Land Surveyors** under Project No. 18-041,

Bearing are based on the Ohio State Plane Coordinates System, North Zone(3401), NAD83 (2011), 2010.0 Epoch, as derived from GNSS Observations per the ODOT CORS/VRS Real Time Network. Distances are given in feet and decimal parts thereof. All iron pins shown as set are 30" long 5/8" rebar with an identification cap stamped "McSTEEN CA 02236".

Ryan A. Snezek
Registered Professional Land Surveyor No. 8495

PROPOSED LEGISLATION



DATE: 4/12/2021

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. 42-2021** - An emergency resolution supporting the proposed Pearl Road Reconstruction Project and urging State and Federal Legislators to support funding for the project. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

BACKGROUND: The reconstruction of 3.85 miles SR 42 proposed reconstruction of SR 42 from 1,450 feet north of Sleepy Hollow Road to Boston Road has been requested through the local Metropolitan Planning Agency NOACA and has been approved. The funding authorized is only a portion of what is needed to fully complete the reconstruction of the roadway. NOACA approved \$2,146,588 which is less than what is needed. With the proposed infrastructure bill being debated at the federal level, the Federal Transportation and Infrastructure Committee is considering the funding of specific projects. It is anticipated that an additional \$4,000,000 is needed to complete this project properly.

PURPOSE AND EXPLANATION: This resolution documents the support of the Brunswick City Council to perform a transformational project to solve a long term road repair and drainage improvements of SR 42. The intent is to obtain an additional \$4,000,000 in Federal Member Sponsored Funding in order to rehabilitate this State Route fully. The additional funding would be used to supplement the existing funds provided by NOACA and remain consistent with the existing scope of services. This additional funding will be used to increase the quantity of concrete base repairs, curb replacement, sidewalk installation and replacement along with storm water structure repairs.

IMPLEMENTATION

SCHEDULE: The request for additional funding is due April 14, 2021. Construction is expected to begin spring of 2022 and last through 2023.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The City anticipates local cost share for this project will be 20%. Local costs share are planned

to be funded out of the Capital Projects Road Improvement Fund #333 once City Council adopts sufficient appropriations for the project. The City is also in discussions to determine if ODOT grant funds can be used to help offset some of the local cost share for this project.

**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 the municipality, and for the further reason that potential funding for this project may be available with a deadline to request the funding by April 14, 2021.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 42-2021

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION SUPPORTING THE PROPOSED PEARL ROAD RECONSTRUCTION PROJECT AND URGING STATE AND FEDERAL LEGISLATORS TO SUPPORT FUNDING FOR THE PROJECT.

- WHEREAS: The proposed Pearl Road Reconstruction Project (the “Project”) is a transformational project relative to the reconstruction of 3.85 miles of Pearl Road/State Route 42 from 1,450 feet north of Sleepy Hollow Road to Boston Road, the estimated cost of which exceeds \$6,000,000.00;
- WHEREAS: The Northeast Ohio Areawide Coordinating Agency (“NOACA”), a metropolitan planning organization, has authorized funding for the Project in the amount of \$2,146,588.00, leaving a Project funding shortfall of approximately \$4,000,000.00;
- WHEREAS: This Resolution documents this Council’s support of the transformational Project, which will provide long-term road repair and drainage improvements, including, without limitation, an increase in the quantity of: (a) concrete base repairs; (b) curb replacements; (c) sidewalk installations and replacements; and (d) stormwater structure repairs;
- WHEREAS: With the proposed infrastructure bill being debated at the federal level, the Federal Transportation and Infrastructure Committee is considering funding of specific projects; and
- WHEREAS: It is the intent of this Resolution to obtain Federal Member Sponsored Funding in the amount of \$4,000,000.00 to fully and properly fund the transformation Project.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:
- SECTION 1: This Council hereby fully supports the proposed transformational Project and urges State and Federal Legislators to support funding for the Project in an additional amount of \$4,000,000.00.
- SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary as State and Federal legislative funding decisions are imminent. 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