



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

**JUNE 14, 2021
In Council Chambers
At 7:30 PM**

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Minutes
 - (a) Regular Council Meeting Minutes dated May 24, 2021.
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending May 2021 will be posted on the website and added to the minutes for the record;
 - (b) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:
 - Economic Development Committee.....Mr. Hanek
 - Economic Development Committee Meeting Minutes dated March 16, 2021
 - Services, Utilities, Technology & Cable Committee.....Mr. Abella Jr.
 - Services, Utilities, Technology & Cable Committee Meeting Minutes dated January 25, 2021
 - Services, Utilities, Technology & Cable Committee Meeting Minutes dated April 12, 2021
 - Services, Utilities, Technology & Cable Committee Meeting Minutes dated April 26, 2021
 - Finance Committee.....Mrs. Hanek
 - Finance Committee Meeting Minutes dated April 26, 2021

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

Safety & Environment Committee Meeting Minutes dated April 12, 2021

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

Planning & Zoning Committee Meeting Minutes dated December 14, 2020

Planning & Zoning Committee Meeting Minutes dated April 12, 2021

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

Parks, Recreation & Community Committee Meeting Minutes dated January 25, 2021

Parks, Recreation & Community Committee Meeting Minutes dated April 26, 2021

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

8. Other Boards and Commissions

(a) Planning & Zoning Committee and Economic Development Committee Joint Meeting Minutes dated November 17, 2020

(b) Planning & Zoning Committee and Economic Development Committee Joint Meeting Minutes dated January 19, 2021

(c) Committee of the Whole Meeting Minutes dated April 12, 2021

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd 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. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 33-2021 - An ordinance amending Chapter 1270 of the City of Brunswick Codified Ordinances.- **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 34-2021 - An ordinance establishing Section 1274.09(k) of the City of Brunswick Codified Ordinances. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

ORD. NO. 35-2021 - An ordinance amending Section 1280.06 of the City of Brunswick Codified Ordinances. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 47-2021 - An ordinance amending Section 220.01(a) of the Codified Ordinances of the City of Brunswick.- **3rd Reading** (Committee-of-the-Whole, *Administration/Fijabi Gallam*)

RES. NO. 48-2021 - An emergency resolution approving a petition for special assessments for Special Energy Improvement Projects and a project plan for the Medina County Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Brunswick in cooperation with the Medina County Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

RES. NO. 49-2021 - An emergency resolution authorizing the City Manager to enter into an Energy Project Agreement with City of Medina Energy Special Improvement District, INC. DBA County of Medina Energy Improvement District, INC. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

RES. NO. 50-2021 - An emergency resolution declaring it necessary to make certain energy improvements at property in the city by replacing and installing LED lighting, together with all necessary appurtenances thereto. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

b. 2nd Reading(s)

ORD. NO. 54-2021 - An emergency ordinance determining to proceed with certain Medina County Energy Improvement District Projects by way of Special Assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code. - **2nd Reading** (Economic Development Committee, *Administration/Grant Aungst*)

ORD. NO. 55-2021 - An emergency ordinance levying special assessments for the Special Energy Improvement Project. - **2nd Reading** (Economic Development Committee, *Administration/Grant Aungst*)

ORD. NO. 56-2021 - An emergency ordinance authorizing the transfer of the remaining balance in the Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund to the General Obligation Bond Retirement Fund. - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 57-2021 - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2022, through December 31, 2022. - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

c. 1st Reading(s)

RES. NO. 62-2021 - A resolution authorizing the City Manager to enter into a sponsorship and service agreement with Southwest General Health Center Relative to the Brunswick Community Recreation and Fitness Center. - **1st Reading** (To be brought from Parks, Recreation and Community Committee, *Administration/John Piepsny*)

RES. NO. 63-2021 - A resolution authorizing the City Manager to enter into a lease agreement with Southwest General Health Center for a portion of the Brunswick Community Recreation and Fitness Center. - **1st Reading** (To be brought from Parks, Recreation and Community Committee, *Administration/John Piepsny*)

ORD. NO. 64-2021 - An emergency ordinance approving the final plat for the Vicky Drive Extension (Overlook Pointe) Development, subject to final engineering approval and any other conditions imposed by Council. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, May 24, 2021

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:00 p.m. at the Municipal Complex.

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

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

Michael Abella Jr. moved to excuse Councilman Anthony Capretta with just cause, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Correspondence:

There was none.

Approval of Minutes:

Michael Abella Jr. moved to approve the Regular Council Meeting Minutes dated May 10, 2021, as written, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Mayor's Report:

There was none.

Clerk of Council's Report:

Clerk of Council Fijabi Gallam announced that the Council's office has a new Assistant Clerk of Council name Elana Green. She added that Mrs. Green would be at any meetings that she is not able to make.

Council Committee Reports:

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

Mr. Hanek had no formal reports this evening.

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

Mr. Abella Jr. had no formal reports this evening.

Finance Committee.....Mrs.Hanek:

Mrs. Hanek had no formal reports this evening.

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

Mrs. Zak had no formal reports this evening.

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

Mr. Delsanter had no formal reports this evening.

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

Mrs. Zak had no formal reports this evening.

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

Brian Ousley moved to approve the Building & Building Code Committee Formal Report dated December 14, 2021, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

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. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

Michael Abella Jr. moved to adopt Ordinance Number 27-2021, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

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. - **3rd Reading** (Planning and Zoning Committee, *Administration/Grant Aungst*):

Joseph Delsanter moved to adopt Ordinance Number 28-2021, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

ORD. NO. 29-2021 - An ordinance amending the Design Guidelines for the Southeast Neighborhood of the Brunswick Town Center Special Planning District No. 2. - **3rd Reading**

(Planning and Zoning Committee, *Administration/Grant Aungst*):

Joseph Delsanter moved to adopt Ordinance Number 29-2021, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

ORD. NO. 43-2021 - An ordinance authorizing the City Manager to forward a petition for detachment to the Medina County Commissioner's office for the purpose of adjusting the city boundary lines to include an annexation into the City of Brunswick. - **3rd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*):

Michael Abella Jr. moved to adopt Ordinance Number 43-2021, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

2nd 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. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 32-2021 - Mr. Delsanter moved this ordinance to third reading.

ORD. NO. 33-2021 - An ordinance amending Chapter 1270 of the City of Brunswick Codified Ordinances. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 33-2021 - Mr. Delsanter moved this ordinance to third reading.

ORD. NO. 34-2021 - An ordinance establishing Section 1274.09(k) of the City of Brunswick Codified Ordinances. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*):

ORD. NO. 34-2021 - Mr. Abella Jr. moved this ordinance to third reading.

ORD. NO. 35-2021 - An ordinance amending Section 1280.06 of the City of Brunswick Codified Ordinances. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 35-2021 - Mr. Delsanter moved this ordinance to third reading.

ORD. NO. 47-2021 - An ordinance amending Section 220.01(a) of the Codified Ordinances of the City of Brunswick. - **2nd Reading** (Committee-of-the-Whole, *Administration/Fijabi Gallam*):

ORD. NO. 47-2021 - Mr. Abella Jr. moved this ordinance to third reading.

RES. NO. 48-2021 - An emergency resolution approving a petition for special assessments for Special Energy Improvement Projects and a project plan for the Medina County Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Brunswick in cooperation with the Medina County Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*):

RES. NO. 48-2021 - Mr. Abella Jr. moved this resolution to third reading.

RES. NO. 49-2021 - An emergency resolution authorizing the City Manager to enter into an Energy Project Agreement with City of Medina Energy Special Improvement District, INC. DBA County of Medina Energy Improvement District, INC. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*):

RES. NO. 49-2021 - Mr. Abella Jr. moved this resolution to third reading.

RES. NO. 50-2021 - An emergency resolution declaring it necessary to make certain energy improvements at property in the city by replacing and installing LED lighting, together with all necessary appurtenances thereto.-**2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*):

RES. NO. 50-2021 - Mr. Abella Jr. moved this resolution to third reading.

RES. NO. 53-2021 - A resolution declaring use of E-Cigarettes and Vaping products by our youth as a Public Health Crisis; declaring the month of May 2021 as Youth Tobacco Prevention Month in the City of Brunswick; and declaring May 28, 2021 as Youth Tobacco Prevention Day in the City of Brunswick. - **2nd Reading** (Committee-of-the-Whole, *Administration/Michael Abella Jr.*):

{Clerk notes: Mr. Abella called point of order and requested to rescind his motion to move for Resolution Number 53-2021 to third reading and instead move Resolution Number 53-2021 to reflect the recognition of Youth Tobacco Prevention Day on May 28, 2021, in the City of Brunswick. The Clerk reread RES. NO. 53-2021.}

Michael Abella Jr. moved to suspend the rules, seconded by Patricia Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Michael Abella Jr. moved to adopt Resolution Number 53-2021, seconded by Patricia Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

1st Reading(s)

ORD. NO. 54-2021 - An emergency ordinance determining to proceed with certain Medina County Energy Improvement District Projects by way of Special Assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code. - **1st Reading** (To be brought from Economic Development Committee, *Administration/Grant Aungst*):

ORD. NO. 54-2021 - Mr. Abella Jr. moved this ordinance to second reading.

ORD. NO. 55-2021 - An emergency ordinance levying special assessments for the Special Energy Improvement Project. - 1st Reading (To be brought from Economic Development Committee, *Administration/Grant Aungst*):

ORD. NO. 55-2021 - Mr. Hanek moved this ordinance to second reading.

ORD. NO. 56-2021 - An emergency ordinance authorizing the transfer of the remaining balance in the Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund to the General Obligation Bond Retirement Fund. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

ORD. NO. 56-2021 - Mr. Hanek moved this ordinance to second reading.

ORD. NO. 57-2021 - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2022, through December 31, 2022. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

ORD. NO. 57-2021 - Mrs. Hanek moved this ordinance to second reading.

ORD. NO. 58-2021 - An emergency ordinance amending ordinances #85-2020, #13-2021 and #45-2021 to include amendments to the Appropriation Budget for the year ending December 31, 2021, as incorporated in exhibit "A" attached hereto. - **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved to suspend the rules, seconded by Valerie Zak. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Patricia Hanek moved to adopt Ordinance Number 58-2021, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

RES. NO. 59-2021 - An emergency resolution setting aside local funds in an amount not to

exceed \$175,000 from the Parks City-Wide Capital Improvement Fund #341 for the inclusive/accessible playground project - **1st Reading** (To be brought from Park, Recreation & Community Committee, *Administration/Todd Fischer*):

Valerie Zak moved to suspend the rules, seconded by Patricia Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Valerie Zak moved to adopt Resolution Number 59-2021, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

RES. NO. 60-2021 - An emergency resolution authorizing the City Manager to enter into an agreement with Marks Construction, Inc. for the Plum Creek Greenway Phase I Project in an amount not to exceed \$444,909.00. - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/Matt Jones*):

Valerie Zak moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Valerie Zak moved to adopt Resolution Number 60-2021, seconded by Patricia Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

RES. NO. 61-2021 - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, Inc. for the 2021 Concrete Repair Program in an amount not to exceed \$187,640.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

Michael Abella Jr. moved to suspend the rules, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Michael Abella Jr. moved to adopt Resolution Number 61-2021, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

City Manager's Report:

City Manager Carl DeForest

- Reminded everyone that the City's offices would be closed, on May 31, 2021, in observance of Memorial Day. Mr. DeForest asked everyone to take a moment that day to

remember the men and women who fought and died for the United States of America.

- Added that City Hall is expected to reopen to the public, on June 2, 2021. Mr. DeForest encouraged people that are not immunized to wear a mask when they are in City buildings; however, it is not mandated. Mask would be available if a person chooses to wear one because they forgot one. There are additional sanitizing stations throughout the building.
- Noted that the City Manager's office would start issuing solicitors permits on May 24, 2021. The ordinance for solicitor permits was updated in October 2020. Mr. DeForest added that there are *No Solicitors* signs available for the public in the lobby of City Hall.
- Reminded everyone that the tornado siren testing is on the first Saturday every month at noon. Mr. DeForest asked the public to notify the City if they are near a siren and don't hear the alarm. The City would need to get it checked and repaired.
- Remarked that the next Council Meeting is on Monday, June 14, 2021, on Flag Day.

Unfinished Business:

Councilman Brian Ousley wanted Mr. DeForest to confirm that there would not be a parade and the ceremony would be held at Westview Cemetery.

Mr. DeForest remarked that the VFW and the American Legion asked the City to notify the public that the Westview Ceremony is expected to be a small gathering - about 40 people. The City is providing the sound system and the chairs. Mr. DeForest explained that there is no parade. The VFW and the American Legion are discouraging people from coming to the ceremony because of the high-risk people that would be in attendance.

Councilman Michael Abella Jr. reminded the City Manager to make sure the landscaping company is getting the two cemeteries in the city ready for Memorial Day.

New Business:

Consideration of a new liquor permit for Baskets Galore LLC DBA Basket Galore, Brunswick, at 95 Pearl Road.

Consideration of a new liquor permit for Bob Evans Restaurants LLC DBA Bob Evans Restaurant #266, Brunswick, at 3198 Center Road.

There were no objections from the Administration and the City Council.

Adjournment:

Michael Abella Jr. moved to adjourn, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian

Ousley. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:22 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

June 1, 2021

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

WAIVERS/COURT/BONDS

DEPOSITS (May) 34,109.26

DEBITS (May) (34,674.26)

Checks to be written in May:

Treasurer State of Ohio	\$ 5,958.00
City of Medina MIATF	\$ 100.00
City of Medina IDATF	\$ 160.00
City of Brunswick Finance Dept/Police Fund *	\$ 27,556.26
Misc.Checks (bond refunds & transfers/restitution)	\$ 900.00
TOTAL for the month	\$ 34,674.26

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

Service Charges/Fees for prior month	\$333.62
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MAYOR RONALD FALCONI



TERESA BENO, CLERK OF COURTS

ECONOMIC DEVELOPMENT COMMITTEE

March 16, 2021

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Joseph Delsanter, Committee Member Patricia Hanek, Community & Economic Development Director Grant Aungst, Council Clerk Fijabi Julien-Gallam.

The virtual meeting convened at 5:35 p.m.

GENERAL DISCUSSION:

Mr. Delsanter made a motion to excuse Councilwoman Hanek for just cause. Vote 2 Ayes, 0 Nays.

Mr. Hanek introduced Mr. Aungst from City Administration to provide updates.

Mr. Aungst reported that a lot of time has been spent on ordinances to build the comprehensive plan. A meeting is scheduled for March 22, 2021 to discuss the Special Planning District Brunswick Town Center that enables them to move forward to improve the application of business and use for the community. They would also work on defining small box discount stores, as clarification is necessary before exploring other options. There would also be a discussion about removing Section 1266.04(e) (f) which is the 40,000 square feet of retail in the industrial space, because industrial space is needed. There is not a need for retail although it is necessary in the industrial corridors. Industrial companies want manufacturing, corporate offices, manufacturing and suppliers. The return on the investment from the city's perspective is greater in the industrial area than the commercial area. There is an auction on March 18, 2021 on some land on 303 and I-71, there are 10 acres of land that could be developed. No one in particular has shown interest in the land at this time, although there has been interest. The current owner of the land does intend to sell either at this auction or sometime soon.

Mr. Aungst provided updates from the Planning Commission; Ohio Peterbilt would be retuning this week to finish up some work on their property at Industrial Parkway North, Lowbrow Customs is proposing to double the size of their building and Armbruster Moving & Storage is proposing to add 25-26 thousand square feet to their building. Klassic Deck, located next to the Kia dealership is coming along with their addition. Bank of America is going in where Pizza Fire was previously located on 303. This is important because they are one of the top banks in the world. Meijer is doing a lot of site work, getting things ready to build their 150,000 square feet facility on Center Road. This would bring in 300 potential job opportunities both full time and part time. Marc's is moving forward and the plaza would be renamed. They have already been in front of the (BZA) Board of Zoning Appeals for variances relief on signage because the building sits far back from the road. Burger King is going to tear down their existing building and replace it with a new building including updated signage. The new building is not going to have a play area. Their footprint and parking areas would be smaller thus allowing for more greenspace. They would also have a double drive-thru lane. Jiffy Lube is open and looks attractive and is not intrusive to the neighbors. A couple of other companies are looking to expand and the plans are coming along in retail markets. Here in Medina County, particularly Brunswick, local

businesses are well supported. Manufacturing is doing very well and more space is needed. They are also looking to hire and to pay is good wages with growth potential within the company.

Mr. Aungst said they are consistently looking at the codifieds and looking to understand them. There would be continued updates, revisions and improvements in a number of areas. This is important to increase the quality of our commercial and industrial corridors and how those messages are being delivered to our community members. With the housing developments coming in and continuing to add high value to the community it is important to reinvest in the community, which aids in economic development. He further stated that looking at a number of properties for code compliance is necessary in order for all residents to be compliant. Discussions are also taking place with property owners on Pearl Road who may be looking for some new developments and this could be a wide range of possibilities. Baskets Galore on Pearl is a good looking building. The business started in the owner's basement and continued to grow from there. It is nice to have them here.

Mr. Hanek stated that this was a very positive report.

Mr. Delsanter asked if there have been any inquiries regarding office buildings. Mr. Aungst said they have quite a few in the Industrial Parkways. There is always a need for more Industrial land which helps from a city, jobs and revenue perspective, to help the community members, help the roads and infrastructure. There is some land for development although not all of it is for sale at this time. Some companies are looking for 20-50 acres to have room for growth but large parcels are not available. There are generally 3-10 acre parcels available. Mr. Aungst further stated that buildings are being purchased. The current trend is to buy not lease property because this would mean having a real asset just like people are more interested in buying homes today. Almost all of our buildings are filled.

Mr. Delsanter made reference to the land along Carquest Drive. Mr. Aungst stated that there had been very high interest in that area, but there is a difference between land and usable land. He further stated that you could do almost anything with land but the real question is how much money you want to spend. Mr. Delsanter stated that it is hoped that the type of incomes those businesses attract would be the level of income that would boost the city's tax base. At this point there has not been an agreement made with our neighbors that would help the region to take advantage of the hotspot that Brunswick is. It would be nice to get business notoriety by having large corporations come into the City. Mr. Aungst assured Mr. Delsanter that he understood his concerns and stated that the takeaways are that focusing on manufacturing is key because industry pays more of the bills than retail, although retail is an important factor, and by focusing on smaller businesses that may have 30-50 employees it is noted that they bring in more tax revenue than a larger building with only ten employees. The focus is on quality not quantity. Some of our business have 250 employees. Many businesses in this area give back to the community and many work here and live here. Mr. Delsanter asked for the status on Tinnerman. Mr. Aungst said that the building would be up for sale, and hopefully it would go to a manufacturer or someone with a lot of employees. The Tinnerman office would remain in Brunswick.

Mr. Hanek stated that he is very encouraged by the legislation to further define the industrial areas because he feels it helps to drive retail to places where they may be needed.

Mr. Delsanter inquired if the property owners would be willing to go along with the plans to incorporate new landscaping and parking lot enhancements where Marc's is moving into the larger facility. Mr. Aungst stated that this has already been discussed and plans are moving forward. The property owners also stated that it would be nice if there was a restaurant between Wendy's and Chase Bank. When Marc's moves to the new building they will only take a portion of the building and there will be room for two additional retailers between the location of the old Kmart and the current Marc's.

Mr. Hanek asked if the owners of the Kmart plaza are aware of the potential there. Mr. Aungst said yes, they are a real estate trust and they are positive about the potential although they have to discuss their plans with their board of directors and as they receive more education they will know how to move forward.

Mr. Delsanter confirmed that Mr. Hanek was referring to the Overlay Project. He also asked if Judd's Auto Repair would be able to stay in their location. Mr. Aungst said yes they would be staying.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:00 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M Hanek', with a stylized flourish at the end.

Nicholas Hanek
Chairman

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

January 25, 2021

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Anthony Capretta, Nicholas Hanek, Committee Member Brian Ousley, Valerie Zak, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Law Director Ken Fisher, Assistant Clerk of Council Holly Quellos, Police Chief Brian Ohlin, Jim Love, News Media.

The meeting convened at 6:37 p.m.

DISCUSSION ITEMS:

RES.NO. 4-2021 An emergency resolution authorizing the City Manager to execute all necessary documents to accept the 2021 energized community grant from NOPEC in the amount of \$84,986.00. **1st Reading** (To be brought from Service, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

RES NO. 5-2021 – A resolution authorizing the city Manager to purchase a new branch chipper for the Service Department from Vermeer All Roads in an amount not to exceed \$59,280.00. – **1st Reading** (To be brought from Service, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

Mr. Abella raised the first discussion item and invited Mr. Barnett to speak on RES. NO. 4-2021. Mr. Barnett stated this year the city would receive \$84,986.00 from NOPEC. This would be the fourth year that the city has received grants from NOPEC. This goes to all NOPEC communities. He anticipated using this money and some funds that were left over from last year to do HVAC replacements similar to what was done in the year 2020. That information would be forthcoming. This is just to accept the grant from NOPEC.

Mr. Capretta asked if Mr. Barnett wanted a motion with suspension of the rules. Mr. Abella replied yes.

Mr. Capretta made a motion to move RES NO. 4-2021 to tonight's City Council agenda as an emergency with suspension of the rules. Vote -3 Ayes, 0 Nays.

Mr. Abella raised RES NO. 5-2021 which is to purchase a new branch chipper for the Service Department from Vermeer All Roads in an amount not to exceed \$59,280.00. Mr. Barnett stated that a branch chipper was replaced in 2019 and by adding this one there would be three reliable branch chippers. Currently one of the chippers is generally down for repair. This new chipper is very similar to the model purchased last time which would be effective because the parts are interchangeable and

replacement parts are the same. This would be purchased through the Straight State Procurement System so no bid is needed, the State Government has already bid on this.

Mr. Abella said this looks like it is coming out of Storm Water Improvement Fund, and asked if that is the case. Mr. Barnett stated that yes this has always come out of this fund as part of the storm water project, because this gets the branches out of the roadways, storm sewer systems and ditches where they would cause severe problems

Mr. Capretta asked if this is part of the residential payments, and if this has been paid out of these funds for years? Mr. Barnett said yes. Mr. Capretta asked for clarification that the chippers are used to protect the sewers and storm water flow. Mr. Barnett reiterated that when the branches go into ditches it causes overflow.

Mr. Ousley noted that the service department spends twice a year picking up branches when residents clean their yard. He does not feel that the chippers are used very often to clean branches from storm ditches and believed that the chippers sit most of the time. He stated that branch chipping is a service for our community and he felt that Storm Water Funds have been misused for purchasing a chipper to collect branches from resident's homes and this is a capital budget item. He believed the money could be put to better use for a big project. Mr. Barnett responded that it is a tradeoff. The trucks, the boxes, and the support vehicles are not charged to the Storm Water Fund. The chipper is charged 100% to the storm water issues. It is possible to apply the depreciation of the vehicles to this fund as well, but that is a nightmare that should be avoided for the Accounting Department. Ryan Lutz's truck is used for half of the visits that he makes throughout the city regarding storm water, so half of his truck and half of his salary could go to the Storm Water Fund. Very few capital charges are made to the Storm Water Fund. There are only 3 types of equipment that are charged to the Storm Water Fund; the chipper, the truck and the van with the camera, so less is being charged compared to what could be charged. Time, support vehicles and manpower are not charged to the Storm Water Fund. Mr. Ousley asked if the chipper was coming out of two funds because it is showing Storm Water Improvement 224 and Capital Sub Fund 963, is there a split? Mr. Barnett stated that Mr. Fischer does not charge at all to the Storm Water Fund, and he separated it, which is how he has budgeted it.

Mr. Delsanter asked how many other capital items are being funded by Storm Water. Mr. Barnett said every 8-10 years a vac truck is purchased (\$300,000) which is used for hydro excavation down to a storm sewer to be repaired and is used to clean the storm sewers. A van with a robotic camera is used along with this truck which also comes out of the Storm Water Fund. Mr. Delsanter stated that it is a fund designed to deal with the impact cost related to storm water. He does not have an issue with the funding. Mr. Barnett said that Mr. Fischer used capital money for this chipper because throughout the year it is used for trees on City property that are not associated with storm water. The Parks Department borrow the chipper and the trucks when they have to remove a tree in the parks so the equipment is shared with them.

Mr. Abella said it is a little bit of a stretch and Mr. Fischer may feel this way which may be the reason he has divided the purchase through two funds. This has been done in the past and it is a service to the residents. A lot has been done with the Storm Water Fund through the years, large projects and helping residents. Depleting the Storm Water Fund concerns him because then you would have to go to the General Fund. He wants to continue to fund projects with the Storm Water Fund to help our residents.

Mr. Delsanter asked if maintenance work would be done on the road surfaces in the cul-de-sac on Truman. Mr. Barnett said that the program has not been put together yet but is slated for February. It will depend on citywide as a whole. It is anticipated that Wards 1 and 2 will have a resurfacing project. The funds would be split between those two wards. Wards 3 and 4 will have the concrete panel replace program. The funds would be split between those two wards. In the year 2022 the process would be flipped. The purpose is to decrease the amount of mobilization and it would be better pay for concrete and asphalt thereby using the funds wisely.

Mr. Capretta made a motion to move RES NO. 5-2021 to tonight's City Council agenda for three Readings. Vote -3 Ayes, 0 Nays.

GENERAL DISCUSSION:

None.

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 6:53 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

April 12, 2021

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Anthony Capretta, Patricia Hanek, Joseph Delsanter, Nicholas Hanek, Valerie Zak, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Council Clerk Fijabi Julien-Gallam, Rebecca Parkhurst, Clara Varndell, City Engineer Matt Jones, Finance Director Todd Fischer, News Media.

The meeting convened at 6:02 p.m.

DISCUSSION ITEMS:

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

Mr. Barnett remarked this is the time of year that ODOT puts their bids in, so a request is being made with suspension of the rules. Last year the city solicited 3,000 tons and would do the same this year. Mr. Barnett anticipated committing to 2,500 tons so this request would prevent him from having to submit a new request late in the season.

Mr. Capretta moved RES NO. 36-2021 to tonight's Council Agenda as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

RES NO. 37-2021 – A resolution authorizing city manager to enter into an agreement with Construction King Incorporated for the 2021 asphalt road program in the amount not to exceed \$1,150,250.00. **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

Mr. Jones said this is for the Asphalt Road Program and the scope of work is similar to the modified work of 2020 meaning there would be no full scale milling of the roads. It would be a chip seal inner layer, a one and a half inch asphalt overlay, and a chip and mastic wearing course. This work would be done in Wards 1 and 2 this year in a rotating system year to year. The work in Ward 1 would be primarily in the Valley Forge neighborhood, and the work in Ward 2 would be in the poet streets neighborhood. He reiterated that the bid came in for \$1,150,250.00 which was below the estimate. Last year's numbers was the basis for the amount anticipated.

Mr. Capretta moved to excuse Mr. Ousley for just cause. Vote – 3 Ayes, 0 Nays

Mr. Abella asked if his understanding was correct regarding the Asphalt and the Concrete Projects being broken up by Wards, it appeared that Wards 3 and 4 would get the panels and Wards 1 and 2 are getting the asphalt. Mr. Jones confirmed that this is correct. Mr. Abella asked if there was anything left in reserve in case an emergency panel would be needed. Mr. Jones assured Mr. Abella that there would be provisions in case of an emergency and as stated this proposed amount is below the budget. Mr. Abella said he does not want to have to tell a resident it's not their year when a repair is needed.

Mr. Capretta moved RES. NO. 37-2021 to tonight's Council Agenda 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 6:09 p.m. Vote – 2 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

April 26, 2021

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Anthony Capretta, Joseph Delsanter, Nicholas Hanek, Patricia Hanek, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Parks & Recreation Director John Piepsny, Service Director Paul Barnett, Arthur Elk, Rand Nolen, Jay Kelley, Council Clerk Fijabi Julien-Gallam, Residents, News Media.

The meeting convened at 6:07 p.m.

DISCUSSION ITEMS:

RES NO. 44-2021 – An emergency resolution authorizing the City Manager to enter into an agreement with CCG Automation Incorporated for the replacement of the HVAC unit that servicing a portion of City Hall in the amount not to exceed \$239,682.00.

Mr. Barnett noted that half of the HVAC system was replaced last year and this is for the other half of the building. Since 2018 the NOPEC annual grants have been received and used for HVAC replacement, fire station doors, windows and control upgrades. The funding is \$93,000 short of the \$239,632.00 to cover this with the grant. The rest would come out of the capital fund. NOPEC grants covers the majority of the cost. The new unit would be purchased from CCG Automation Incorporated and would match the existing unit and parts would be interchangeable. This is being purchased through the Ohio Cooperative Purchasing Program. The State has already bid this out. Mr. Barnett is requesting emergency and suspension of the rules because as stimulus money becomes available it is anticipated that the lead time on purchases especially anything with metal would increase.

Mr. Capretta moved this resolution to tonight's Council Agenda of April 26, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Capretta asked about when branch chipping and downed trees would be taken care of. Mr. DeForest said would be taken care of this week.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 6:12 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

FINANCE COMMITTEE MEETING

April 26, 2021

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Valerie Zak, Committee Member Joseph Delsanter, Anthony Capretta, Michael Abella Jr., Nicholas Hanek, Brian Ousley, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Parks & Recreation Director John Piepsny, Service Director Paul Barnett, Arthur Elk, Rand Nolen, Jay Kelley, Council Clerk Fijabi Julien-Gallam, Residents, News Media.

The virtual meeting convened at 5:56 p.m.

DISCUSSION ITEMS:

ORD NO. 45-2021 – An emergency ordinance amending ordinances #85-2020 and #13-2021 to include amendments to the Appropriation Budget for the year ending December 31, 2021, as incorporated in exhibit “A” attached here to. **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*)

Mr. Fischer provided information on this ordinance. The total impact of the budget amendments is an increase of \$5,897,777.05. A \$1 million plus is associated with three new grants the City received, a \$500,000 Oho Trail grant for Phase 2 of the trail, \$500,000 grant received through Senate Bill 310 through the state of Ohio budget bill for flood mitigation grant on Healey Creek, \$17,000 plus from Department of Justice to purchase encryption bypass equipment to help with investigations. \$880,000 for the local recommended set aside budget for the Pearl Road improvement project, looking to obtain \$6.4 million outside grant funding for the project. Appropriation of \$632,000 plus for the Brunswick Lake fund based on previous ordinance approved at the last meeting by council to expand the purpose of the Brunswick Lake fund for connectivity and accessibility of Brunswick Lake Park. This should help with completing Phase 3 of the trail which is to take us from Plum Creek with Brunswick Lake connecting all the way through. \$2.5 million in transfers and advances associated with the grants just discussed or completion of older grants which is in the next piece of legislation. Mr. Fischer is looking for emergency and suspension of the rules, so that he could get things going and in place.

Mr. Delsanter moved this ordinance to tonight’s Council Agenda of April 26, 2021, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

ORD NO 46-2021 – An emergency ordinance to transfer and advance funds. **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

Mr. Fischer reported that this transfer in advance ordinance takes place once or twice a year, \$500,000 from general fund for capital improvement fund. This is be needed for a match to obtain the Healey

Creek flood mitigation grant, if not needed then once final the funds would be used for future improvements, the other are all for advances; \$500,000 to advance the money until the City gets reimbursed for Phase 2 of the grant, \$500,000 to advance until the City gets reimbursed for the Healey Creek grant, \$17,000 plus until reimbursed for the Department of Justice grant, \$200,000 for Parks Citywide Capital Improvement Fund back to the General Fund as a result of the completion of the Plum Creek Restoration Conservation and Flood Control Project that was done off Center Road> Mr. Fischer is looking for an emergency and suspension of the rules so that he could get things going and in place.

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

GENERAL DISCUSSION:

Mr. Fischer provided an update on the American Rescue Plan. The rules and regulations have yet to be released. Funds are expected to be received but their rules and regulations are not available at this time through the U.S. Department of Treasury and the Office of Budget Management for the State of Ohio. A webinar is scheduled for tomorrow with the OML Group and the other on Thursday with The Office of Budget Management. It may just be a mere update.

Mr. Delsanter asked if Mr. Fischer had been reviewing bond positions and if there are any opportunities for bonds to be rolled over.

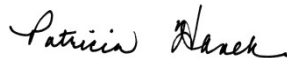
Mr. Fischer said that one bond could be refinanced and the other one is up in 2022. His current plan is to refinance the entire package at one time to save on bond council cost and underwriting cost. He wanted to negotiate a fixed price rather than percentage of par. He has been talking with prospects. His current plan is to wait until 2022.

Mr. Delsanter thanked him for the information

ADJOURNMENT:

Being no further business, Mrs. Zak moved to adjourn at 6:06 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Patricia Hanek
Chairwoman

SAFETY & ENVIRONMENT COMMITTEE MEETING

April 12, 2021

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Valerie Zak, Patricia Hanek, Joseph Delsanter, Nicholas Hanek, , Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Council Clerk Fijabi Julien-Gallam, Rebecca Parkhurst, Clara Varndell, City Engineer Matt Jones, Finance Director Todd Fischer, News Media.

The meeting convened at 6:00 p.m.

DISCUSSION ITEMS:

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*

Carl DeForest explained this is for vehicle maintenance. The Police Department is looking to sign a three year contract (due to the cost exceeding \$25,000 per year) for three readings and pass an emergency because the current contract with All Care Automotive would expire on June 8, 2021. The committee received two bids and the lowest and best submission is from Total Performance Services.

Mr. Capretta asked if there were any questions.

Mr. Abella asked if this was an amendment. Mr. DeForest said yes. Mr. Abella moved this RES. NO. 38-3021 to tonight's Council Agenda of April 12, 2021, as an emergency with three readings with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

None.

ADJOURNMENT:

Being no further business, Mrs. Zak moved to adjourn at 6:02 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta
Chairman

PLANNING AND ZONING COMMITTEE

December 14, 2020

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, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Media, Assistant Clerk Holly Quellos.

Meeting convened at 6:21 p.m.

DISUSSION ITEMS:

ORD No. 102-2020 – An ordinance amending Section 1242.02(32)(e) of the Codified Ordinances of the City of Brunswick – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 103-2020 – An ordinance amending Section 1250.05(g) of the Codified Ordinances of the City of Brunswick – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 104-2020 – An ordinance amending Section 1252.02(05)(g) of the Codified Ordinances of the City of Brunswick – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 105-2020 - An ordinance amending Section 1254.03(j) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the R-M Medium Density Residential District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 106-2020 – An ordinance amending Section 1258.03(i) of the Codified Ordinances of the City of Brunswick – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD NO. 107-2020 - An ordinance amending Section 1256.04(g) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the C-N Neighborhood Commercial District - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD NO. 108-2020 - An ordinance amending section 1260.04(h) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the C-G General Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD NO. 109-2020 - An ordinance amending Section 1261.04(g) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the GW-C Gateway Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 110-2020 – An ordinance amending Chapter 1286 of the Codified Ordinances of the City of Brunswick – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 111-2020 – An ordinance establishing Sections 1274.08(a)(1) and (2) of the Codified Ordinances of the City of Brunswick – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 112-2020 – An ordinance amending Section 1288.05 of the Codified Ordinances of the City of Brunswick by reducing the maximum building height. – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 113-2020 – An ordinance establishing Section 1270.10(a)(5) of the Codified Ordinances of the City of Brunswick – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 114-2020 – An ordinance adopting the Design guidelines for the Joint Development Overlay District. – **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD No. 115-2020 – An ordinance establishing Chapter 1290 of the Codified Ordinances of the City of Brunswick creating the overlay district.– **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

Mr. Aungst summarized Ordinance Numbers 102-2020 through 115-2020. Ordinance numbers 102-2020 through 104-2020 dealt with the definition of square footage and livable space. Ordinance numbers 105-2020 through 109-2020 dealt with Convalescent Care Facilities, and the location of them. Ordinance number 110-2020 dealt with multifamily dwellings, the number of acres for these dwellings. Ordinance number 111-2020 dealt with the activity area of a government or educational facility. Ordinance number 112-2020 dealt with maximum building height for senior residences, based on discussions from the comprehensive plan and the fire and police departments. Ordinance number 113-2020 dealt with project signs. Ordinance number 114-2020, 115-2020 and 116-2020 dealt with Joint Development Overlay District and pool location.

Mr. Hanek thanked the administration for their attention to these legislations. He asked if these would all be for one reading and then go to the Planning Commission, and would one motion be sufficient or would separate motions be needed for each ordinance. Mr. Fisher stated that one reading and one motion would be sufficient with the understanding of introduction on first reading, then referral to Planning Commission before second reading and a possible third reading Mr. Hanek stated that he has

questions and comments that he would reserve for the Planning Commission when he meets with them on December 15, 2020.

Mr. Hanek moved the ordinances, 102-2020 through 115-2020 to tonight's Council Agenda for one reading, and to be referred back to the Planning Commission. Vote – 2 Ayes, 1 Nays.

Mr. Delsanter echoed Mr. Hanek's thoughts that it is great to be moving forward with the comprehensive plan and using JDOD (Joint Overlay Development District).

Mr. Ousley stated that public services are not being taken into account with these ordinances along with several new sub-divisions. Mr. Delsanter stated that there are staffing issues in the City. Mr. Ousley agreed but reiterated his concerns. Mr. Delsanter said that Mr. Ousley concerns have been noted. Mr. Hanek asked Mr. Ousley which matters he felt would be problematic with these ordinances. Mr. Ousley has issues with most of the ordinances. Mr. Hanek asked if he is referring to removing Convalescent Care Facilities as a condition for permitted use. Mr. Ousley stated that these facilities would mean more people being brought into the community. Mr. Hanek stated that improving the plazas would increase tax base and the ability to improve services. Mr. Ousley reiterated that his issues are valid, and he agrees with ordinances 113-2020, 114-2020 and 115-2020. Mr. Hanek said this has been well thought out, detailed and discussed for four years and he is surprised that Mr. Ousley has an issue with these ordinances. He believed that Mr. Ousley has not read the ordinances thoroughly and that the residents deserve that the councilmembers should do their homework to better the community.

Mr. Fisher stated that having one reading before going to the Planning Commission is not for the purpose of discussion at this time. Discussion should be in front of Planning Commission.

Mr. Delsanter encouraged Mr. Ousley to voice his concerns in front of the Planning Commission. He stated that tax revenue must be built and this is only possible by providing an invitational environment to development in this community that produce revenue. It does not have to be residential. The key element is commercial and light industrial.

GENERAL DISCUSSION:

Nothing for general discussion.

ADJOURNMENT:

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

Respectfully submitted,



Joseph Delsanter
Chairman

PLANNING AND ZONING COMMITTEE

April 12, 2021

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Nicholas Hanek, Member Michael Abella Jr., Valerie Zak, Patricia Hanek, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Council Clerk Fijabi Julien-Gallam, Rebecca Parkhurst, Clara Varndell, City Engineer Matt Jones, Finance Director Todd Fischer, News Media.

The meeting convened at 5:53 p.m.

Mr. Delsanter asked if Mr. Hanek would make a motion to excuse Councilman Ousley. Mr. Hanek made a motion to excuse Councilman Ousley for just cause. Vote – 2 Ayes, 0 Nays.

DISCUSSION ITEMS:

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. 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*)

Mr. Delsanter asked Mr. Aungst to provide an overview of ORD. NO. 32-2021, ORD. NO. 32-2021 and ORD. NO. 35-2021.

Mr. Aungst provided overview of the ordinances as follows:

ORD. NO. 32-2021 is for repealing Chapter 1264 of the City of Brunswick Codified Ordinances and eliminating the I-D Industrial Distribution District in line with Advance Brunswick in conjunction with the comprehensive plan. There is not enough land to designate an I-D district and it would be considered spot zoning if this was done. It is important to be sure to make best use of the land which has consistently been discussed. This is continuing that direction.

ORD. NO. 33-2021 has to do with Chapter 1270 and signs. There are a couple of areas in this; construction signs are currently two feet and should be made to be four feet. Currently there are a tremendous amount of variances with construction signs. Also, regarding the length of days that signs should be up, currently there is a total of seventy five days. Previously, Mr. Delsanter had put through

legislation during the holiday timeframe a series of free publicity periods which have been done consistently through the years. There is a part that says that after 15 days the sign has to come down and then it can go back up. This is a struggle for the building department to manage on a consistent basis. Instead we have 50 days a cumulative total time all the way through plus the time frame during the holidays. It really does equal out to where we are and it is cleaning up the ordinance.

ORD. NO. 35-2021 has to do with accessory buildings. This currently helps residents. Currently a resident has to be 20 feet from the principle building. The problem is that we have many homes that wouldn't permit 20 feet and then have space for side and rear setbacks so we compromised and said 15 feet from the rear of the principle building. If you live next to an industrial or commercial property they would have to fulfill the building requirement to be as it is currently in compliance with minimum side and rear yard setbacks as established by the principal building, so that it doesn't infringe upon the resident. For example, if you live right behind Pearl and a business wants to put an accessory building 5 feet from their property line they could do that but it is intrusive on the resident. Based on feedback we felt that this was a positive direction for the community and the resident.

Mr. Delsanter asked if the requirements regarding landscapes, buffering and setbacks are still in place for residential properties that butt up against commercial property, and stated this makes it even more comfortable for residents. Mr. Aungst said yes.

Mr. Hanek asked if these three ordinances need to go to the Planning Commission. Mr. Aungst said yes they would go back to Planning Commission.

Mr. Hanek made a motion that these three ordinances ORD. NO. 32-2021, ORD NO. 33-2021 AND ORD NO. 35-2021 be moved to tonight's Council Meeting Agenda for 1st reading and referral to the Planning Commission. . Vote – 3 Ayes, 0 Nays

.GENERAL DISCUSSION:

Mr. Aungst said they remain extremely busy and are seeing positive momentum in the community.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:00 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Joseph Delsanter
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

January 25, 2021

IN ATTENDANCE: Chairman Valerie Zak., Committee Member Nicholas Hanek, Brian Ousley, Joseph Delsanter, Anthony Capretta, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Law Director Ken Fisher, Assistant Clerk of Council Holly Quellos, Police Chief Brian Ohlin, Jim Love, News Media.

The meeting convened at 6:03 p.m.

Mr. Hanek moved to excuse Patricia Hanek. Votes – 2 Ayes, 0 Nays.

GENERAL DISCUSSION:

Bell Tower

Mrs Zak turned the floor over to Mr. Piepsny. Mr. Piepsny introduced the subject of the Brunswick Bell Tower. He confirmed with Mrs. Zak that she would like to hear the administration's view of the Bell Tower for Heritage Farm. They believed that it is a nice project but does not belong on City property but rather belongs inside the schoolhouse museum where residents can come view it, and read about the history of it, perhaps an interactive educational experience. The property is 4.2 acres Historical Society lease with old farm buildings and in the back there is 26 plus acres. He does not see how a Bell Tower fits on that property now or ever as part of the master plan. The schoolhouse would be a better location for the Bell Tower. Mrs. Zak mentioned that there had previously been some discussion around having the Bell Tower on top of one of the museum. Mrs. Zak liked the idea of having it inside the museum.

Mr. Hanek asked if this would have to go through the Planning Commission. Mr. Piepsny said yes. He also mentioned proposed projects on City property and that legislation needs to be created so that funds are available before any construction, as we do not want to be in a position of owing money. Mr. Hanek asked if regarding proposed legislation would include maintenance also, because Brunswick Lake is an example where pieces were not able to be maintained. Mr. Piepsny said yes, everything needs to be covered. There should be a mechanism in place to ensure that rules are followed by Council. Mrs. Zak agreed.

Mr. Piepsny also mentioned that the Recreation Center is hurting financially because of being in the middle of a Pandemic. In December 2019, a membership sale brought in \$156,000. In December 2020, the membership sale brought in \$30,000. In 2019 and in 2020, he had spoken to the committee about the need to talk about a funding source for the Recreation Department. At home exercise equipment has become more popular so this is another factor to consider. In 2019 The Center had 7,600 plus members and in December 2020 we had 3,863 members. Mrs. Zak asked if there are going to be any summer programs this year. Mr. Piepsny said he had spoken to the City Manager and it is likely that

there will not be any summer programs at this point. The guidelines from the Governor will be a determining factor.

Mr. Delsanter asked if The Center would have sponsorship of Southwest, and if revenue is being received from them? He felt that if children are able to return to school The Center should be able to have summer programs. A lot of families need to have summer programs for well care. There is a need to find out if the summer programs could be managed the same way that schools are being managed. Does the City get any revenue from the school when they use the pool? Mr. Piepsny said no it is not part of the agreement because the Recreation Center was built on school property so they are allowed a certain allotment of time each week for practices and meets. The restrictions for summer camp is different from school. For example six children could only play with the six children at their table. They could not interact with other children. It is a fluid situation and we would revisit it in early March to see if the Governor's orders change. The orders have changed regarding using showers. People are allowed to use the shower but no soap or shampoo, they can only rinse off chlorine from the pool. Following the Governor's orders despite the challenges.

Mr. Ousley said that fund-raising has been in place since the fall, and they had been selling bricks, for the Bell Tower. Mr. Ousley asked if anyone informed The Historical Society of the updated information. Mr. Piepsny said that they had been informed that this would be presented to Parks & Recreation in December. Continued fund-raising for the school house museum would remain in place.

Mr. Ousley asked if a new pick up truck was just purchased for the Parks & Recreation Department last fall. Mr. Piepsny said a vehicle was purchased in the fall of 2019 but he would have to check the records. Mr. Ousley said he was going to ask if a truck had been purchased for Services as well and he wanted to know what happens to the old trucks. Mr. Piepsny remarked that the Parks Department inherits the old trucks from Building or Service and when it has been determined that the truck has lived its life it goes to Auction. The Parks Department currently has a good fleet and there are no plans to purchase any more trucks at this time.

Mr. Hanek said that the Brunswick Historical Society is great and he is comfortable with having a productive conversation with them. He concurs with Mr. Piepsny that we should plan long term regarding city properties so that we don't have an asset that cannot be maintained such as the Dinosaur Trail or different things at Brunswick Lake. It is important to do what is best for the city. He feels that the legislation should be presented to show what could be maintained.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:19 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Chairwoman

PARKS, RECREATION & COMMUNITY COMMITTEE

April 26, 2021

IN ATTENDANCE: Chairman Valerie Zak, Committee Member Nicholas Hanek, Committee Member Patricia Hanek, Anthony Capretta, Joseph Delsanter, Nicholas Hanek, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Parks and Recreation Director John Piepsny, Service Director Paul Barnett, Finance Director Todd Fischer, Arthur Elk, Rand Nolen, Jay Kelley, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 5:50 p.m.

GENERAL DISCUSSION:

Seasonal Help and the Recreation Center

Mrs. Zak asked Mr. Piepsny to provide an update regarding Seasonal Help and the Recreation Center. Mr. Piepsny said that all parts of the Recreation Center are open as per the Governor's orders. Equipment is socially distant. Senior Programs would be starting back on May 3, 2021. They would be limited and socially distant, wearing masks except for when exercising. There would be Summer Camp and some sports programs returning for the summer. Daily visits are down by 50%, but they are up compared to last month. Ms. Zak asked if programs are returning for the summer. Mr. Piepsny said yes, mostly outdoor activities such as softball, baseball and Summer Camp is going to be returning.

Regarding seasonal help with the Parks Department Mr. Piepsny stated that he is struggling finding part time seasonal workers for mowing. He is still looking for 4-5 crew members. Ms. Zak inquired what the hours are for the part time positions. Mr. Piepsny said up to 40 hours from the starting date until November 1st or until the first snow. Mrs. Zak encouraged council to inform Mr. Piepsny if they know of anyone looking for part-time seasonal work.

Mr. Piepsny said the Southwest Hospital agreement is going to be expiring in August 2021, and the City has a good relationship with them. He recommended the law department to go out for (RFP) Request for Proposal and put on at the Committee of Whole, on May 10, 2021.

Mrs. Zak asked for a motion. Mr. Hanek made a motion to move this to Council on May 10, 2021.
Votes – 3 Ayes, 0 Nays

Mr. Hanek mentioned the field at Huntington Park would be good for wild flowers or some type of garden. Mr. Piepsny said he met with NEO Landscaping regarding this area on last Thursday and they are expected to give him a quote this week to turn that into a wild butterfly garden area. When he gets the estimate he would bring it back to the committee to discuss. Mr. Hanek mentioned that if we could get a cooperating organization or help from the schools that would be a good direction. Mr. Piepsny said this is good for the environment and would create less space for mowing which would be good for their department, so that they could move on to bigger and better things.

Mr. Delsanter asked if the downed trees that crossed over trails along Magnolia Drive had been removed. Mr. Piepsny believed that they had been removed, but he would send a crew out tomorrow morning to make sure this has been taken care.

Mrs. Hanek asked Mr. Piepsny if he had any updates on the all-inclusive playground fund-raiser. Mr. Piepsny said he does not have any updates at this time but he sent LeAnn an e-mail on Friday, and has not received a response. He would let Mrs. Hanek know as soon as he receives a response.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 5:58 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Valerie Zak".

Valerie Zak
Chairwoman

PLANNING & ZONING COMMITTEE AND ECONOMIC DEVELOPMENT COMMITTEE
JOINT MEETING

November 17, 2020

IN ATTENDANCE: Planning & Zoning Committee Chairman Joseph Delsanter, Economic Development Committee Chairman Nicholas Hanek, Committee Member Brian Ousley, Committee Member Patricia Hanek, Planning Commission Coordinator Pam Plavecski, Economic Development Director Grant Aungst, Council Clerk Fijabi Julien-Gallam, Charles Howe, Public Group from Pride One, News Media.

Meeting convened at 5:00 p.m.

DISCUSSION ITEMS:

Mr. Delsanter stated that there are additions to our Planning Code and Mr. Aungst would provide an overview of the overlay districts.

GENERAL DISCUSSION:

Comprehensive Plan

Mr. Aungst stated that Council had approved the updated comprehensive plan in February 2020. The pandemic put things on hold. A couple of changes have been implemented. The I-L district is part of the update and moving more diligently toward more updates such as multifamily homes and apartments.

There are currently 2,700 individual apartment units in Brunswick from all different ranges \$500-\$2,500 per month and beyond. There are some small eight unit facilities and some large facilities with a few hundred units. Currently there are 694 registered rental units. There are residential choices for all age groups in the City of Brunswick from just starting out to the elderly.

Continuing to move on in the City of Brunswick, the following drafts are being looked at: Proposed text amendments such as multifamily, mixed use developments, pools in the City of Brunswick and Joint Development Overlay District (JDOD).

Mr. Aungst proposed discussing the text amendments. Mr. Delsanter and Mr. Hanek agreed.

Mr. Aungst expressed thanks to Pam Plavecski in aiding in this development.

Mr. Aungst provided updates as follows:

- Section 1286.02(a) refers to a minimum lot area. Mr. Aungst proposed going from 2 acres minimum site to 20 acres minimum site.

- Section 1286.03(a) refers to multi-family dwelling types and this may include a variety of types of requirements.
- Section 1286.03(e) (1) refers to attached town home dwellings shall have a maximum 2 attached units to a single building.
- Section 1286.04(b) makes reference to each multifamily shall provide common open spacing up to a minimum of 35%.
- Section 1286.05(b) added West 130th Street and Laurel Road so that they fall under the same rules.
- Section 1286.06(b) (3) identifies non family usage stating that it shall occupy 30% of total full area.

Mr. Aungst explained the definition of a single family dwelling which is determined as livable space from the main entrance or street level above. There is a discrepancy in the code and it is necessary to make sure this is clarified. Some developers feel that walk out basements should be considered. This is not what happens in the planning or architectural process. This also needs to be considered regarding rural residential, and low density.

- Section 1270.05 talks about signs and project signs. Mr. Aungst advised that these come down in a reasonable time frame. He felt that once there is 80% occupancy of the development the signs should come down as opposed to being up for an extended period of time.
- Chapter 1274 talks about conditional Zoning Certificates for Educational Institutions and Government Institutions. Currently its 100 feet from all residential property lines for activity areas, Mr. Aungst suggested having 75 feet from residential property areas.
- Under Chapter 1274.08(a) (2) Mr. Aungst suggested adding a section that states construction trailers in residential districts shall be permitted to be located a minimum of 50 feet from a neighboring residential property line during the construction period only. A permit must be obtained from the Division of Building This issue has been raised a number of times and as larger projects and developments continue, this makes it necessary to go to (BZA) Board of Zoning Appeals for multiple construction trailers. This change would make it much smoother and more effective for the building that project quickly and efficiently.
- Chapter 1472 talks about swimming pools. The Planning Department has noted that more pools have been installed in the City of Brunswick in the last two years than ever thought possible. Mr. Aungst suggested that in the document where setback lines or less than ten feet from the outer edge of the pool wall, to the foundation of the primary living structure including walkways or decks or in ground pools or above ground pools are mentioned that the line be adjusted to be in line with the current code stating that in the recommended pool permit process is ten feet from the primary structure which would be better for the community.

Mr. Delsanter asked if council needs to look at dog parks, fencing and landscaping to determine if they need to be included in the discussion. Mr. Aungst said no and confirmed with Ms. Plavecski that this is generally part of the site plan.

- Appendix G is about the Joint Development Overlay District Design Guidelines. Ms. Plavecski and Mr. Aungst have discussed this since the update was completed and many other activities have been going on within the City and the purpose is to help with the redevelopment of land and structures to make them compatible with the environment, protect the quality of urban environment and those locations where the characteristics of the area are significant to public value. Four JDOD districts are being considered; the Kmart Plaza, the Brunswick Plaza, Laurel Square Plaza and Hickory Ridge Plaza as potentials for these overlay districts. Potential for these overlay districts include townhomes, single family attached units, single family detached residential units, apartments including studio apartments, work live units, flats, homes, home offices above garages, retail below apartments and hotels. Some of these areas have struggled and this would aid in bringing new life and support current businesses and create new jobs. There are a lot of details that need to be worked out. This is quite some time down the road. It is also important to know that whatever is done, there should be a percentage of residential to commercial, perhaps 60/40 split, 60% commercial and 40% residential. There has to be distances, setbacks etc. and details would need to be discussed that are not covered in the current document. This is a concept and there also needs to be consideration given to the city's safety forces. These are developed properties so this is bringing new life into them and bringing new business to support the community as a whole. Safety forces are onboard within reason but they are not looking for mass density. Caution is needed. There are limitations with our safety forces, both with the height of the structures and the quantity of living units that they would have. It has also been noted from basic statistics that with more people there is more potential for challenges for the safety forces to face on a regular basis. Some of the older apartment units have a lot of regular visits from police and fire safety forces, other units not as much, so there has to be a balance. Having these amenities in the community in currently developed properties make a lot of sense. The city does not have a lot of extra space without parceling a lot of pieces together so it makes sense to maximize and redevelop existing space, potential making them an activity center.

Mr. Aungst explained that the permitted and conditionally permitted uses refers to hotels, there has been some discussion regarding the square foot minimum for a meeting place, and the hotel must include a swimming pool. Pre-pandemic it would not have been a stretch to see 2-3 more hotels and discussions were taking place, but currently that is not seen as a possibility in the near future. It is good to have the discussions in place ahead of time as a quality product which is the goal for all projects.

Density and parking area has also been discussed along with the need to minimize the visual impact of the area and outdoor activities. The goal is not just for people to have a place to live but for people to have a place to be active in. The plan is not to recreate a Crocker Park or Legacy Village type of area, but to do what is most beneficial for the City of Brunswick. It might not look like some of the things that have been seen, but it would be of high quality and would fill the needs and wants of the City. Vehicular circulation and access which includes Fire and Police must be considered as well as beautiful landscaping.

Mr. Aungst stated that there is a need to avoid seas of asphalt if all possible like Kmart Plaza and Laurel Square Plaza which was how things were done years ago. This is the opportunity to upgrade.

- Location, Orientation, size and shape of buildings is also being considered. Currently in some locations, buildings face one direction or the other. It would be better to have buildings facing the main roads, so that people feel warm and invited and if there are going to be housing units maybe these should be behind the retail. Mr. Aungst expressed it would be a good idea to make sure that the retail businesses are kind of shielding those residents.
- Regarding exterior renovation, inviting architectural elements, of like materials, enduring materials that flow into the building materials itself should be planned. This has worked well in the Brunswick Lake area.

The purpose of the Overlay District is to implement land use and urban design and protect the public and property owners from blighting influences which is very important. There is a need to give the opportunity to developers to come in and influence those who currently own some of these properties that haven't reinvested to do so. This is an important aspect of this project. It also needs to fit within our requirements for the city. The effects of underlying zone designations, identification establishments, findings and purpose of the Joint Development Overlay District have been considered. It is vital to look at the plans and the updates to determine how does this integrate and move plans forward.

Mr. Hanek suggested considering if signage could be open to a little bit more flexibility as this would be helpful with directing traffic. He expressed his thanks for the work that Mr. Aungst and Ms. Plavescki have put into this.

Mr. Delsanter acknowledged that guests are attending this meeting. They are Ben Weinerman, Doug Flair, Roger Nair and Stacy Nugent.

Mr. Delsanter asked Mr. Aungst if in view of trying to get the right structure out of this new district plan what tools are needed, what input is needed and where would he like the input to come from. Mr. Aungst stated that there is a need to take it slow and make sure that all bases are covered. They plan to meet on a regular basis and develop additional details if this is appropriate and go through every area of the plan. A consultant could also be considered. It is important to maintain what is already in place and cover everything correctly. Some of the proposed text amendments that don't focus on multifamily or mixed use could be in the packet but some of the others would be separated out like the definition of living space, dwelling, swimming pools etc., pushing those through with the approval of Council and refining the Overlay District and how it would best serve the community. It is possible to talk to the consultants who were used in the updated comprehensive plan. This is down the line but progress is being made.

Ms. Plavescki agreed with Mr. Aungst and stated that he summed up everything perfectly.

Mr. Delsanter asked the cost for the consultants and would a (RFP) Request for Proposal be needed? Mr. Aungst said not yet and it may not be necessary. Rather than a RFP they may be able to have a

follow up conversation with the consultants from what they had planned previously on their existing contract and the update they had given us.

Mr. Hanek pointed out that in addition to this, looking at the idea of carving out situations for mixed use opportunities outside of the development district is important. Other parcels may make sense that do not make sense now. Perhaps there is a mechanism that allows for some grey area. He also stated that he agrees with the general sentiment and the proposed changes in looking at multifamily housing both rentals and ownership.

Mr. Delsanter said this is prudent.

Mrs. Hanek stated that a lot of thought has to be given to get this right, not making changes just to make changes.

Mr. Delsanter would also like to look ahead for future development at what is not Brunswick but is within our corridors, ensuring that if any of those opportunities present themselves and there is interest in investing or joining the city, potential investors would know what the use of that land would offer them. He asked if Mr. Aungst understood what he meant. Mr. Aungst said he understood, but wanted to be sure not to go outside of the boundaries nor appear to be trying to take over other governmental entities. There are always what ifs, but looking to develop the city and looking out for the best interests of the stakeholders is key there could always be specific districts legislatively designed for specific uses that are not being looked at now. What is the best use and could be incorporated in the city overall could be a hypothetical.

Mr. Delsanter expressed the need to avoid raising alarms with neighbors, as this was not the intent. He just wants to make sure that anyone looking at undeveloped land or land that does not have commercial use and wanting to gather their information correctly so that their investment is not wasted. He asked if there much of a similarity between what they are talking about and simply looking at things from a (SPD) Special Planning District standpoint.

Mr. Aungst said that from a SPD standpoint there are some unique characteristics that must be met, and SPDs have a high bar to meet. There is something unique or different about the land. Currently there are two cases. There is an outside consultant being used for that analysis. SPDs are meant to be a challenge because there is something unique about that space in many areas that needs to be addressed and make sure it's not just the space itself but it is meeting a need or something in the community that the Council and Stakeholders could support as a value to the community.

Mr. Delsanter stated that there is still a need to define the use of the land and if there are other mitigating issues that fall into the SPD and these would have to be incorporated as well. Mr. Aungst said maybe. The Overlay districts are used in corridors because it is not the intent to take away their ability but to enhance abilities. SPDs are a specifically designed area that have specific guidelines for specific use and that activity. It is necessary to make sure it meets those criteria and not just because it is a 5-10 acre piece of land that could be rather than should be. It is important to watch what the SPDs call for and take time with any overlay districts or additional or redevelopment as the best for the community.

Mr. Delsanter thanked Mr. Aungst for the clarification and asked what he needed from Council today.

Mr. Aungst said he just needed to know that Council is good with moving forward and regrouping in December 2020 for another joint meeting. Mr. Aungst and Ms. Plavecski would pull out a few items on the multi-family mixed use proposal text amendments and proposed starting an approval process and would continue to move forward and continue to review with Legal.

Mr. Delanster asked if anyone had questions.

Roger Nair (5535 Winterbrook Road, Valley City, Ohio) said he has worked with Pride One. Although this is general discussion he stated that they have a few projects in Brunswick like Sleepy Hollow and Pearl project and they would like to make some grounds on these project. Mr. Nair added that they have another one on Pearl Road next to PNC Bank, South Carpenter involving the VFW and there are 17 acres further south touching these properties, so it is about a 25-30 acre parcel for development for a commercial district with offices and hotels, multifamily. Another one on Kimmich and Woodward currently part of Brunswick Hills which would make a nice 10 acre addition to Brunswick off of Pearl road for multifamily development.

Ben Weinerman (3292 Brenner Road, Barberton 44203) showed Council a PowerPoint presentation of what they are working on. There are 8 acres under contract on Woodward Drive and Kimmich Drive in Brunswick Hills. Looking to build 3 story and a garden style walk-up, two story townhomes with one car garages attached to each unit, two bedrooms, two bath, a clubhouse, recreation area, front off-street parking. Showed two story townhome renderings with floor plan, the 3 story garden style walk-up as built in Kent Ohio, example of landscaping as done in Twinsburg, North of downtown on 91, similar projects of senior living villas is Copley, Myrtle Beach, and larger Vitalia Senior living projects in Copley West of Fairlawn and a Vitalia Senior Living Facility in Stow Ohio.

Mr. Aungst asked Mr. Weinerman if in addition to multifamily units he is proposing assisted living as well. Mr. Weinerman said no he was just showing some of their projects.

Doug Flair (2211 Medina Rd., Medina Ohio) said that the Kimmich project is across from St. Ambrose and said that St. Ambrose was excited about the project. More land is available adjacent to this project and could be tied together, 6 Parcels are tied up in this location. He would like to know if it is something the City would support, reinvigorating the area with a new product, bringing new life to the area. He is working on a couple of projects reincarnating Kmart mixed use projects in other areas.

Mr. Delsanter asked Mr. Aungst to share his thoughts on the presentation.

Mr. Aungst thanked them for their presentation stating that the City of Brunswick has 38,000 residents and the stresses and strains of 13 square miles like many other communities do. Apartments and high structures are not necessarily on the top of the hit parade for our safety forces today. There could always be a discussion, but the reality is that it is necessary to move forward cautiously. It's not that this is not something that could be considered, but there is a need for the right development. More of the mixed uses that Mr. Flair mentioned and redevelopments may be a good starting point and create some

excitement in some of those areas and go from there. Council has those decisions and has to consider them carefully to make the best decision for the community.

Mr. Delsanter stated that there is a little work ahead and a cross roads has been reached with regards to space, population and the ability to serve the public safely. These things are approaching at a rapid pace with planning not being up to date to meet the structure of the current state and that is why a lot of these moratoriums were put into place. It is not highly productive for the developers but it is a necessity for the City to be in a good position to give quality living to all of the people. Mr. Ousley has spoken about this many times in the past. Suggestions are welcome in this process. The planning process would determine how to move forward.

Mr. Hanek agreed and stated that this is not going to be a lengthy process and that movement has already started. He commended the start and acknowledged that some tweaking has to be done. This is a great start to implementation.

Mr. Flair asked how long would the process take. This is an area of five or six houses and a project with a value of \$800,000 to \$900,000 collectively and a \$20 million dollar investment. He feels that the message is that this is not a priority at this time. Would the timeline be 2 years? Mr. Hanek said the administration would have to be consulted but his guess is the goal is 6 –9 months rather than 2 years.

Mr. Aungst said he does not think that the administration would want this to take 2 years but there is a lot of code to review and 6-9 months may be a target, although it may be a moving target because of the future's uncertainty. Council would give input and make decisions as quickly as possible.

Mr. Delsanter said that no one wants to stall investment in the community, but the past 8 months have resulted in inconveniences. The comprehensive plan was received at the beginning of 2020, so it has to be pursued productively and correctly which takes time. The intent is not to build walls around Brunswick but rather a welcome sign in a way that is balanced with what could be supported and what the community should feel like going forward. This is for the long term. He assured the Pride One representatives that their comments are appreciated.

Neither Mr. Hanek, Mrs. Hanek, nor Mr. Ousley objected to continuing the process.

Both The Planning & Zoning Committee and the Economic Development Committee are in agreement with moving forward with the Comprehensive Plan.

Mr. Delsanter expressed that Mr. Aungst and Ms. Plavecski have a lot of work to do.

Mr. Hanek asked Mr. Aungst if he needed anything further from them. Mr. Aungst said not at this time but soon. Mr. Hanek expressed appreciation for the input and feedback from the developers and realtors in the community.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:00p.m. Vote – 4 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joseph Delsanter".

Joseph Delsanter
Chairman

DRAFT

PLANNING & ZONING COMMITTEE AND ECONOMIC DEVELOPMENT COMMITTEE
JOINT MEETING

January 19, 2021

IN ATTENDANCE: Planning & Zoning Committee Chairman Joseph Delsanter, Economic Development Committee Chairman Nicholas Hanek, Committee Member Brian Ousley, Committee Member Patricia Hanek, Planning Commission Coordinator Pam Plavecski, Economic Development Director Grant Aungst

Meeting convened at 5:30 p.m.

GENERAL DISCUSSION:

Mr. Delsanter said that the meeting today is all general discussion and turned the meeting over to Mr. Aungst and Ms. Plavecski.

Mr. Aungst said 2021 remains to be challenging and he encouraged the council members to support local businesses. He further stated that some businesses have experienced growth while others have remained steady. Unemployment in Medina County is 4.1% lower than the 5% which is considered full employment. Many companies and businesses are looking to hire. It is important to look at manufacturing as a source for growth and demand. Many retailers are hiring also.

Mr. Aungst stated today the next round of (PPP) Payroll Protection Program began and the City is in the midst of discussing this with many financial institutions, attorney's etc. Consideration is being given to working with federal and state officials regarding our businesses. The PPP has a few updates to the process and forgivable loan part of the process. There is a component of tax relief for distillers and brewers because they switched gears very quickly to help make hand sanitizers. The businesses in Brunswick have remained very resilient. There is some growth in the industrial sector as well as commercial and retail. There are still some who are struggling and this would continue for a while. He again encouraged the council members to support local businesses.

Mr. Aungst discussed activities that took shape in 2020 and 2021: Brunswick Middle School was completed and opened, Ambrose Crossing, Trillium Creek Dermatology 360 Construction, Baskets Galore, Saint Collette's Church renovation, West Branch Mulch Addition, American Cube Corporation moved their offices and headquarters here, Romeos Pizza flagship store and corporate training center, Ray Fogg Building Systems Updates, Jiffy Lube, Klassic Custom Deck The Backyard Restaurant on Pearl Road, El Taco Loco, Brunswick Family Dental had many updates. Chick fil-A planned to open on 1/21/21. The final copy of the comprehensive plan update – Advance Brunswick is available for review. These two committees have helped us move that forward.

Mr. Aungst said that in 2021 summer and fall would be very busy with building projects. Meijer would break ground, Hall Construction would break ground, and several new housing developments would break ground such as Bridge line Chase, Oakridge Preserve along with others. Brunswick Middle

School Stadium would break ground, the Kmart Plaza and Marc's Plaza would begin, Human Bean (a new coffee shop) on the Northwest corner of Old Eagle and 303. There would be a number of additions on industrial spaces.

Mr. Aungst said it is exciting to see this growth in the city and there is more interest in the city from many avenues. There are numerous phone calls and direct communication with regards to industrial, commercial and retail interests.

Mr. Aungst stated that at this coming Monday's Council Meeting there are two pieces of legislations for continuing the moratorium on multi-family housing and small box retailers.

Mr. Aungst said 2021 is shaping up nicely although there are many opportunities for Brunswick and the greater Medina County area, it is necessary to continue to support local businesses which helps to pass through the multiplier effect, which refers to the proportional amount of increase, or decrease, in final income that results from an injection, or spending of money. It is a strange economy right now, some businesses are doing well and others are stable and still others are struggling. He again emphasized the need to shop locally.

Mr. Aungst asked if there were any questions.

Mr. Hanek informed everyone that the legislative items from the last meeting are going to Planning in February and he would be attending that meeting. Those processes are continuing to move forward.

Mr. Aungst said that included in that grouping is the one Mr. Delsanter put forward which is the sign relief during the holidays.

Ms. Plavecski confirmed that Mr. Hanek would be attending the February 4th meeting rather than Mr. Ousley. Mr. Ousley agreed that Mr. Hanek should attend the meeting on February 4th.

Mr. Delsanter clarified that Mr. Ousley should have been included and credited in the discussion regarding the temporary holiday sign relief and that he should get the credit. He further thanked the city for moving the center line on Lake Road to hopefully afford accessibility for the residents in South Lake in regards to the Chick fil-A anticipated stacking issues. Brunswick Police has a diagram on their website that shows the preferred traffic flow for entering and exiting Chick fil-A. The volume of traffic could not be determined at this time just by looking at Strongsville's traffic. Mr. Aungst stated that Chick fil-A ownership would have staff directing the flow of traffic as they do at all of their locations. Chick fil-A selects their locations very specifically so for them to have chosen to be in Brunswick is a real feather in our cap that would help in the long run when talking to other site selectors when what they are looking for is not just industrial business but commercial traffic also. This is critically important. And Meijer is breaking ground in the spring of 2021 and they would open one year after breaking ground. They are on track. This would also give us tremendous footholds and recognition with site selectors with us having anchor facilities now.

Mr. Delsanter mentioned that he accidentally ran into Roger Nair from Pride One and he was pitching heavily. He gave Mr. Nair a view of how the community has grown and how the service levels are

strained and stressed the need for us to be judicious as far as what projects would be pursued and how soon. He asked if it would be possible to work on Mr. Nair's proposed project in the future. Mr. Aungst asked if there was a specific project that Mr. Nair referred to since several were mentioned. Mr. Delsanter said the Kimmich and Woodward project was the one he referred to. Mr. Aungst said there are a lot of challenges with developing property and densification. Consideration is given to the fact that the community is not in favor of high rise apartments. He further stated that Mr. Delsanter was correct in stating the concerns regarding our safety forces, who have said that single family, free standing units are much better to maintain and control rather than higher, larger and more densification. This needs to be thought about deeply before moving forward on something.

Mr. Delsanter said he was frank and honest with Mr. Nair. As it has been discussed it is interesting to note how well businesses have done here with stabilization. It seems to be going against the grain compared to other areas. Is it because of promoting support of local businesses? Mr. Aungst stated that people here do their best to shop locally including shopping online and via apps. The City works very closely with its colleagues in Medina and Wadsworth. Throughout the entire County by means of the Medina County Development Corporation, local businesses are promoted and as a result growth has been seen. Networking and making connections is encouraged and it is hoped that these business continue to be healthy and grow across the board. This has been seen that steadily in a good way. Another factor is that Medina County has consistently grown as the fastest growing county in Northern Ohio year after year over the past 20 years. There is strong support within the community, good education throughout, community colleges throughout, extended four year colleges, and jobs that are available now especially in manufacturing. There are growth opportunities here. From a manufacturing and industrial standpoint there is a lot of growth throughout Ohio and a lot of people want to be in Ohio.

Mr. Delsanter asked if there is enough being done to ensure awareness of job opportunities since there has not been Job Fair. Mr. Aungst said that Job Fairs are not that effective especially in cities. Everyone who wants a job could have a job even though it may not be their ideal job but it would give them an opportunity to get their foot in the door. There are more effective means of communicating job opportunities for example through the website Ohio Means Jobs. The Federal officials have been spoken to regarding those who truly need help, is there a way to incentivize either those looking for work or the employers i.e. manufacturers to make sure that those people who need assistance are working and this is being discussed in congress. There is a need for more bodies to fill jobs in manufacturing.

Mr. Hanek mentioned local resources such as worklocal.net. He reiterated that the issue is not jobs but bodies. A proactive stance has been taken for several years in moving things to conditional regarding businesses that could have come in more quickly, such as alternate financial, wig shops, tattoo shops, massage parlors. A lot of time and attention has been given to the types of businesses allowed to come into the city. This has set the city up nicely because even in a downturn zoning has been maintained. Moving quickly with the Dollar General Stores has been a good move for the community. He gave a pat on the back to the administration including Ms. Plavecski and Mr. Aungst.

Mr. Delsanter said he concurs. The focus is on the image of the city. Another food service business, one that is nostalgic is close to being presented to the planning commission. It is a hot dog business. The report sounds healthy but much work is yet to be done. He stated that it is going to take a long time to recover from the conditions created by the virus, and it is vital not to let anything negative occur in the corridor. It is important to promote the community and help people to see and appreciate what Brunswick has to offer.

Mr. Delsanter stated that as far as the industrial park is concerned there was one business that shut down. A Raymond Tinnerman shut down a lot of people lost their jobs. Mr. Aungst said that their corporate offices are still here, and discussions with them would continue. There was some restructuring of that particular line of business within that company. According to their HR Department, those who wanted a job were able to have a job and were hired almost immediately.

Mr. Delsanter said that was good news that the city is not losing that revenue and households aren't suffering.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:00 p.m. Vote – 4 Ayes, 0 Nays.

Respectfully submitted,



Nicholas Hanek
Chairman



COMMITTEE OF THE WHOLE MEETING

April 12, 2021

IN ATTENDANCE: Chairman Michael Abella Jr. Committee Member Joseph Delsanter, Committee Member Nicholas Hanek, Committee Member Brian Ousley, Committee Member Patricia Hanek, Committee Member Anthony Capretta, Committee Member Valerie Zak, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Council Clerk Fijabi Julien-Gallam, Rebecca Parkhurst, Clara Varndell, City Engineer Matt Jones, Finance Director Todd Fischer, News Media.

The meeting convened at 6:09 p.m.

Mr. Delsanter moved to excuse Mr. Ousley for just cause. Vote – 6 Ayes, 0 Nays

DISCUSSION ITEMS:

A discussion regarding Tobacco Point of Sale Policy – Medina County Health Department

Rebecca Parkhurst presented some content regarding tobacco. The PowerPoint went over the following. The PowerPoint is attached to the minutes.

- Why Point-of-Sale Matters in Brunswick?
- Youth Using Tobacco.
- Requesting Brunswick to consider enacting a Point of Sale Policy for the City of Brunswick.
- Different policies could be used to protect the health and safety of the citizens of Brunswick.

Councilman Anthony Capretta wanted examples of irregular tobacco marketing because he is a former Weights and Measure Inspector. He wanted to know if the Weights and Measure Inspector is enforcing any policies against illegal tobacco marketing. Ms. Varndell remarked that the Medina County Health Department conducts store audits on tobacco retailers and the audits would assist with correcting the issue.

Law Director Ken Fisher added that generally, the Food and Drug Administration (FDA) regulates the sale of tobacco products. He wanted to know if the Medina County Health Department looked at FDA regulations and jurisdictions that have been released since 2009 concerning the municipality jurisdictions. Ms. Parkhurst expressed the goal is to pass some policies that are above and beyond what is currently required under the FDA to keep up with the growing Tobacco industry. Mr. Fisher believed it is great that the Medina County Health Department is looking into this issue; however, from a municipality standpoint, any legislation that is implemented needs to coincide with the federal law.

Ms. Parkhurst explained that they have contacted the surrounding communities and looked into other success with getting a policy together for illegal marketing.

Councilman Nicholas Hanek noted that the PowerPoint recommended two resolutions. He also mentioned that he wanted to know what other communities in Medina County and throughout the State are implementing this as an ordinance and how are they enforcing it. Mr. Hanek believed it would be helpful to get more information on how the illegal marketing policy would be implemented. He expressed that he thinks this is a good idea and he is interested. Ms. Parkhurst explained that the reason they provided the resolutions in the PowerPoint is to see if there is any resistance or any interest from the City of Brunswick. Ms. Parkhurst understood that an ordinance comes with more enforcement and a resolution is a starting point for them.

Councilman Joseph Delsanter remarked that the State of Ohio issues the tobacco license, and he believed it should be initiated by the State government rather than a local government to impose on local businesses. Mr. Delsanter expressed that he is cautious about implementing any policies that might hinder the businesses from an economic standpoint. He questioned why the rising use of tobacco, hookah, was not mentioned in the presentation. Mr. Delsanter noted that there is a lot more to look at before they take any action on creating a policy. He wanted to know why the State is not acting on this issue, and he doesn't like the idea of the municipality creating some type of regulation. Ms. Parkhurst reiterated that they are starting the conversations now with municipalities to get some feedback and the interest levels. Ms. Varndell added that one of the policies that they are interested in would be to require the posting of the Ohio tobacco quick line, a presentation resource. Ms. Varndell noted that the presentation resource wouldn't interfere with the sale of tobacco products, but would be a free reminder for someone when they go to purchase a tobacco product.

Councilman Michael Abella Jr. thanked Ms. Parkhurst and Ms. Varndell for their presentation.

MOTION ITEMS:

Motion authorizing the City Manager to advertise for public bids for the BAT Studio Roof Replacement project.

ty Manager Carl DeForest remarked that there was a recent wind storm that caused the BAT studio to experience some wind damage to the roof. The insurance agent and adjuster came out to take a look at the \$32,000 worth of damage. The City's administration did emergency repairs that would help the issue for a couple of months; however, the roof needs to be replaced. The deductible is \$2,500, and the cost for repairs expected to be over \$25,000. The intent is to get approval to go out for a bid to replace the roof later on in the year.

Mrs. Zak moved to authorize the City Manager to advertise for public bids for the BAT Studio Roof Replacement Project. Votes – 6 Ayes, 0 Nays.

REVIEW LEGISLATION:

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

Mr. Aungst shared that this legislation would establish Section K of 1274.09 in the code for a home occupation. He explained that currently, the City's code doesn't have, 'Customers shall be permitted to enter upon property or dwelling unit upon which the home occupation is conducted.' He explained that there is something similar to this statement; however, the Law Director and the Planning Commission felt that the statement should be clarified, so there is no mistake about home occupations. Mr. Aungst read the sections regarding the home occupation. He requested the ordinance to be for three readings and back to Planning Commission for review.

Mrs. Delsanter moved this ordinance to tonight's Council Agenda of April 12, 2021, for first reading and referred it to Planning Commission for review. Votes – 6 Ayes, 0 Nays.

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 Committee-of-the-Whole, *Administration/Todd Fischer*)

Finance Director Todd Fischer remarked that, 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, and all related costs associated with land parcels, and the establishment of the Brunswick Lake area. The City desired 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. Mr. Fischer added that the City's administration desired to expand the purposes of the Brunswick Lake Park Fund. This request is to increase the ability to use the funds for connectivity and accessibility to Brunswick Lake Park. Mr. Fischer asked for the ordinance to be passed as an emergency with the suspension of the rules to start the next phase as soon as possible. He thanked everyone that helped see this project through and helped with applying for grants. Mr. Fischer added that if the City Council adopts this ordinance, the Brunswick Lake Fund #360 (\$672,376.05 in unappropriated funds) could be used for any of the three phases that are not accounted for in the budget.

Mr. Hanek moved this ordinance to tonight's Council Agenda of April 12, 2021, as an emergency, with the suspension of the rules. Votes – 6 Ayes, 0 Nays.

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*)

Mr. Fisher remarked that he attended the February 9, 2021 hearing that was held by the Medina County Commissioners. The petition was granted at the hearing. The petition is from an elderly couple that resides in a single-family house on 1.7311 acres. Mr. Fisher remarked that the couple requires City water because their well is not functioning. He advised the City Council to accept the annexation.

Mr. Capretta wanted to know where is the property located. Mr. Aungst confirmed that it was on North Carpenter next to the church

Mr. Hanek moved this resolution to tonight's Council Agenda of April 12, 2021, as an emergency, with the suspension of the rules. Votes – 6 Ayes, 0 Nays.

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*)

City Engineer Matt Jones remarked that the property transfer agreement deals with two separate projects (Plum Creek Greenway Phase 1 and the Brunswick Middle School Project). To construct Plum Creek Greenway Phase 1, the City needs to acquire a small piece of the Huntington Elementary School's property - a wooded section in the back of the property. Mr. Jones added that the property would be the last piece of the project to connect the trail up to Mooney Park. Mr. Jones explained that in exchange, the schools need a permanent access point to Manhattan Avenue to the new Middle School to provide another way into the school. This ordinance would allow the transfer to occur and to complete the bidding for the Plum Creek Greenway Phase 1 Project.

Mr. Hanek noted that he is thankful for the schools to work with the City on this project, and it makes sense. The transfers are located in his ward, Ward 2. Mr. Hanek wanted to know the reason for the school district's intent for the Manhattan Avenue access point. Mr. Jones explained that he believed Manhattan Avenue access point is supposed to be a supplement of the school district's current permanent access point.

Mr. Hanek moved this ordinance to tonight's Council Agenda of April 12, 2021, as an emergency, with the suspension of the rules. Votes – 6 Ayes, 0 Nays.

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*)

Mr. Barnett remarked that the City is planning to do a reconstruction of Pearl Road in the year 2022. He added that the City's administration attempted to get close to \$6 million, but received about \$2 million from the Northeast Ohio Areawide Coordinating Agency (NOACA) and an extra million from the State. To include the amount of money that was given and the City's share that brings the project to about \$4 million. Mr. Barnett remarked that the Stimulus money that is about to be released could be used for ready projects. He added that the City would like to get an extra \$4 million to do the project right. The scope of the project is the same; however, there would be more base repairs, curb work, sidewalk restoration, and new sidewalks on Pearl Road. Mr. Barnett expressed that if this project goes through it would extend the life of the road.

Mr. Abella wanted to know the estimated fund that the City would receive. Mr. Barnett explained that they are looking at receiving about \$8 million, but currently planning on \$4 million. To take up and redo Pearl Road, it would be about \$52 million. Mr. Barnett noted that this project is a rehab project

for \$4 million to add more years to Pearl Road. Mr. Barnett explained the rehab project. Mr. Abella expressed that \$8 million is not a lot of money, and it would not reconstruct Pearl Road.

Mr. Delsanter remarked that this project is not widening the road. Mr. Delsanter wanted to know what the sidewalk addition and repairs consist of, and who would happen to the sidewalks in Brunswick Hills. He also wanted to know how far down the road is being rehabbed. Mr. Barnett explained that the City is looking to do from Boston Road to just north of Sleepy Hollow Road (the city limits). He noted what the City does in the City of Brunswick is what the Ohio Department of Transportation (ODOT) would do in the township. Mr. Barnett reiterated that if the City receives the \$8 million then they would add in sidewalks where there are none. Mr. Jones confirmed Mr. Barnett's statement. The Maple Side Farm is the only location that would not get sidewalks because there is no destination beyond that point.

Mr. Delsanter moved this resolution to tonight's Council Agenda of April 12, 2021, as an emergency, with the suspension of the rules. Votes – 6 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Hanek moved to go into Executive Session to discuss the appointment, employment, dismissal, discipline, demotion, or compensation of a public employee and official, seconded by Mrs. Zak. Roll Call – Ayes – 6, Mr. Hanek, Mrs. Zak, Mr. Abella, Mr. Capretta, Mr. Delsanter, Mrs. Hanek. Nays – 0. Motion Carried.

Mr. Hanek moved to adjourn from Executive Session, seconded by Mr. Delsanter. Roll Call – Ayes – 6, Mrs. Hanek, Mr. Delsanter, Mr. Hanek, Mr. Abella, Mr. Capretta, Mrs. Zak. Nays – 0. Motion Carried.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn the Committee of the Whole Meeting at 7:16 p.m. Vote – 6 Ayes, 0 Nays.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

PROPOSED LEGISLATION



DATE: 6/14/2021

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. - **3rd Reading** (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: 6/14/2021

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.- **3rd Reading** (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: 6/14/2021

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. - **3rd Reading** (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: 6/14/2021

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. - **3rd Reading** (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

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
Michael Abella Jr.

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 47-2021** - An ordinance amending Section 220.01(a) of the Codified Ordinances of the City of Brunswick.- **3rd Reading** (Committee-of-the-Whole, *Administration/Fijabi Gallam*)

BACKGROUND: The duties of the Clerk of Council have increased immensely by taken on some of the Mayor's duties in 1975.

PURPOSE AND EXPLANATION: The legislation is to change the title, *Secretary to Mayor* to *Administrative Assistant* to the Mayor, to match the Clerk of Council's job description.

IMPLEMENTATION SCHEDULE:

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?

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

ADDITIONAL

INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 47-2021

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTION 220.01(a) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK.

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

SECTION 1: That Section 220.01(a) of the Codified Ordinances is hereby amended as follows:

“(a) The duties and authority of the Clerk of Council shall be those prescribed by law, as well as ~~secretary~~administrative assistant to the Mayor and such additional duties and authority as may be conferred upon the Clerk of council.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 48-2021** - An emergency resolution approving a petition for special assessments for Special Energy Improvement Projects and a project plan for the Medina County Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Brunswick in cooperation with the Medina County Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: The City of Brunswick is seeking to establish the City as part of the Energy Special Improvement District (ESID) within Medina County for the betterment of the City, its stakeholders and business community to improve real property

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**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?

To allow the City to enter into the ESID as soon as possible to be prepared for upcoming projects.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 48-2021

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION APPROVING A PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS AND A PROJECT PLAN FOR THE MEDINA COUNTY ENERGY IMPROVEMENT DISTRICT UNDER CHAPTER 1710 OF THE OHIO REVISED CODE; TO AUTHORIZE AND LEVY SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF BRUNSWICK IN COOPERATION WITH THE MEDINA COUNTY ENERGY IMPROVEMENT DISTRICT; AND TO APPROVE AN ENERGY PROJECT AGREEMENT IN CONNECTION WITH SUCH IMPROVEMENTS AND SPECIAL ASSESSMENTS.

WHEREAS: As set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to add their properties to energy special improvement districts (“ESIDs”) upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessment;

WHEREAS: Pursuant to Ohio Revised Code Section 1710.02, a property owner petitioning for expansion of an ESID is authorized to propose an amendment to the plan setting forth certain special energy improvement projects that the ESID will undertake, which plan may outline the area in which such projects will be provided, the method of special assessment to be used with respect to the projects, the period of time during which any such special assessments are to be levied, the procedures by which additional territory may be added to the ESID, and such other provisions that the ESID shall deem appropriate, and the legislative authority of the municipal corporation to which such plan is submitted is authorized to approve the plan along with the petition;

WHEREAS: The City of Medina has created an Energy Special Improvement District (“District”) under Ohio Revised Code Chapter 1710 and a non-profit corporation, known as the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District (“Corporation”), to govern the District. Property owners within the District are permitted to make certain “energy efficiency improvements” to their properties, which constitute a “special energy improvement project”, and pay for the cost of the special energy improvement project by way of special assessments in accordance with the process set out in Chapters 727 and 1710 of the Ohio Revised Code. Revised Code Section 1710.01(G) provides that special energy improvement projects (including energy efficiency improvements) constitute public improvements and are therefore subject to special assessments;

- WHEREAS: The City of Brunswick (the “Petitioner”) is the owner of 100% of the property described on **Exhibit A** attached hereto (the “Property”). The Petitioner has identified the Property for a special energy improvement project;
- WHEREAS: On or about May 5, 2021, pursuant to Ohio Revised Code Section 1710.02, the Petitioner submitted to this Council (i) a *Petition for Special Assessments for Special Energy Improvement Projects* (the “Petition”) seeking (i) the addition of certain of its property owned by the Petitioner to the District and (ii) approval of an amendment to the District’s *2021 Medina County Energy Improvement District Plan* (the “Plan”) for special energy improvement projects to include the City of Brunswick Special Energy Improvement Project (the “Special Energy Improvement Project”) and requesting that the Special Energy Improvement Project be undertaken by the District and that the costs thereof be specially assessed against the Property specially benefited thereby;
- WHEREAS: Said Petition and Plan, are for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 2 of Article VIII of the Ohio Constitution, including, without limitation, the special energy improvement project to be located at the Property;
- WHEREAS: In accordance with Ohio Revised Code Section 1710.02, the Petition requests that this Council approve the Petition adding Petitioner’s Property to the District, expanding the District;
- WHEREAS: The Petition and Articles set forth that the members of the District will be the property owners who voluntarily include their properties in the District;
- WHEREAS: Pursuant to Ohio Revised Code Section 1710.04 and the Petition and governing documents of the Corporation, the members of the board of directors of the District will include at least three representatives of one or more property owners who have voluntarily included their properties in the District, one representative appointed by the Council, as the City’s legislative authority, and the City Manager, as the City’s municipal executive, or a person who the City Manager designates to serve in his stead and who is an employee of the City and involved with the City’s planning or economic development functions;
- WHEREAS: The Plan defines the special energy improvement project to be completed at the Property and identifies the amount and length of special assessments for the special energy improvement project, and such special assessments shall require formal authorization from Council pursuant to Ohio Revised Code Chapters 727 and 1710;
- WHEREAS: This Council, as mandated by Ohio Revised Code Section 1710.02(E), must approve or disapprove the Petition, the Plan, and the Articles within 60 days of the submission of the Petition, Plan, and Articles;

WHEREAS: This Council has determined to approve the Petition and Plan and thereby expanding the District;

WHEREAS: This Council, as mandated by Ohio Revised Code Section 1710.02(E), must approve or disapprove the Petition and the Plan within 60 days of the submission of the Petition and the Plan;

WHEREAS: The energy assessment has identified energy conservation measures, all of which qualify as energy efficiency improvements as defined in Ohio Revised Code Section 1710.01(K), which Petitioner has determined to proceed with implementing in conjunction with financing to be secured by and repaid through special assessments;

WHEREAS: A complete list and description of the Special Energy Improvement Project is on file with the Clerk of City Council and is attached as **Exhibit B** to this Resolution. **Exhibit B** provides the following information for the Special Energy Improvement Project:

1. Identification of the parcel number and name of the Property/building to be improved;
2. A description of the nature of the Special Energy Improvement Project for the particular parcel; and
3. The estimated amount of the special assessment to be levied against the Property (the "Special Assessment") and the number of years the Special Assessment will be collected (if not paid in cash within 30 days after the passage of the assessing ordinance as provided by law);

WHEREAS: The total dollar cost of the Special Energy Improvement Project, including accrued interest and the associated closing costs, will be Thirty-Five Dollars and Ninety-Six Cents (\$35.96). Each annual payment represents the payment of a portion of the principal and interest, the program administration fee, and the Medina County, Ohio special assessment collection fee due with respect to each annual payment. The total amount to be assessed against the property pursuant to this Ordinance is Thirty-Five Dollars and Ninety-Six Cents (\$35.96);

WHEREAS: The annual Special Assessment for the Special Energy Improvement Project is to be paid in one (1) annual payments over one (1) year. The plans and specifications for the Special Energy Improvement Project are on file with the Clerk of Council. The Petitioner also waives all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Chapter 727 of the Revised Code, the City of Brunswick Charter and Codified Ordinances. Petitioner consents to the immediate imposition of the Special Assessment upon the Property specially benefited by Special Energy Improvement Project;

WHEREAS: This special assessment process is a voluntary process with one hundred percent of the cost of the Special Energy Improvement Project being assigned to the specially benefited Property. This resolution accepts and approves the petition from Petitioner, to begin that special assessment process, and is accompanied by an ordinance to proceed with Petitioner. When the Special Energy Improvement Project is complete and the final costs known, an assessing ordinance directing that the necessary Special Assessment be made against the benefited Property will be presented to the Council; and

WHEREAS: This Council, pursuant to Ohio Revised Code Section 1710.02(G)(4), has determined that the energy special improvement project to be constructed and implemented on the Property is not required to be owned exclusively by the City for its purposes, for uses determined by this Council, as the legislative authority of the City as those that will promote the welfare of the people of the City; to improve the quality of life and the general and economic well-being of the people of City; to better ensure the public health, safety, and welfare; to protect water and other natural resources; to provide for the conservation and preservation of natural and open areas and farmlands, including by making urban areas more desirable or suitable for development and revitalization; to control, prevent, minimize, clean up, or mediate certain contamination of or pollution from lands in the state and water contamination or pollution; or to provide for safe and natural areas and resources.

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

SECTION 1: That this Council approves the Petition and further approves the Plan in substantially the form now on file with the Clerk of Council.

SECTION 2: That pursuant to Ohio Revised Code Section 1710.04, this Council appoints _____ and the City Manager appoints City of Brunswick Community & Economic Development Director Grant Aungst to serve on the board of directors of the Corporation.

SECTION 3: This Council hereby approves and consents to (i) any addition of real property to the territory of the District within the boundaries any municipal corporation or township in which a portion of the territory of the District is located or any municipal corporation or township which is contiguous to the municipal corporations or townships in which a portion of the territory of the District is located; (ii) the addition of the municipal corporation or township in which such real property is located as a “participating political subdivision,” as defined in Ohio Revised Code Section 1710.01(E), of the District; and (iii) any amendment to the Articles of Incorporation necessary to recognize or effect such addition.

SECTION 4: It is hereby declared necessary, and a vital and essential public purpose of the City, to improve the Property by providing for special energy improvement projects on the Property in the form of the Project, including any and all costs and expenses in

connection with or otherwise related thereto as described in the Petition, all of which is described in the plans, specifications, profiles, and estimates of costs included in the Petition and on file in the office of the Clerk of the Council.

SECTION 5: The plans and specifications and total cost of the Project, as included in the Petition, and now on file in the office of the Clerk of the Council are approved. The Project shall be made in accordance with the plans, specifications, profiles, and estimates for the Project included in the Petition.

SECTION 6: This Council declares that its intention is to proceed or to cooperate with the District to proceed with the acquisition, installation, equipment, and improvement of the Project described in the Petition. The Project shall be made in accordance with the provisions of the plans, specifications, profiles, and estimates of cost approved by Section 5 of this Ordinance.

SECTION 7: Pursuant to Ohio Revised Code Section 1710.02(G)(4), this Council determines that the energy special improvement project to be constructed and implemented on the Property is not required to be owned exclusively by the City for its purposes, for uses determined by this Council, as the legislative authority of the City, as those that will promote the welfare of the people of such participating political subdivision; to improve the quality of life and the general and economic well-being of the people of the City; to better ensure the public health, safety, and welfare; to protect water and other natural resources; to provide for the conservation and preservation of natural and open areas and farmlands, including by making urban areas more desirable or suitable for development and revitalization; to control, prevent, minimize, clean up, or mediate certain contamination of or pollution from lands in the state and water contamination or pollution; or to provide for safe and natural areas and resources. This Council accordingly authorizes the board of directors of the Corporation to act as its agent to sell, transfer, lease, or convey the special energy improvement project to be constructed and implemented on the Property. The consideration the board of directors of the Corporation must obtain from any sale, transfer, lease, or conveyance of the special energy improvement project on the Property is any consideration greater than or equal to \$1.00.

SECTION 8: This Council accepts and approves the waiver of all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Chapter 727 of the Ohio Revised Code, Chapter 1710 of the Ohio Revised Code, and the Charter of the City of Brunswick, Ohio, and consents to the immediate imposition of the Special Assessments upon the Property. This waiver encompasses, but is not limited to, waivers by the Owner of the following rights:

- (i) The right to notice of the adoption of a resolution of necessity under Sections 727.13 and 727.14 of the Ohio Revised Code;
- (ii) The right to limit the amount of the Special Assessments under Sections 727.03 and 727.06 of the Ohio Revised Code;

- (iii) The right to file an objection to the Special Assessments under Section 727.15 of the Ohio Revised Code;
- (iv) The right to the establishment of, and any proceedings by and any notice from an Assessment Equalization Board under Sections 727.16 and 727.17 of the Ohio Revised Code;
- (v) Section 727.43 of the Ohio Revised Code;
- (vi) The right to notice that bids or quotations for the Project may exceed estimates by 15%;
- (vii) The right to seek a deferral of payments of Special Assessments under Section 727.251 of the Ohio Revised Code;
- (viii) The right to notice of the passage of the assessing ordinance under Section 727.26 of the Ohio Revised Code; and
- (ix) Any and all procedural defects, errors, or omissions in the Special Assessment process.

SECTION 9: The list of Special Assessments to be levied and assessed on the Property in an amount sufficient to pay the costs of the Project, which is Thirty-Five Dollars and Ninety-Six Cents (\$35.96), including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses, which costs were set forth in the Petition and previously reported to this Council and are now on file in the offices of the Clerk of Council, is adopted and confirmed, and that the Special Assessments are levied and assessed on the Property. The interest portion of the Special Assessments, which shall accrue at the annual rate of 0.00% together with amounts used to pay administrative expenses, has been determined by the District to be substantially equivalent to the fair market rate that would have been borne by notes or bonds been issued by the District.

The Special Assessments are assessed against the Property commencing in tax year 2021 for collection in 2022; provided, however, if the proceedings relating to the Special Assessments are completed at such time that the County Auditor of Medina County, Ohio (the "County Auditor") determines that collections shall not commence in 2022, then the collection schedule may be deferred by one year. The annual installment of the Special Assessments shall be collected in each calendar year as shown in **Exhibit B**, attached hereto and incorporated into this Ordinance. The Special Assessments may be levied and collected before the Project is commenced.

The Special Assessments shall be allocated in proportion to the benefits which may result from the Project among the parcels constituting the Property as set forth in the Petition and the List of Special Assessments attached hereto as **Exhibit B** and incorporated herein.

SECTION 10: This Council finds and determines that the Special Assessments are in proportion to the special benefits received by the Property as set forth in the Petition and are not in excess of any applicable statutory limitation.

SECTION 11: The Petitioner has waived its right to pay the Special Assessments in cash, and all Special Assessments and installments of the Special Assessments shall be certified by the Clerk of Council to the County Auditor as provided by the Petition and Section 727.33 of the Ohio Revised Code to be placed by him or her on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

SECTION 12: The Special Assessments will be used by the Petitioner to pay the cost of the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the City to the District or to another party the City deems appropriate, and the Special Assessments are appropriated for such purposes. The Finance Director or the Finance Director's designee shall keep the Special Assessments on file in the office of the Finance Director.

SECTION 13: Compliance with Section 319.61 of the Ohio Revised Code, the Clerk of Council is directed to deliver a certified copy of this Ordinance to the County Auditor within 15 days after its passage.

SECTION 14: That this Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

SECTION 15: 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 in order to conserve energy and protect the environment of the City, as well as undertake the construction of the public improvements and enable and provide for the timely levying, certification and collection of the special improvements for the Project. 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

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel No. 003-18B-43-010

Property Address: 4095 Center Road, Brunswick, Ohio 44212

EXHIBIT B

Project Plan for City of Brunswick, Ohio

The real property owned by the City of Brunswick, Ohio located at 4095 Center Road, Brunswick, Ohio 44212, serves as City Hall for the City of Brunswick. The description of the property is set forth on the attached Exhibit A. The property will be subject to special assessments for energy improvements in accordance with Ohio Revised Code Chapter 1710.

The energy efficiency savings for the project are expected to be 20% or more annually and consist of the following energy efficiency elements:

1. LED Lighting Replacement

Total Project Cost: \$35.96

Total cost including financing and other charges: \$35.96

Total direct payments collected: \$0.00

Total assessment payments to be collected: \$35.96

Estimated annual special assessment for 1 year: \$35.96

Estimated annual special assessments for 1 year*: 1

Number of annual installments: 1

First annual installment due: January 31, 2022

**Note: Numbers do not reflect additional charges the County Auditor may apply to the annual assessment.*

Year Payments Are Due	Total Annual Assessment Parcel 003-18B-43-010	1st Half (Due 1/31)	2nd Half (Due 7/31)
2022	\$35.96	\$35.96	\$0.00
Total Assessment	\$35.96		

Pursuant to Ohio Revised Code Chapter 323, the Assessment Payment Dates identified in this Exhibit B to the Plan are subject to adjustment by the Medina County Auditor under certain conditions.

The County Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each Annual Assessment payment. If imposed, this special assessment collection fee will be added by the County Auditor of Medina County, Ohio to each Annual Assessment payment.

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 49-2021** - An emergency resolution authorizing the City Manager to enter into an Energy Project Agreement with City of Medina Energy Special Improvement District, INC. DBA County of Medina Energy Improvement District, INC. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: The City of Brunswick is seeking to establish the City as part of the Energy Special Improvement District (ESID) with in Medina County for the betterment of the City, its stakeholders and business community to improve real property.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:** Any expected costs associated with this legislation or project would be minimal (under \$50).

**RECOMMENDED
ACTION:**

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 49-2021

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO
ENTER INTO AN ENERGY PROJECT AGREEMENT WITH CITY OF MEDINA
ENERGY SPECIAL IMPROVEMENT DISTRICT, INC. DBA COUNTY OF
MEDINA ENERGY IMPROVEMENT DISTRICT, INC.

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

SECTION 1: It is necessary to improve the real property located at 4095 Center Road, Brunswick, Ohio 44212 (the “Property”) by installing and upgrading the lighting systems with energy efficient LED lighting, together with all necessary appurtenances thereto (the “Project”).

SECTION 2: The City Manager is hereby authorized, upon approval of the Law Director, to enter into an Energy Project Agreement, in the form attached hereto as Exhibit “A” and incorporated herein by reference, with the City of Medina Energy Special Improvement District, Inc., dba County of Medina Energy Special Improvement District, Inc., along with all other documents necessary to achieve the purposes described in the Energy Project Agreement.

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

SECTION 4: 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 in order to conserve energy and protect the environment of the City, as well as undertake the construction of the public improvements and enable and provide for the timely levying, certification and collection of the special assessments for the Project. 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

Exhibit A
Energy Project Agreement

[See attached]

ENERGY PROJECT AGREEMENT

by

CITY OF MEDINA ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.,

dba

MEDINA COUNTY ENERGY IMPROVEMENT DISTRICT

and

CITY OF BRUNSWICK, OHIO

Dated

as of

_____, 2021

TABLE OF CONTENTS

1. Consent to Special Assessments.....	2
2. Agreement to Cooperate.....	2
3. Execution of Documents; Appointment of Agent.	3
4. Waiver of Certain Rights.....	4
5. Representations and Warranties.	4
6. Assignment; Third Party Beneficiaries.	5
7. Default.	5
8. General.	5

ENERGY PROJECT AGREEMENT

This Energy Project Agreement (the “Agreement”) is made and entered into as of _____, 2021 (the “Effective Date”) between the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District, a non-profit corporation and special improvement district under the laws of the State of Ohio (the “Corporation”), with offices at 144 Broadway Street, # 202, Medina, OH 44256, and the City of Brunswick, Ohio, a chartered Ohio municipal corporation with offices at 4095 Center Road, Brunswick, Ohio 44212 (the “Petitioner”):

WHEREAS, the Petitioner is engaging in a certain special energy improvement project (“Energy Project”); and

WHEREAS, the Petitioner petitioned the City of Brunswick, Ohio for the expansion of the Medina County Energy Improvement District to become a member (the “Petition”); and

WHEREAS, on September 9, 2019 the City Council of Medina passed Resolution No. 140-19, which approved the initial petition, the initial plan for the district, and authorized the formation of the Medina County Energy Improvement District; and

WHEREAS, the Energy Project has an overall estimated cost of Thirty-Five Dollars and Ninety-Six Cents (\$35.96) (excluding interest and other transactional and carrying costs, all of which shall be included in the Special Assessments described below) as shown in Exhibit B, which the Petitioner has agreed to fund; and

WHEREAS, the Petitioner requests that the Energy Project be funded through special assessments (“Special Assessments”) upon the real property upon which the Energy Project will be constructed and exist (the “Property”) as allowed under Ohio Revised Code Chapters 1710 and 727; and

WHEREAS, the Corporation and the Petitioner agrees to undertake the funding of the Energy Project through Special Assessments upon the condition that the Petitioner agrees to impose the Special Assessments upon the Property and provide full cooperation with and assistance to the Corporation and the City of Brunswick, Ohio (the “City”) and other entities and institutions involved in the process of approving and imposing the Special Assessments; and

WHEREAS, in order to induce the Corporation to provide the funds for the Energy Project, the Petitioner agrees to provide all such cooperation and assistance necessary for the imposition of the Special Assessments upon the Property.

NOW THEREFORE, in consideration of the mutual promises set forth herein, the Petitioner and the Corporation do hereby enter into this Energy Project Agreement (“Agreement”) as follows:

1. Consent to Special Assessments. The Petitioner consents to the imposition of Special Assessments upon the Property, which is commonly referred to as 4095 Center Road, Brunswick, Ohio 44212, and which consists of the following permanent parcel numbers in the records of the Auditor of Medina County, Ohio (the “Auditor”): Parcel Number/PPN 003-18B-43-010 as detailed on Exhibit A attached hereto and incorporated herein by reference. In the event there are additional or other parcels of property that are not listed but which are benefitted by the Energy Project, the Petitioner consents to the imposition of the Special Assessments with respect to those parcels as well. The Petitioner acknowledges that the Special Assessments in the event of non-payment and default will constitute a lien upon the Property and may be enforced and collected in accordance with law, including the provisions of Chapter 727 of the Ohio Revised Code.

The cost of the Energy Project shall include, but not be limited to, the cost of: labor, materials, equipment, engineering, design, and audits (“Energy Project Amount”) and is estimated to be Thirty-Five Dollars and Ninety-Six Cents (\$35.96). The Special Assessments shall be in an amount sufficient to fund the Energy Project Amount and shall include an amount sufficient to fund the necessary and reasonable additional costs related to the financing of the Energy Project Amount including but not limited to: interests, fees, carrying costs, taxes, filing fees, recording charges and all other costs incident to the financing of the Energy Project Amount.

The Petitioner acknowledges that the Energy Project Amount is an estimated cost of the Energy Project and that the actual cost of the Energy Project may be more or less than the estimate and that such estimate does not limit the amount of the Special Assessments; provided, however, that the sum total of all Special Assessments, including the costs related to financing the Energy Project Amount, will not exceed the Total Assessment Amount to be Collected amount listed on Exhibit B attached to this Agreement and incorporated into this Agreement by this reference. The Petitioner agrees that one hundred percent (100%) of the Special Assessments shall be imposed upon the Property and that the Property is being specially benefitted to the full extent of the Special Assessments. The Special Assessments may continue for such period of time as allowed by law and shall continue for the full period of time required to pay the Corporation for all costs, including financing costs, for the Energy Project.

2. Agreement to Cooperate. The Petitioner agrees to provide full and timely cooperation to the Corporation and the agencies, entities and institutions involved in the special assessment process, including but not limited to: the City and the Medina County, Ohio Treasurer (the “Treasurer”), so that the Special Assessments are imposed upon the Property and enforceable against the Property. The Petitioner agrees that pursuant to a Petition, it has submitted its Energy Project for admission as a special energy improvement project to be undertaken by the Corporation. The Petitioner therefore shall be a member of the Corporation. The Petitioner further agrees that it shall cause a representative to appear at any necessary hearings or legal proceedings involving the Special Assessments and cooperate in such hearings or legal proceedings so that the Special Assessments are approved and become binding upon the Property. The Petitioner agrees to provide on-going cooperation with the Corporation and all other agencies, entities and institutions involved in the special assessment process during the entire period of time any of the financing for the Energy Project remains outstanding.

The Corporation and the Petitioner agree to provide full and timely cooperation with each other for the financing of the Energy Project and the provision of the Energy Project pursuant to this Agreement, and the Petition.

3. Execution of Documents; Appointment of Agent. Petitioner shall execute or cause to be executed by appropriate Petitioner officials, all applications, petitions for special assessments, waivers, acknowledgements, and other instruments, documents and papers ("Documents") necessary or helpful to impose the Special Assessments upon the Property and to acknowledge the validity and binding nature of such Special Assessments. To facilitate that process, Petitioner hereby irrevocably appoints the Corporation's Chairperson, or such other individual as the Corporation may name from time to time, as the Petitioner's attorney-in-fact and agent with full and complete authority to execute all such Documents, including but not limited to the Petition, on behalf of Petitioner and to bind Petitioner and the Property to the Special Assessments, including making all waivers of hearings and notices concerning the Special Assessments.

Without limiting the generality of the foregoing grant of authority, Petitioner grants the Corporation full irrevocable power and authority in the place of Petitioner and in the name of Petitioner or in Corporation's own name, for the purpose of carrying out the terms of this Agreement, to perform, at any time and from time to time, each agreement contained in this Agreement that is on Petitioner's part to be complied with, and to take any and all actions and to execute and deliver any and all Documents which may be necessary or desirable to give the Corporation the full benefit of this Agreement, in each case as the Corporation may from time to time deem advisable, Petitioner hereby agreeing that the Corporation shall owe no duty whatever to Petitioner to perform any such agreement, to take any such action, or to execute or deliver any such Document or, having done so any one or more times, to thereafter continue doing so. Without limiting the generality of the foregoing, Petitioner hereby irrevocably authorizes the Corporation, at any time and from time to time, to (a) fill in any blank space contained in this Agreement or another Document, (b) correct patent errors, to complete and correct the description of the Property, and to complete the date herein or therein, (c) file and sign, on Petitioner's behalf, at Petitioner's expense and without Petitioner's signature, such petitions for special assessments, waivers, affidavits, assignments, financing statements, endorsements of specific items of collateral, mortgages, powers of attorney, security agreements, or other Documents as the Corporation may from time to time deem advisable for the better evidencing, perfection, protection, or validation of, or realization of the benefits of this Agreement, and (d) to the extent the Corporation filed any such petitions for special assessments, waivers, affidavits, assignments, financing statements, endorsements of specific items of collateral, mortgages, powers of attorney, security agreements, or other Documents prior to the date of this Agreement, all such actions and Documents are hereby ratified by the Petitioner.

4. Waiver of Certain Rights. Petitioner acknowledges that the process for the imposition of special assessments provides the owner of property subject to such special assessments with certain rights, including rights to: receive notices of proceedings; object to the imposition of the special assessments; claim damages; participate in hearings; take appeals from proceedings imposing special assessments; participate in and prosecute court proceedings, as well as other rights under law, including but not limited to those provided for or specified in the United States Constitution, the Ohio Constitution, Chapter 727 of the Ohio Revised Code, the Charter of the City and the Codified Ordinances of Brunswick, Ohio (collectively, "Assessment Rights"). Petitioner hereby irrevocably waives all Assessment Rights and consents to the imposition of the Special Assessments immediately or at such time as the Corporation determines to be appropriate, and Petitioner expressly requests the entities involved with the special assessment process to promptly proceed with the imposition of the Special Assessment upon the Property. The Petitioner further waives: any and all questions as to the constitutionality of the law under which the Energy Project will be constructed and the Special Assessments imposed upon the Property; the jurisdiction of the Council of the City acting thereunder; and the right to file a claim for damages as provided in Section 727.18 of the Ohio Revised Code and any similar provision of the Charter of the City of Medina or the Codified Ordinances of Medina, Ohio.

5. Representations and Warranties. Petitioner represents and warrants that:

- A. Petitioner is a duly organized and validly existing chartered municipal corporation under the laws of the State of Ohio;
- B. Petitioner is the owner of the Property with the legal authority to subject the Property to the Special Assessments;
- C. Petitioner and the individual executing this Agreement on behalf of the Petitioner are duly authorized to enter into this Agreement;
- D. Entering into this Agreement will not result in the breach of any other agreement to which the Petitioner is a party;
- E. Petitioner will complete the Energy Project, and has or will provide sufficient funds to complete the Energy Project in the event of additional costs or expenses above and beyond the estimated Energy Project Amount of Thirty-Five Dollars and Ninety-Six Cents (\$35.96). In the event that the Energy Project is completed below the estimated cost of Thirty-Five Dollars and Ninety-Six Cents (\$35.96) the remaining amount shall be used to reduce the final assessment amount payable; and
- F. All of the factual statements concerning Petitioner contained in this Agreement are true and accurate to the best of Petitioner's knowledge and belief and if there is a material change in the accuracy or truthfulness of any such factual statement, Petitioner will promptly disclose the same to the Corporation.

6. **Assignment; Third Party Beneficiaries.** Petitioner may not assign this Agreement without the consent of the Corporation, which consent shall not be unreasonably withheld. Corporation may assign this Agreement, or any portion of its benefits or obligations, freely to another party, with or without the consent of the Petitioner.

7. **Default.** If any of the following events shall occur, it shall be deemed a default (“Default”) under this Agreement and the Corporation shall be entitled to any rights or remedies under this Agreement and any rights or remedies provided under law:

- A. The Petitioner fails to pay an installment of any Special Assessment when due.
- B. The Petitioner fails to perform any other obligation under this Agreement and the failure continues for a period of ten (10) days after written notice from the Corporation.
- C. The Petitioner is in breach of any of its representations or warranties under this Agreement.
- D. The Petitioner abandons the Property.
- E. The Petitioner commits waste upon the Property.
- F. The Petitioner becomes bankrupt or insolvent or files or has filed against it a petition in bankruptcy or for reorganization or arrangement or other relief under the bankruptcy laws or any similar state law or makes an assignment for the benefit of creditors.

In the event of a Default, then, in addition to any other remedy the Corporation may have, the Corporation may recover from Petitioner all damages they respectively incur by reason of the Default, including reasonable attorneys’ fees and expenses.

8. **General.**

- A. If any provision of this Agreement is found to be invalid, illegal or unenforceable under any applicable statute or law, such provision shall to that extent be deemed to be omitted, and the remaining provisions of this Agreement shall not be affected in any way.
- B. The Petitioner acknowledges that it has read and understands this Agreement and is bound by its terms. This Agreement contains the entire understanding and agreement of the parties with respect to the matters contained in this Agreement, and supersedes all prior proposals and understandings between the parties.
- C. This Agreement shall not be modified or altered except as by a written instrument duly executed by all of the parties.
- D. The Petitioner acknowledges that it has had an opportunity to review this Agreement and to be advised by an attorney of its choosing as to the Agreement’s

terms, conditions and provisions. The Petitioner is entering into this Agreement knowingly and voluntarily.

- E. The Corporation and the Petitioner are, in relation to one another, independent contractors and not agents of one another. The parties have no fiduciary obligations to one another and are not, by entering into this Agreement, assuming any such fiduciary obligations.
- F. The Petitioner acknowledges that the Corporation has been created under provisions of the Ohio Revised Code and that their authority, as well as the authority of their employees, agents and representatives, is limited under law.
- G. The Corporation may cause this Agreement to be recorded in the office of the Recorder. The obligations created by this Agreement shall run with and be binding upon the land regardless of the owner of Property until duly released by the Corporation.
- H. The Petitioner shall provide written notice to Corporation of any sale or transfer of the Property.
- I. The Petitioner shall disclose the existence of this Agreement to any purchaser or transferee of the Property and inform such purchaser or transferee of the nature and extent of the Special Assessments before entering into a binding agreement for the sale or transfer of the Property.
- J. The Petitioner acknowledges that the Special Assessments, when levied against the Property, will be payable in cash within thirty (30) days from the date of passage of the ordinance levying the final assessment if permitted by law and that if such Special Assessment is not paid in cash, the balance will be certified to the Auditor, as provided by law, to be placed by the Auditor on the tax list and duplicate and collected as other taxes are collected in such number of semiannual installments as determined by the Corporation and as allowed by law, together with interest at the same rate as shall be borne by the loans received or bonds issued to pay the costs of the Energy Project or in anticipation of the collection of the Special Assessments. Notwithstanding the foregoing, the Petitioner waives and authorizes the Corporation to waive on its behalf, the right to pay the Special Assessments in cash.
- K. At such time as the Special Assessments are no longer necessary to finance the Energy Project, the Corporation having recovered all of its costs, and all other requirements under this Agreement have been fulfilled, the Corporation will provide a release of this Agreement and cause the same to be recorded in the office of the Recorder.
- L. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Ohio, without regard to its conflict of laws principles.

- M. Any legal proceeding, including any arbitration or litigation, concerning this agreement, directly or indirectly, shall be heard only in a state or federal court with proper jurisdiction in Medina County, Ohio.

[Remainder of Page Intentionally Left Blank]

[Signature Page Immediately Follows]

Petitioner:

CITY OF BRUNSWICK, OHIO

By: _____
Carl S. DeForest, City Manager

Date: _____

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

On this ___ day of _____, 2021 personally appeared before me, a notary public in and for the State of Ohio, Carl S. DeForest, City Manager, who acknowledged that he did execute the foregoing Energy Project Agreement on behalf of the City of Brunswick, Ohio and that the same was the free act and deed of the City of Brunswick, Ohio and himself as City Manager.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public

Approved as to form:

Kenneth J. Fisher, Law Director

Corporation:

CITY OF MEDINA ENERGY SPECIAL
IMPROVEMENT DISTRICT, INC., DBA
MEDINA COUNTY ENERGY
IMPROVEMENT DISTRICT

By: _____
_____, Chairperson

Date: _____

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

On the __ day of _____, 2021 personally appeared before me, a notary public in and for the State of Ohio, _____, the Chairperson of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District, who acknowledged that he/she did execute the foregoing Energy Project Agreement on behalf of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District and that the same was the free act and deed of said City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District and of himself/herself as such officer of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel No. 003-18B-43-010

Property Address: 4095 Center Road, Brunswick, Ohio 44212

EXHIBIT B

Project Plan for City of Brunswick, Ohio

The real property owned by the City of Brunswick, Ohio located at 4095 Center Road, Brunswick, Ohio 44212, serves as City Hall for the City of Brunswick. The description of the property is set forth on the attached Exhibit A. The property will be subject to special assessments for energy improvements in accordance with Ohio Revised Code Chapter 1710.

The energy efficiency savings for the project are expected to be 20% or more annually and consist of the following energy efficiency elements:

1. LED Lighting Replacement

Total Project Cost: \$35.96

Total cost including financing and other charges: \$35.96

Total direct payments collected: \$0.00

Total assessment payments to be collected: \$35.96

Estimated annual special assessment for 1 year: \$35.96

Estimated annual special assessments for 1 year*: 1

Number of annual installments: 1

First annual installment due: January 31, 2022

**Note: Numbers do not reflect additional charges the County Auditor may apply to the annual assessment.*

Year Payments Are Due	Total Annual Assessment Parcel 003-18B-43-010	1st Half (Due 1/31)	2nd Half (Due 7/31)
2022	\$35.96	\$35.96	\$0.00
Total Assessment	\$35.96		

Pursuant to Ohio Revised Code Chapter 323, the Assessment Payment Dates identified in this Exhibit B to the Plan are subject to adjustment by the Medina County Auditor under certain conditions.

The County Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each Annual Assessment payment. If imposed, this special assessment collection fee will be added by the County Auditor of Medina County, Ohio to each Annual Assessment payment.

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 50-2021** - An emergency resolution declaring it necessary to make certain energy improvements at property in the city by replacing and installing LED lighting, together with all necessary appurtenances thereto. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: The City of Brunswick is seeking to establish the City as part of the Energy Special Improvement District (ESID) within Medina County for the betterment of the City, its stakeholders and business community to improve real property.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:** Expected costs associated with this legislation or project would be minimal. Cost to the bulbs, which was submitted to the ESID in Medina County and accepted in the amount of, \$35.96 for four LED bulbs.

**RECOMMENDED
ACTION:**

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 50-2021

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

AN EMERGENCY RESOLUTION DECLARING IT NECESSARY TO MAKE CERTAIN ENERGY IMPROVEMENTS AT PROPERTY IN THE CITY BY REPLACING AND INSTALLING LED LIGHTING, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO.

WHEREAS: The owner of 100% of the real property described on **Exhibit A** attached hereto wishes to complete the energy improvements as described above it the title of this Resolution and has demonstrated such through the signing of a petition in support of self-assessment for the cost associated with such; and

WHEREAS: The City desires to assist the owner of the real property located at 4095 Center Road, Brunswick, Ohio by making these improvements and permitting the property owner the benefit of paying for these improvements by way of special assessment.

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

SECTION 1: It is necessary to improve the real property located at 4095 Center Road, Brunswick, Ohio 44212 (the "Property") by installing and upgrading the lighting systems with energy efficient LED lighting, together with all necessary appurtenances thereto (the "Improvement").

SECTION 2: The plans, specifications and profiles of the Improvement and the estimate of cost of the Improvement, prepared by the City of Brunswick and now on file in the office of the Clerk of this Council, are approved.

SECTION 3: It is hereby determined and declared that said Improvement is conducive to the public health, convenience and welfare of said City and the inhabitants thereof, and the lots and lands to be assessed as described in Section 4 are specially benefited by the Improvement.

SECTION 4: Council hereby determines that the Property is specially benefited by said Improvement and shall be assessed 100% for said improvements. It is hereby determined that a petition requesting the improvement has been regularly presented to this Council and has been subscribed by 100% of the owners of the Property to be assessed for said Improvement. The Petition is accepted by this Council. The assessments shall cover the entire actual cost of engineering of, site preparation for and construction for and construction of said improvements and include the cost of preliminary and other surveys; publishing notices, resolutions and ordinances; the amount of damages resulting from the improvement assessed in favor of any owner of land affected by the improvement; the preparation, levy, and collection of the

special assessments; the cost of purchasing, appropriating and otherwise acquiring labor and material; together with all other necessary expenditures, such total amount of the assessment not to exceed Thirty-Five Dollars and Ninety-Six Cents (\$35.96). The assessments shall be levied, and shall be paid, when levied, in one (1) annual installment. Provided that the owner of any property assessed, at its option, pay the assessment in cash within thirty (30) days after passage of the Ordinance levying taxes.

SECTION 5: The Clerk of Council is hereby directed to deliver a certified copy of this Resolution to the Director of Finance of the City.

SECTION 6: The City is hereby authorized and directed to prepare and file with this Council the estimated assessments of the cost of the Improvement described in this Resolution, and sharing the amount of the assessment against each lot and parcel of land to be assessed. The estimated assessment shall be filed in the office of the Clerk of Council and kept available for public inspection.

SECTION 7: The assessments to be levied shall be paid in one (1) annual installments as provided herein, provided that the owner of any property assessed may, at his, her or its option, pay such assessment in whole within thirty (30) days after initial receipt of the City's invoice.

SECTION 8: When an owner of any property assessed elects to pay said assessment via installments as described above, additional fees and charges such as those imposed by the Medina County Auditor for special assessments shall be borne by said property owner.

SECTION 9: It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 10: 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 in order to conserve energy and protect the environment of the City, as well as undertake the construction of the public improvements and enable and provide for the timely levying, certification and collection of the special assessments for the Project. 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

EXHIBIT A
DESCRIPTION OF PROPERTY

Parcel No. 003-18B-43-010

Property Address: 4095 Center Road, Brunswick, Ohio 44212

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/14/2021

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. 54-2021** - An emergency ordinance determining to proceed with certain Medina County Energy Improvement District Projects by way of Special Assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code. - **2nd Reading** (Economic Development Committee, *Administration/Grant Aungst*)

BACKGROUND: The City of Brunswick is seeking to establish the City as part of the Energy Special Improvement District (ESID) within Medina County for the betterment of the City, its stakeholders, and the business community to improve real property.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**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?

Upcoming project timing and needing to pair with agreements with the Medina County ESID.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 54-2021

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

AN EMERGENCY ORDINANCE DETERMINING TO PROCEED WITH CERTAIN MEDINA COUNTY ENERGY IMPROVEMENT DISTRICT PROJECTS BY WAY OF SPECIAL ASSESSMENTS IN ACCORDANCE WITH CHAPTERS 1710 AND 727 OF THE OHIO REVISED CODE.

- WHEREAS: The City of Medina created an Energy Special Improvement District (“District”) under Ohio Revised Code Chapter 1710 and a non-profit corporation, known as City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District (“Corporation”), to govern the District. Property owners within the District are permitted to make certain “energy efficiency improvements” to their properties, which constitute a “special energy improvement project”, and pay for the cost of the special energy improvement project by way of special assessments in accordance with the process set out in Chapters 727 and 1710 of the Ohio Revised Code. Ohio Revised Code Section 1710.01(G) provides that special energy improvement projects (including energy efficiency improvements) constitute public improvements and are therefore subject to special assessments;
- WHEREAS: The City of Medina and the City of Brunswick have partnered to expand an Energy Special Improvement District under Ohio Revised Code Chapter 1710 and the Corporation, known as the City of Medina Energy Special Improvement District, Inc. dba County of Medina Energy Improvement District, to govern the district;
- WHEREAS: The City of Brunswick (the “Petitioner”) is the owner of 100% of the property described on **Exhibit A** attached hereto (the “Property”). The Petitioner has executed an Energy Project Agreement (the “Agreement”) with the Corporation. A copy of the Agreement is attached to the Petition as **Exhibit C**;
- WHEREAS: Pursuant to the Agreement, the Corporation and the Petitioner have caused an energy audit to the Property to be completed;
- WHEREAS: The energy audit has identified energy conservation measures, all of which qualify as energy efficiency improvements as defined in Ohio Revised Code Section 1710.01(K), which the Petitioner has determined to proceed with implementation, and to pay by way of special assessments;
- WHEREAS: The Petitioner has submitted to this Council a petition (“Petition”) seeking (i) the expansion of the District; (ii) the addition certain of its property to the District; and (iii) approval of the District's amended 2021 comprehensive plan for special energy improvement projects, (the “Plan”) including the City of Brunswick Special Energy Improvement Project (the “Project”) and requesting that this Project be undertaken by the District and that the costs thereof be specially assessed against the properties of the Petitioner specially benefited thereby;

WHEREAS: A complete list and description of the Project is on file with the Clerk of Council and is attached as **Exhibit B** to this Ordinance. **Exhibit B** provides the following information for the Project:

1. Identification of the parcel numbers and name of the property/building to be improved;
2. A description of the nature of the special energy improvement project for the particular parcel;
3. The estimated amount of the special assessment to be levied against each parcel of property and the number of years the special assessment will be collected (if not paid in cash within 30 days after the passage of the assessing ordinance as provided by law).

The Petitioner expressly waives the right to pay the assessments in cash within 30 days after passage of the assessing ordinance.

WHEREAS: The total dollar cost of the Project, is Thirty-Five Dollars and Ninety-Six Cents (\$35.96). Each annual payment represents the payment of a portion of the principal of and interest. The Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each annual assessment payment. If imposed, this special assessment collection fee will be added by the Auditor of Medina County, Ohio to each annual assessment payment;

WHEREAS: The annual special assessments for the Project are to be paid in one (1) annual payment over one (1) year. The plans and specifications for the Project are on file with the Clerk of Council. The Petitioner's petition also waives all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Chapter 727 of the Ohio Revised Code, the City of Brunswick Charter and Codified Ordinances. The Petitioner consents to the immediate imposition of the special assessments upon the various properties specially benefited by Special Energy Improvement Projects; and

WHEREAS: This special assessment process is a voluntary process with one hundred percent of the cost of the special energy improvement projects being assigned to the specially benefited properties. When the Project is complete and the final costs known, an assessing ordinance directing that the necessary special assessments be made against the benefited properties will be presented to the Council.

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

SECTION 1: That this Council hereby determines to proceed with the Project as described in the Petitioner's Petition and in the Resolution of Necessity, including the **Exhibit B** attached thereto, and in accordance with the plans, specifications, profiles and estimates of costs previously approved and now on file with the Clerk of Council.

SECTION 2: That the Corporation and Petitioner shall cause the Project to be constructed under such contracts as they determine to be appropriate under law and in accordance with the plans and specifications approved by this Council.

SECTION 3: That the total cost of the Project to be assessed in accordance with the Resolution of Necessity shall be assessed on the properties in the manner and pursuant to the payment schedule set forth in the Resolution of Necessity, and the estimated special assessments prepared and filed in the Office of the Clerk of Council are adopted.

SECTION 4: That the Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within fifteen (15) days after its passage (or by such other date as may be specified in the Ohio Revised Code or acceptable to the County Auditor of Medina County, Ohio for the certification of assessments in connection with the preparation of the general tax list for tax year 2021).

SECTION 5: That this Council finds and determines that all formal actions of this Council and any of its Committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council or any of its Committees that resulted in such formal action were held in meetings open to the public, in compliance with all legal requirements including those of Section 121.22 of the Ohio Revised Code.

SECTION 15: 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 in order to conserve energy and protect the environment of the City, as well as undertake the construction of the public improvements and enable and provide for the timely levying, certification and collection of the special assessments for the Project. 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

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel No. 003-18B-43-010

Property Address: 4095 Center Road, Brunswick, Ohio 44212

EXHIBIT B

Project Plan for City of Brunswick, Ohio

The real property owned by the City of Brunswick, Ohio located at 4095 Center Road, Brunswick, Ohio 44212, serves as City Hall for the City of Brunswick. The description of the property is set forth on the attached Exhibit A. The property will be subject to special assessments for energy improvements in accordance with Ohio Revised Code Chapter 1710.

The energy efficiency savings for the project are expected to be 20% or more annually and consist of the following energy efficiency elements:

1. LED Lighting Replacement

Total Project Cost: \$35.96

Total cost including financing and other charges: \$35.96

Total direct payments collected: \$0.00

Total assessment payments to be collected: \$35.96

Estimated annual special assessment for 1 year: \$35.96

Estimated annual special assessments for 1 year*: 1

Number of annual installments: 1

First annual installment due: January 31, 2022

**Note: Numbers do not reflect additional charges the County Auditor may apply to the annual assessment.*

Year Payments Are Due	Total Annual Assessment Parcel 003-18B-43-010	1st Half (Due 1/31)	2nd Half (Due 7/31)
2022	\$35.96	\$35.96	\$0.00
Total Assessment	\$35.96		

Pursuant to Ohio Revised Code Chapter 323, the Assessment Payment Dates identified in this Exhibit B to the Plan are subject to adjustment by the Medina County Auditor under certain conditions.

The County Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each Annual Assessment payment. If imposed, this special assessment collection fee will be added by the County Auditor of Medina County, Ohio to each Annual Assessment payment.

EXHIBIT C
ENERGY PROJECT AGREEMENT

[Attached]

ENERGY PROJECT AGREEMENT

by

CITY OF MEDINA ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.,

dba

MEDINA COUNTY ENERGY IMPROVEMENT DISTRICT

and

CITY OF BRUNSWICK, OHIO

Dated

as of

_____, 2021

TABLE OF CONTENTS

1. Consent to Special Assessments.....	2
2. Agreement to Cooperate.....	2
3. Execution of Documents; Appointment of Agent.	3
4. Waiver of Certain Rights.....	4
5. Representations and Warranties.	4
6. Assignment; Third Party Beneficiaries.	5
7. Default.	5
8. General.	5

ENERGY PROJECT AGREEMENT

This Energy Project Agreement (the “Agreement”) is made and entered into as of _____, 2021 (the “Effective Date”) between the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District, a non-profit corporation and special improvement district under the laws of the State of Ohio (the “Corporation”), with offices at 144 Broadway Street, # 202, Medina, OH 44256, and the City of Brunswick, Ohio, a chartered Ohio municipal corporation with offices at 4095 Center Road, Brunswick, Ohio 44212 (the “Petitioner”):

WHEREAS, the Petitioner is engaging in a certain special energy improvement project (“Energy Project”); and

WHEREAS, the Petitioner petitioned the City of Brunswick, Ohio for the expansion of the Medina County Energy Improvement District to become a member (the “Petition”); and

WHEREAS, on September 9, 2019 the City Council of Medina passed Resolution No. 140-19, which approved the initial petition, the initial plan for the district, and authorized the formation of the Medina County Energy Improvement District; and

WHEREAS, the Energy Project has an overall estimated cost of Thirty-Five Dollars and Ninety-Six Cents (\$35.96) (excluding interest and other transactional and carrying costs, all of which shall be included in the Special Assessments described below) as shown in Exhibit B, which the Petitioner has agreed to fund; and

WHEREAS, the Petitioner requests that the Energy Project be funded through special assessments (“Special Assessments”) upon the real property upon which the Energy Project will be constructed and exist (the “Property”) as allowed under Ohio Revised Code Chapters 1710 and 727; and

WHEREAS, the Corporation and the Petitioner agrees to undertake the funding of the Energy Project through Special Assessments upon the condition that the Petitioner agrees to impose the Special Assessments upon the Property and provide full cooperation with and assistance to the Corporation and the City of Brunswick, Ohio (the “City”) and other entities and institutions involved in the process of approving and imposing the Special Assessments; and

WHEREAS, in order to induce the Corporation to provide the funds for the Energy Project, the Petitioner agrees to provide all such cooperation and assistance necessary for the imposition of the Special Assessments upon the Property.

NOW THEREFORE, in consideration of the mutual promises set forth herein, the Petitioner and the Corporation do hereby enter into this Energy Project Agreement (“Agreement”) as follows:

SECTION 1. Consent to Special Assessments. The Petitioner consents to the imposition of Special Assessments upon the Property, which is commonly referred to as 4095 Center Road, Brunswick, Ohio 44212, and which consists of the following permanent parcel numbers in the records of the Auditor of Medina County, Ohio (the “Auditor”): Parcel Number/PPN 003-18B-43-010 as detailed on Exhibit A attached hereto and incorporated herein by reference. In the event there are additional or other parcels of property that are not listed but which are benefitted by the Energy Project, the Petitioner consents to the imposition of the Special Assessments with respect to those parcels as well. The Petitioner acknowledges that the Special Assessments in the event of non-payment and default will constitute a lien upon the Property and may be enforced and collected in accordance with law, including the provisions of Chapter 727 of the Ohio Revised Code.

The cost of the Energy Project shall include, but not be limited to, the cost of: labor, materials, equipment, engineering, design, and audits (“Energy Project Amount”) and is estimated to be Thirty-Five Dollars and Ninety-Six Cents (\$35.96). The Special Assessments shall be in an amount sufficient to fund the Energy Project Amount and shall include an amount sufficient to fund the necessary and reasonable additional costs related to the financing of the Energy Project Amount including but not limited to: interests, fees, carrying costs, taxes, filing fees, recording charges and all other costs incident to the financing of the Energy Project Amount.

The Petitioner acknowledges that the Energy Project Amount is an estimated cost of the Energy Project and that the actual cost of the Energy Project may be more or less than the estimate and that such estimate does not limit the amount of the Special Assessments; provided, however, that the sum total of all Special Assessments, including the costs related to financing the Energy Project Amount, will not exceed the Total Assessment Amount to be Collected amount listed on Exhibit B attached to this Agreement and incorporated into this Agreement by this reference. The Petitioner agrees that one hundred percent (100%) of the Special Assessments shall be imposed upon the Property and that the Property is being specially benefitted to the full extent of the Special Assessments. The Special Assessments may continue for such period of time as allowed by law and shall continue for the full period of time required to pay the Corporation for all costs, including financing costs, for the Energy Project.

SECTION 2. Agreement to Cooperate. The Petitioner agrees to provide full and timely cooperation to the Corporation and the agencies, entities and institutions involved in the special assessment process, including but not limited to: the City and the Medina County, Ohio Treasurer (the “Treasurer”), so that the Special Assessments are imposed upon the Property and enforceable against the Property. The Petitioner agrees that pursuant to a Petition, it has submitted its Energy Project for admission as a special energy improvement project to be undertaken by the Corporation. The Petitioner therefore shall be a member of the Corporation. The Petitioner further agrees that it shall cause a representative to appear at any necessary hearings or legal proceedings involving the Special Assessments and cooperate in such hearings or legal proceedings so that the Special Assessments are approved and become binding upon the Property. The Petitioner agrees to provide on-going cooperation with the Corporation and all other agencies, entities and institutions involved in the special assessment process during the entire period of time any of the financing for the Energy Project remains outstanding.

The Corporation and the Petitioner agree to provide full and timely cooperation with each other for the financing of the Energy Project and the provision of the Energy Project pursuant to this Agreement, and the Petition.

SECTION 3. Execution of Documents; Appointment of Agent. Petitioner shall execute or cause to be executed by appropriate Petitioner officials, all applications, petitions for special assessments, waivers, acknowledgements, and other instruments, documents and papers (“Documents”) necessary or helpful to impose the Special Assessments upon the Property and to acknowledge the validity and binding nature of such Special Assessments. To facilitate that process, Petitioner hereby irrevocably appoints the Corporation’s Chairperson, or such other individual as the Corporation may name from time to time, as the Petitioner’s attorney-in-fact and agent with full and complete authority to execute all such Documents, including but not limited to the Petition, on behalf of Petitioner and to bind Petitioner and the Property to the Special Assessments, including making all waivers of hearings and notices concerning the Special Assessments.

Without limiting the generality of the foregoing grant of authority, Petitioner grants the Corporation full irrevocable power and authority in the place of Petitioner and in the name of Petitioner or in Corporation’s own name, for the purpose of carrying out the terms of this Agreement, to perform, at any time and from time to time, each agreement contained in this Agreement that is on Petitioner's part to be complied with, and to take any and all actions and to execute and deliver any and all Documents which may be necessary or desirable to give the Corporation the full benefit of this Agreement, in each case as the Corporation may from time to time deem advisable, Petitioner hereby agreeing that the Corporation shall owe no duty whatever to Petitioner to perform any such agreement, to take any such action, or to execute or deliver any such Document or, having done so any one or more times, to thereafter continue doing so. Without limiting the generality of the foregoing, Petitioner hereby irrevocably authorizes the Corporation, at any time and from time to time, to (a) fill in any blank space contained in this Agreement or another Document, (b) correct patent errors, to complete and correct the description of the Property, and to complete the date herein or therein, (c) file and sign, on Petitioner's behalf, at Petitioner's expense and without Petitioner's signature, such petitions for special assessments, waivers, affidavits, assignments, financing statements, endorsements of specific items of collateral, mortgages, powers of attorney, security agreements, or other Documents as the Corporation may from time to time deem advisable for the better evidencing, perfection, protection, or validation of, or realization of the benefits of this Agreement, and (d) to the extent the Corporation filed any such petitions for special assessments, waivers, affidavits, assignments, financing statements, endorsements of specific items of collateral, mortgages, powers of attorney, security agreements, or other Documents prior to the date of this Agreement, all such actions and Documents are hereby ratified by the Petitioner.

SECTION 4. Waiver of Certain Rights. Petitioner acknowledges that the process for the imposition of special assessments provides the owner of property subject to such special assessments with certain rights, including rights to: receive notices of proceedings; object to the imposition of the special assessments; claim damages; participate in hearings; take appeals from proceedings imposing special assessments; participate in and prosecute court proceedings, as well as other rights under law, including but not limited to those provided for or specified in the United States Constitution, the Ohio Constitution, Chapter 727 of the Ohio Revised Code, the Charter of the City and the Codified Ordinances of Brunswick, Ohio (collectively, “Assessment Rights”). Petitioner hereby irrevocably waives all Assessment Rights and consents to the imposition of the Special Assessments immediately or at such time as the Corporation determines to be appropriate, and Petitioner expressly requests the entities involved with the special assessment process to promptly proceed with the imposition of the Special Assessment upon the Property. The Petitioner further waives: any and all questions as to the constitutionality of the law under which the Energy Project will be constructed and the Special Assessments imposed upon the Property; the jurisdiction of the Council of the City acting thereunder; and the right to file a claim for damages as provided in Section 727.18 of the Ohio Revised Code and any similar provision of the Charter of the City of Medina or the Codified Ordinances of Medina, Ohio.

SECTION 5. Representations and Warranties. Petitioner represents and warrants that:

5.1 Petitioner is a duly organized and validly existing chartered municipal corporation under the laws of the State of Ohio;

5.2 Petitioner is the owner of the Property with the legal authority to subject the Property to the Special Assessments;

5.3 Petitioner and the individual executing this Agreement on behalf of the Petitioner are duly authorized to enter into this Agreement;

5.4 Entering into this Agreement will not result in the breach of any other agreement to which the Petitioner is a party;

5.5 Petitioner will complete the Energy Project, and has or will provide sufficient funds to complete the Energy Project in the event of additional costs or expenses above and beyond the estimated Energy Project Amount of Thirty-Five Dollars and Ninety-Six Cents (\$35.96). In the event that the Energy Project is completed below the estimated cost of Thirty-Five Dollars and Ninety-Six Cents (\$35.96) the remaining amount shall be used to reduce the final assessment amount payable; and

5.6 All of the factual statements concerning Petitioner contained in this Agreement are true and accurate to the best of Petitioner’s knowledge and belief and if there is a material change in the accuracy or truthfulness of any such factual statement, Petitioner will promptly disclose the same to the Corporation.

SECTION 6. Assignment; Third Party Beneficiaries. Petitioner may not assign this Agreement without the consent of the Corporation, which consent shall not be unreasonably withheld. Corporation may assign this Agreement, or any portion of its benefits or obligations, freely to another party, with or without the consent of the Petitioner.

SECTION 7. Default. If any of the following events shall occur, it shall be deemed a default (“Default”) under this Agreement and the Corporation shall be entitled to any rights or remedies under this Agreement and any rights or remedies provided under law:

7.1 The Petitioner fails to pay an installment of any Special Assessment when due.

7.2 The Petitioner fails to perform any other obligation under this Agreement and the failure continues for a period of ten (10) days after written notice from the Corporation.

7.3 The Petitioner is in breach of any of its representations or warranties under this Agreement.

7.4 The Petitioner abandons the Property.

7.5 The Petitioner commits waste upon the Property.

7.6 The Petitioner becomes bankrupt or insolvent or files or has filed against it a petition in bankruptcy or for reorganization or arrangement or other relief under the bankruptcy laws or any similar state law or makes an assignment for the benefit of creditors.

In the event of a Default, then, in addition to any other remedy the Corporation may have, the Corporation may recover from Petitioner all damages they respectively incur by reason of the Default, including reasonable attorneys’ fees and expenses.

SECTION 8. General.

8.1 If any provision of this Agreement is found to be invalid, illegal or unenforceable under any applicable statute or law, such provision shall to that extent be deemed to be omitted, and the remaining provisions of this Agreement shall not be affected in any way.

8.2 The Petitioner acknowledges that it has read and understands this Agreement and is bound by its terms. This Agreement contains the entire understanding and agreement of the parties with respect to the matters contained in this Agreement, and supersedes all prior proposals and understandings between the parties.

8.3 This Agreement shall not be modified or altered except as by a written instrument duly executed by all of the parties.

8.4 The Petitioner acknowledges that it has had an opportunity to review this Agreement and to be advised by an attorney of its choosing as to the Agreement’s terms, conditions and provisions. The Petitioner is entering into this Agreement knowingly and voluntarily.

8.5 The Corporation and the Petitioner are, in relation to one another, independent contractors and not agents of one another. The parties have no fiduciary obligations to one another and are not, by entering into this Agreement, assuming any such fiduciary obligations.

8.6 The Petitioner acknowledges that the Corporation has been created under provisions of the Ohio Revised Code and that and that their authority, as well as the authority of their employees, agents and representatives, is limited under law.

8.7 The Corporation may cause this Agreement to be recorded in the office of the Recorder. The obligations created by this Agreement shall run with and be binding upon the land regardless of the owner of Property until duly released by the Corporation.

8.8 The Petitioner shall provide written notice to Corporation of any sale or transfer of the Property.

8.9 The Petitioner shall disclose the existence of this Agreement to any purchaser or transferee of the Property and inform such purchaser or transferee of the nature and extent of the Special Assessments before entering into a binding agreement for the sale or transfer of the Property.

8.10 The Petitioner acknowledges that the Special Assessments, when levied against the Property, will be payable in cash within thirty (30) days from the date of passage of the ordinance levying the final assessment if permitted by law and that if such Special Assessment is not paid in cash, the balance will be certified to the Auditor, as provided by law, to be placed by the Auditor on the tax list and duplicate and collected as other taxes are collected in such number of semiannual installments as determined by the Corporation and as allowed by law, together with interest at the same rate as shall be borne by the loans received or bonds issued to pay the costs of the Energy Project or in anticipation of the collection of the Special Assessments. Notwithstanding the foregoing, the Petitioner waives and authorizes the Corporation to waive on its behalf, the right to pay the Special Assessments in cash.

8.11 At such time as the Special Assessments are no longer necessary to finance the Energy Project, the Corporation having recovered all of its costs, and all other requirements under this Agreement have been fulfilled, the Corporation will provide a release of this Agreement and cause the same to be recorded in the office of the Recorder.

8.12 This Agreement shall be governed by and interpreted in accordance with the laws of the State of Ohio, without regard to its conflict of laws principles.

8.13 Any legal proceeding, including any arbitration or litigation, concerning this agreement, directly or indirectly, shall be heard only in a state or federal court with proper jurisdiction in Medina County, Ohio.

[Remainder of Page Intentionally Left Blank]

[Signature Page Immediately Follows]

Petitioner:

CITY OF BRUNSWICK, OHIO

By: _____
Carl S. DeForest, City Manager

Date: _____

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

On this __ day of _____, 2021 personally appeared before me, a notary public in and for the State of Ohio, Carl S. DeForest, City Manager, who acknowledged that he did execute the foregoing Energy Project Agreement on behalf of the City of Brunswick, Ohio and that the same was the free act and deed of the City of Brunswick, Ohio and himself as City Manager.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public

Approved as to form:

Kenneth J. Fisher, Law Director

Corporation:

CITY OF MEDINA ENERGY SPECIAL
IMPROVEMENT DISTRICT, INC., DBA
MEDINA COUNTY ENERGY
IMPROVEMENT DISTRICT

By: _____
_____, Chairperson

Date: _____

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

On the __ day of _____, 2021 personally appeared before me, a notary public in and for the State of Ohio, _____, the Chairperson of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District, who acknowledged that he/she did execute the foregoing Energy Project Agreement on behalf of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District and that the same was the free act and deed of said City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District and of himself/herself as such officer of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel No. 003-18B-43-010

Property Address: 4095 Center Road, Brunswick, Ohio 44212

EXHIBIT B

Project Plan for City of Brunswick, Ohio

The real property owned by the City of Brunswick, Ohio located at 4095 Center Road, Brunswick, Ohio 44212, serves as City Hall for the City of Brunswick. The description of the property is set forth on the attached Exhibit A. The property will be subject to special assessments for energy improvements in accordance with Ohio Revised Code Chapter 1710.

The energy efficiency savings for the project are expected to be 20% or more annually and consist of the following energy efficiency elements:

1. LED Lighting Replacement

Total Project Cost: \$35.96

Total cost including financing and other charges: \$35.96

Total direct payments collected: \$0.00

Total assessment payments to be collected: \$35.96

Estimated annual special assessment for 1 year: \$35.96

Estimated annual special assessments for 1 year*: 1

Number of annual installments: 1

First annual installment due: January 31, 2022

**Note: Numbers do not reflect additional charges the County Auditor may apply to the annual assessment.*

Year Payments Are Due	Total Annual Assessment Parcel 003-18B-43-010	1st Half (Due 1/31)	2nd Half (Due 7/31)
2022	\$35.96	\$35.96	\$0.00
Total Assessment	\$35.96		

Pursuant to Ohio Revised Code Chapter 323, the Assessment Payment Dates identified in this Exhibit B to the Plan are subject to adjustment by the Medina County Auditor under certain conditions.

The County Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each Annual Assessment payment. If imposed, this special assessment collection fee will be added by the County Auditor of Medina County, Ohio to each Annual Assessment payment.

PROPOSED LEGISLATION



DATE: 6/14/2021

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. 55-2021** - An emergency ordinance levying special assessments for the Special Energy Improvement Project. - **2nd Reading** (Economic Development Committee, Administration/Grant Aungst)

BACKGROUND: The City of Brunswick is seeking to establish the City as part of the Energy Special Improvement District (ESID) with in Medina County for the betterment of the City, its stakeholders and business community to improve real property

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

The City will self fund a Special Assessment, total amount of \$35.96 for four LED light bulbs for the ESID project. The cost for each bulb was \$8.99 and was part of the re-bulbing project for City Hall. This specific four bulb project was approved by the County of Medina ESID.

**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?

Upcoming project timing and needing to pair with agreements with the Medina County ESID.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 55-2021

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

AN EMERGENCY ORDINANCE LEVYING SPECIAL ASSESSMENTS
FOR THE SPECIAL ENERGY IMPROVEMENT PROJECT.

- WHEREAS: The City of Medina created an Energy Special Improvement District (“District”) under Ohio Revised Code Chapter 1710 and a non-profit corporation, known as the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District (“Corporation”), to govern the District. Property owners within the District are permitted to make certain “energy efficiency improvements” to their properties, which constitute a “special energy improvement project”, and pay for the cost of the special energy improvement project by way of special assessments in accordance with the process set out in Chapters 727 and 1710 of the Ohio Revised Code. Ohio Revised Code Section 1710.01(G) provides that special energy improvement projects (including energy efficiency improvements) constitute public improvements and are therefore subject to special assessments.
- WHEREAS: The City of Brunswick (the “Petitioner”) is the owner of 100% of the property described on **Exhibit A** attached hereto (the “Property”). The Petitioner has executed an Energy Project Agreement (the “Agreement”) with the Corporation. A copy of the Agreement is attached to the Petition as **Exhibit C**.
- WHEREAS: Pursuant to the Agreement, the Petitioner has caused an energy audit to the property to be completed, which is on file with the Clerk of Brunswick City Council.
- WHEREAS: The energy audit has identified energy conservation measures, all of which qualify as energy efficiency improvements as defined in Ohio Revised Code Section 1710.01(K), which the Petitioner, has determined to proceed with implementation, and to pay by way of special assessments.
- WHEREAS: The Petitioner has submitted to this Council a petition (“Petition”) seeking (i) the addition of certain of its property to the District and (ii) approval of the District’s comprehensive plan for special energy improvement projects, including the Project (as described herein) and requesting that this Project be undertaken by the District and that the costs thereof be specially assessed against the properties of the Petitioner, specially benefited thereby.
- WHEREAS: A complete list and description of the Project is on file with the Clerk of Council and is attached as **Exhibit B** to this Ordinance. **Exhibit B** provides the following information for the Project:

1. Identification of the parcel numbers and name of the property/building to be improved;
2. A description of the nature of the special energy improvement project for the particular parcel;
3. The estimated amount of the special assessment to be levied against each parcel of property and the number of years the special assessment will be collected (if not paid in cash within 30 days after the passage of the assessing ordinance as provided by law).

WHEREAS: The Petitioner expressly waives the right to pay the assessments in cash within 30 days after passage of the assessing Ordinance.

WHEREAS: The annual special assessments for the Project are to be paid in a single annual payment. The plans and specifications for the Project are on file with the Clerk of Council. The Petitioner's petition also waives all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Chapter 727 of the Ohio Revised Code, the Charter and Codified Ordinances of the City. The Petitioner, consents to the immediate imposition of the special assessments upon the various properties specially benefited by the Project. This special assessment process is a voluntary process with one hundred percent of the cost of the special energy improvement projects being assigned to the specially benefited properties. Final costs for the Project are now known and this assessing ordinance completes the assessing process, which included the adoption of a Resolution of Necessity (Resolution No. 50-2021) and an Ordinance to Proceed (Ordinance No. 54-2021) by levying the assessments against the benefitted properties.

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

SECTION 1: That the special assessments for the cost of providing the Project in the District pursuant to Resolution No. 50-2021 adopted by this Council on June 14, 2021 (the Resolution of Necessity), which were filed and are on file in the office of the Clerk of Council are adopted and confirmed; provided that the cost of providing such Projects are reduced to the aggregate amount of Thirty-Five Dollars and Ninety-Six Cents (\$35.96) which reduction is adopted and confirmed. Those special assessments are levied and assessed upon the properties in the respective amounts set forth in the payment schedule attached as **Exhibit B** and on file with the Clerk of Council, which special assessments have been calculated in a manner provided for in the Resolution of Necessity and are not in excess of the special benefits or any statutory limitation. The special assessments are levied and assessed in accordance with the payment schedule attached hereto as **Exhibit B** in the amounts sufficient to pay the principal of and interest and the scheduled amounts payable as the Authority administrative fees due with respect to each annual period identified in such payment schedule. The Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each annual assessment payment.

If imposed, this special assessment collection fee will be added by the Auditor of Medina County, Ohio to each semi-annual assessment payment.

SECTION 2: That Petitioner, waives the right to pay the special assessments in cash within thirty days after the passage of this ordinance, and shall pay the assessments in one (1) annual installment in accordance with the schedules attached hereto as **Exhibit B**. All special assessments shall be certified by the Clerk of Council to the County Auditor as provided by law to be placed on the tax duplicate and collected as taxes are collected. All payments shall be made to the Treasurer of Medina County, Ohio and shall be subject to the same delinquency procedures, penalties, and interest as the payment of real property taxes in accordance with Ohio Revised Code Chapter 323.

Notwithstanding the foregoing, pursuant to the Agreement between the Petitioner and the Corporation, attached and providing that the Petitioner, grants the Corporation the authority to determine, in its sole discretion, the amount of the special assessments, the Corporation, acting through its Chairman or other authorized representative, may annually, on or before August 15th, deliver to the City's assessment officer or other appropriate official, a certificate signed by the Chairman reflecting a reduction, in whole or in part, in the amount of the special assessment to be certified by the City assessment officer to the County Auditor in that year for placement onto the tax duplicate the following year and collected as other taxes and assessments are collected. The Corporation's certificate shall reflect payments made by or on behalf of the Petitioner, or its successors, directly to the Corporation or to the Corporation's designee for some or all of the cost of the special energy improvement project thereby resulting in a reduction in the required annual special assessment. The City's assessment officer and all officials with authority to certify special assessments to the County Auditor shall, without any further action by this Council, rely upon the Corporation's certificate and take all actions necessary to implement the annual reduction of the special assessment, if any, evidenced by the certificate. In the event the City's assessment officer does not receive such a certificate in any given year on or before August 15th, the assessment officer shall certify the full amount of the annual special assessment as provided herein to the County Auditor.

SECTION 3: The Council finds and determines that it has previously waived notice of the passage of this assessing Ordinance and therefore no notice need be published in a newspaper of general circulation in the City.

SECTION 4: That the Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor within fifteen (15) days after its passage or by such other date as may be specified in the Ohio Revised Code or acceptable to the County Auditor of Medina County, Ohio for the certification of assessments in connection with the preparation of the general tax list for tax year 2021.

SECTION 5: That the proceeds of the special assessments levied by this Ordinance that are received by the City shall be applied as provided in Section 1710.12 of the Ohio

Revised Code and are hereby appropriated for that purpose. This Council covenants and agrees that it will give effect to the appropriation in the ordinances it hereafter adopts appropriating money for expenditure or encumbrance. The Director of Finance is authorized and directed to make appropriate accounting entries and adjustments to reflect the City's receipt and disbursement of those proceeds.

SECTION 6: That this Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

SECTION 7: 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 in order to conserve energy and protect the environment of the City, as well as undertake the construction of public improvements and enable and provide for the timely levying, certification and collection of the special assessments for the Project. 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

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel No. 003-18B-43-010

Property Address: 4095 Center Road, Brunswick, Ohio 44212

EXHIBIT B

Project Plan for City of Brunswick, Ohio

The real property owned by the City of Brunswick, Ohio located at 4095 Center Road, Brunswick, Ohio 44212, serves as City Hall for the City of Brunswick. The description of the property is set forth on the attached Exhibit A. The property will be subject to special assessments for energy improvements in accordance with Ohio Revised Code Chapter 1710.

The energy efficiency savings for the project are expected to be 20% or more annually and consist of the following energy efficiency elements:

1. LED Lighting Replacement

Total Project Cost: \$35.96

Total cost including financing and other charges: \$35.96

Total direct payments collected: \$0.00

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Estimated annual special assessment for 1 year: \$35.96

Estimated annual special assessments for 1 year*: 1

Number of annual installments: 1

First annual installment due: January 31, 2022

**Note: Numbers do not reflect additional charges the County Auditor may apply to the annual assessment.*

Year Payments Are Due	Total Annual Assessment Parcel 003-18B-43-010	1st Half (Due 1/31)	2nd Half (Due 7/31)
2022	\$35.96	\$35.96	\$0.00
Total Assessment	\$35.96		

Pursuant to Ohio Revised Code Chapter 323, the Assessment Payment Dates identified in this Exhibit B to the Plan are subject to adjustment by the Medina County Auditor under certain conditions.

The County Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each Annual Assessment payment. If imposed, this special assessment collection fee will be added by the County Auditor of Medina County, Ohio to each Annual Assessment payment.

EXHIBIT C
ENERGY PROJECT AGREEMENT

[Attached]

ENERGY PROJECT AGREEMENT

by

CITY OF MEDINA ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.,

dba

MEDINA COUNTY ENERGY IMPROVEMENT DISTRICT

and

CITY OF BRUNSWICK, OHIO

Dated

as of

_____, 2021

TABLE OF CONTENTS

1. Consent to Special Assessments.....	2
2. Agreement to Cooperate.....	2
3. Execution of Documents; Appointment of Agent.....	3
4. Waiver of Certain Rights.....	4
5. Representations and Warranties.....	4
6. Assignment; Third Party Beneficiaries.....	5
7. Default.....	5
8. General.....	5

ENERGY PROJECT AGREEMENT

This Energy Project Agreement (the “Agreement”) is made and entered into as of _____, 2021 (the “Effective Date”) between the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District, a non-profit corporation and special improvement district under the laws of the State of Ohio (the “Corporation”), with offices at 144 Broadway Street, # 202, Medina, OH 44256, and the City of Brunswick, Ohio, a chartered Ohio municipal corporation with offices at 4095 Center Road, Brunswick, Ohio 44212 (the “Petitioner”):

WHEREAS, the Petitioner is engaging in a certain special energy improvement project (“Energy Project”); and

WHEREAS, the Petitioner petitioned the City of Brunswick, Ohio for the expansion of the Medina County Energy Improvement District to become a member (the “Petition”); and

WHEREAS, on September 9, 2019 the City Council of Medina passed Resolution No. 140-19, which approved the initial petition, the initial plan for the district, and authorized the formation of the Medina County Energy Improvement District; and

WHEREAS, the Energy Project has an overall estimated cost of Thirty-Five Dollars and Ninety-Six Cents (\$35.96) (excluding interest and other transactional and carrying costs, all of which shall be included in the Special Assessments described below) as shown in Exhibit B, which the Petitioner has agreed to fund; and

WHEREAS, the Petitioner requests that the Energy Project be funded through special assessments (“Special Assessments”) upon the real property upon which the Energy Project will be constructed and exist (the “Property”) as allowed under Ohio Revised Code Chapters 1710 and 727; and

WHEREAS, the Corporation and the Petitioner agrees to undertake the funding of the Energy Project through Special Assessments upon the condition that the Petitioner agrees to impose the Special Assessments upon the Property and provide full cooperation with and assistance to the Corporation and the City of Brunswick, Ohio (the “City”) and other entities and institutions involved in the process of approving and imposing the Special Assessments; and

WHEREAS, in order to induce the Corporation to provide the funds for the Energy Project, the Petitioner agrees to provide all such cooperation and assistance necessary for the imposition of the Special Assessments upon the Property.

NOW THEREFORE, in consideration of the mutual promises set forth herein, the Petitioner and the Corporation do hereby enter into this Energy Project Agreement (“Agreement”) as follows:

SECTION 1. Consent to Special Assessments. The Petitioner consents to the imposition of Special Assessments upon the Property, which is commonly referred to as 4095 Center Road, Brunswick, Ohio 44212, and which consists of the following permanent parcel numbers in the records of the Auditor of Medina County, Ohio (the “Auditor”): Parcel Number/PPN 003-18B-43-010 as detailed on Exhibit A attached hereto and incorporated herein by reference. In the event there are additional or other parcels of property that are not listed but which are benefitted by the Energy Project, the Petitioner consents to the imposition of the Special Assessments with respect to those parcels as well. The Petitioner acknowledges that the Special Assessments in the event of non-payment and default will constitute a lien upon the Property and may be enforced and collected in accordance with law, including the provisions of Chapter 727 of the Ohio Revised Code.

The cost of the Energy Project shall include, but not be limited to, the cost of: labor, materials, equipment, engineering, design, and audits (“Energy Project Amount”) and is estimated to be Thirty-Five Dollars and Ninety-Six Cents (\$35.96). The Special Assessments shall be in an amount sufficient to fund the Energy Project Amount and shall include an amount sufficient to fund the necessary and reasonable additional costs related to the financing of the Energy Project Amount including but not limited to: interests, fees, carrying costs, taxes, filing fees, recording charges and all other costs incident to the financing of the Energy Project Amount.

The Petitioner acknowledges that the Energy Project Amount is an estimated cost of the Energy Project and that the actual cost of the Energy Project may be more or less than the estimate and that such estimate does not limit the amount of the Special Assessments; provided, however, that the sum total of all Special Assessments, including the costs related to financing the Energy Project Amount, will not exceed the Total Assessment Amount to be Collected amount listed on Exhibit B attached to this Agreement and incorporated into this Agreement by this reference. The Petitioner agrees that one hundred percent (100%) of the Special Assessments shall be imposed upon the Property and that the Property is being specially benefitted to the full extent of the Special Assessments. The Special Assessments may continue for such period of time as allowed by law and shall continue for the full period of time required to pay the Corporation for all costs, including financing costs, for the Energy Project.

SECTION 2. Agreement to Cooperate. The Petitioner agrees to provide full and timely cooperation to the Corporation and the agencies, entities and institutions involved in the special assessment process, including but not limited to: the City and the Medina County, Ohio Treasurer (the “Treasurer”), so that the Special Assessments are imposed upon the Property and enforceable against the Property. The Petitioner agrees that pursuant to a Petition, it has submitted its Energy Project for admission as a special energy improvement project to be undertaken by the Corporation. The Petitioner therefore shall be a member of the Corporation. The Petitioner further agrees that it shall cause a representative to appear at any necessary hearings or legal proceedings involving the Special Assessments and cooperate in such hearings or legal proceedings so that the Special Assessments are approved and become binding upon the Property. The Petitioner agrees to provide on-going cooperation with the Corporation and all other agencies, entities and institutions involved in the special assessment process during the entire period of time any of the financing for the Energy Project remains outstanding.

The Corporation and the Petitioner agree to provide full and timely cooperation with each other for the financing of the Energy Project and the provision of the Energy Project pursuant to this Agreement, and the Petition.

SECTION 3. Execution of Documents; Appointment of Agent. Petitioner shall execute or cause to be executed by appropriate Petitioner officials, all applications, petitions for special assessments, waivers, acknowledgements, and other instruments, documents and papers (“Documents”) necessary or helpful to impose the Special Assessments upon the Property and to acknowledge the validity and binding nature of such Special Assessments. To facilitate that process, Petitioner hereby irrevocably appoints the Corporation’s Chairperson, or such other individual as the Corporation may name from time to time, as the Petitioner’s attorney-in-fact and agent with full and complete authority to execute all such Documents, including but not limited to the Petition, on behalf of Petitioner and to bind Petitioner and the Property to the Special Assessments, including making all waivers of hearings and notices concerning the Special Assessments.

Without limiting the generality of the foregoing grant of authority, Petitioner grants the Corporation full irrevocable power and authority in the place of Petitioner and in the name of Petitioner or in Corporation’s own name, for the purpose of carrying out the terms of this Agreement, to perform, at any time and from time to time, each agreement contained in this Agreement that is on Petitioner's part to be complied with, and to take any and all actions and to execute and deliver any and all Documents which may be necessary or desirable to give the Corporation the full benefit of this Agreement, in each case as the Corporation may from time to time deem advisable, Petitioner hereby agreeing that the Corporation shall owe no duty whatever to Petitioner to perform any such agreement, to take any such action, or to execute or deliver any such Document or, having done so any one or more times, to thereafter continue doing so. Without limiting the generality of the foregoing, Petitioner hereby irrevocably authorizes the Corporation, at any time and from time to time, to (a) fill in any blank space contained in this Agreement or another Document, (b) correct patent errors, to complete and correct the description of the Property, and to complete the date herein or therein, (c) file and sign, on Petitioner's behalf, at Petitioner's expense and without Petitioner's signature, such petitions for special assessments, waivers, affidavits, assignments, financing statements, endorsements of specific items of collateral, mortgages, powers of attorney, security agreements, or other Documents as the Corporation may from time to time deem advisable for the better evidencing, perfection, protection, or validation of, or realization of the benefits of this Agreement, and (d) to the extent the Corporation filed any such petitions for special assessments, waivers, affidavits, assignments, financing statements, endorsements of specific items of collateral, mortgages, powers of attorney, security agreements, or other Documents prior to the date of this Agreement, all such actions and Documents are hereby ratified by the Petitioner.

SECTION 4. Waiver of Certain Rights. Petitioner acknowledges that the process for the imposition of special assessments provides the owner of property subject to such special assessments with certain rights, including rights to: receive notices of proceedings; object to the imposition of the special assessments; claim damages; participate in hearings; take appeals from proceedings imposing special assessments; participate in and prosecute court proceedings, as well as other rights under law, including but not limited to those provided for or specified in the United States Constitution, the Ohio Constitution, Chapter 727 of the Ohio Revised Code, the Charter of the City and the Codified Ordinances of Brunswick, Ohio (collectively, “Assessment Rights”). Petitioner hereby irrevocably waives all Assessment Rights and consents to the imposition of the Special Assessments immediately or at such time as the Corporation determines to be appropriate, and Petitioner expressly requests the entities involved with the special assessment process to promptly proceed with the imposition of the Special Assessment upon the Property. The Petitioner further waives: any and all questions as to the constitutionality of the law under which the Energy Project will be constructed and the Special Assessments imposed upon the Property; the jurisdiction of the Council of the City acting thereunder; and the right to file a claim for damages as provided in Section 727.18 of the Ohio Revised Code and any similar provision of the Charter of the City of Medina or the Codified Ordinances of Medina, Ohio.

SECTION 5. Representations and Warranties. Petitioner represents and warrants that:

5.1 Petitioner is a duly organized and validly existing chartered municipal corporation under the laws of the State of Ohio;

5.2 Petitioner is the owner of the Property with the legal authority to subject the Property to the Special Assessments;

5.3 Petitioner and the individual executing this Agreement on behalf of the Petitioner are duly authorized to enter into this Agreement;

5.4 Entering into this Agreement will not result in the breach of any other agreement to which the Petitioner is a party;

5.5 Petitioner will complete the Energy Project, and has or will provide sufficient funds to complete the Energy Project in the event of additional costs or expenses above and beyond the estimated Energy Project Amount of Thirty-Five Dollars and Ninety-Six Cents (\$35.96). In the event that the Energy Project is completed below the estimated cost of Thirty-Five Dollars and Ninety-Six Cents (\$35.96) the remaining amount shall be used to reduce the final assessment amount payable; and

5.6 All of the factual statements concerning Petitioner contained in this Agreement are true and accurate to the best of Petitioner’s knowledge and belief and if there is a material change in the accuracy or truthfulness of any such factual statement, Petitioner will promptly disclose the same to the Corporation.

SECTION 6. Assignment; Third Party Beneficiaries. Petitioner may not assign this Agreement without the consent of the Corporation, which consent shall not be unreasonably withheld. Corporation may assign this Agreement, or any portion of its benefits or obligations, freely to another party, with or without the consent of the Petitioner.

SECTION 7. Default. If any of the following events shall occur, it shall be deemed a default (“Default”) under this Agreement and the Corporation shall be entitled to any rights or remedies under this Agreement and any rights or remedies provided under law:

7.1 The Petitioner fails to pay an installment of any Special Assessment when due.

7.2 The Petitioner fails to perform any other obligation under this Agreement and the failure continues for a period of ten (10) days after written notice from the Corporation.

7.3 The Petitioner is in breach of any of its representations or warranties under this Agreement.

7.4 The Petitioner abandons the Property.

7.5 The Petitioner commits waste upon the Property.

7.6 The Petitioner becomes bankrupt or insolvent or files or has filed against it a petition in bankruptcy or for reorganization or arrangement or other relief under the bankruptcy laws or any similar state law or makes an assignment for the benefit of creditors.

In the event of a Default, then, in addition to any other remedy the Corporation may have, the Corporation may recover from Petitioner all damages they respectively incur by reason of the Default, including reasonable attorneys’ fees and expenses.

SECTION 8. General.

8.1 If any provision of this Agreement is found to be invalid, illegal or unenforceable under any applicable statute or law, such provision shall to that extent be deemed to be omitted, and the remaining provisions of this Agreement shall not be affected in any way.

8.2 The Petitioner acknowledges that it has read and understands this Agreement and is bound by its terms. This Agreement contains the entire understanding and agreement of the parties with respect to the matters contained in this Agreement, and supersedes all prior proposals and understandings between the parties.

8.3 This Agreement shall not be modified or altered except as by a written instrument duly executed by all of the parties.

8.4 The Petitioner acknowledges that it has had an opportunity to review this Agreement and to be advised by an attorney of its choosing as to the Agreement’s terms, conditions and provisions. The Petitioner is entering into this Agreement knowingly and voluntarily.

8.5 The Corporation and the Petitioner are, in relation to one another, independent contractors and not agents of one another. The parties have no fiduciary obligations to one another and are not, by entering into this Agreement, assuming any such fiduciary obligations.

8.6 The Petitioner acknowledges that the Corporation has been created under provisions of the Ohio Revised Code and that and that their authority, as well as the authority of their employees, agents and representatives, is limited under law.

8.7 The Corporation may cause this Agreement to be recorded in the office of the Recorder. The obligations created by this Agreement shall run with and be binding upon the land regardless of the owner of Property until duly released by the Corporation.

8.8 The Petitioner shall provide written notice to Corporation of any sale or transfer of the Property.

8.9 The Petitioner shall disclose the existence of this Agreement to any purchaser or transferee of the Property and inform such purchaser or transferee of the nature and extent of the Special Assessments before entering into a binding agreement for the sale or transfer of the Property.

8.10 The Petitioner acknowledges that the Special Assessments, when levied against the Property, will be payable in cash within thirty (30) days from the date of passage of the ordinance levying the final assessment if permitted by law and that if such Special Assessment is not paid in cash, the balance will be certified to the Auditor, as provided by law, to be placed by the Auditor on the tax list and duplicate and collected as other taxes are collected in such number of semiannual installments as determined by the Corporation and as allowed by law, together with interest at the same rate as shall be borne by the loans received or bonds issued to pay the costs of the Energy Project or in anticipation of the collection of the Special Assessments. Notwithstanding the foregoing, the Petitioner waives and authorizes the Corporation to waive on its behalf, the right to pay the Special Assessments in cash.

8.11 At such time as the Special Assessments are no longer necessary to finance the Energy Project, the Corporation having recovered all of its costs, and all other requirements under this Agreement have been fulfilled, the Corporation will provide a release of this Agreement and cause the same to be recorded in the office of the Recorder.

8.12 This Agreement shall be governed by and interpreted in accordance with the laws of the State of Ohio, without regard to its conflict of laws principles.

8.13 Any legal proceeding, including any arbitration or litigation, concerning this agreement, directly or indirectly, shall be heard only in a state or federal court with proper jurisdiction in Medina County, Ohio.

[Remainder of Page Intentionally Left Blank]

[Signature Page Immediately Follows]

Petitioner:

CITY OF BRUNSWICK, OHIO

By: _____
Carl S. DeForest, City Manager

Date: _____

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

On this __ day of _____, 2021 personally appeared before me, a notary public in and for the State of Ohio, Carl S. DeForest, City Manager, who acknowledged that he did execute the foregoing Energy Project Agreement on behalf of the City of Brunswick, Ohio and that the same was the free act and deed of the City of Brunswick, Ohio and himself as City Manager.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public

Approved as to form:

Kenneth J. Fisher, Law Director

Corporation:

CITY OF MEDINA ENERGY SPECIAL
IMPROVEMENT DISTRICT, INC., DBA
MEDINA COUNTY ENERGY
IMPROVEMENT DISTRICT

By: _____
_____, Chairperson

Date: _____

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

On the __ day of _____, 2021 personally appeared before me, a notary public in and for the State of Ohio, _____, the Chairperson of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District, who acknowledged that he/she did execute the foregoing Energy Project Agreement on behalf of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District and that the same was the free act and deed of said City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District and of himself/herself as such officer of the City of Medina Energy Special Improvement District, Inc., dba Medina County Energy Improvement District.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel No. 003-18B-43-010

Property Address: 4095 Center Road, Brunswick, Ohio 44212

EXHIBIT B

Project Plan for City of Brunswick, Ohio

The real property owned by the City of Brunswick, Ohio located at 4095 Center Road, Brunswick, Ohio 44212, serves as City Hall for the City of Brunswick. The description of the property is set forth on the attached Exhibit A. The property will be subject to special assessments for energy improvements in accordance with Ohio Revised Code Chapter 1710.

The energy efficiency savings for the project are expected to be 20% or more annually and consist of the following energy efficiency elements:

1. LED Lighting Replacement

Total Project Cost: \$35.96

Total cost including financing and other charges: \$35.96

Total direct payments collected: \$0.00

Total assessment payments to be collected: \$35.96

Estimated annual special assessment for 1 year: \$35.96

Estimated annual special assessments for 1 year*: 1

Number of annual installments: 1

First annual installment due: January 31, 2022

**Note: Numbers do not reflect additional charges the County Auditor may apply to the annual assessment.*

Year Payments Are Due	Total Annual Assessment Parcel 003-18B-43-010	1st Half (Due 1/31)	2nd Half (Due 7/31)
2022	\$35.96	\$35.96	\$0.00
Total Assessment	\$35.96		

Pursuant to Ohio Revised Code Chapter 323, the Assessment Payment Dates identified in this Exhibit B to the Plan are subject to adjustment by the Medina County Auditor under certain conditions.

The County Auditor of Medina County, Ohio may impose a special assessment collection fee with respect to each Annual Assessment payment. If imposed, this special assessment collection fee will be added by the County Auditor of Medina County, Ohio to each Annual Assessment payment.

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 56-2021** - An emergency ordinance authorizing the transfer of the remaining balance in the Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund to the General Obligation Bond Retirement Fund. - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: On September 27, 1999, the City Council of the City of Brunswick, Ohio, adopted Ordinance Number 114-99, creating Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund to account for special assessments collected by the County Auditor for the payment of bond principal and interest.

By December 1, 2019, the City of Brunswick had paid all of the remaining debt services on the Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund.

All obligations, for the listed funds, have been incurred, paid, and that there are no outstanding obligations owed.

The unexpended balance is no longer needed for the retirement of bond principal and interest and therefore shall be transferred to the General Obligation Bond Retirement Fund.

**PURPOSE AND
EXPLANATION:**

To authorize and direct the Director of Finance to 1) transfer to the General Obligation Bond Retirement Fund (Fund #771), all money remaining in the Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund #781 and 2) close Special Assessment South Industrial Parkway Bonds Retirement (Sub-Fund #781) as created by Council Ordinances #114-99.

**IMPLEMENTATION
SCHEDULE:**

Discuss at the May 24, 2021, Finance Committee meeting and move to the May 24, 2021, Council agenda as an emergency for 2 readings with the suspension of the rules.

**FINANCIAL
INFORMATION:**

FINANCIAL

SUMMARY: Transfers do not have a financial impact on the City funds as a collective whole. Transfers are merely permanent movement of money from one fund to another to comply with the Ohio Revised Code Section 5705.14. The transfer process is audited by the Auditor of State or independent auditor. Transfers between eligible funds are included in the City’s adopted budget and are required to be approved by City Council. The closing of funds also have no financial impact but do keep the accounting records of the City up to date.

**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?
Recommendation is for emergency and suspension of the rules (with requested passage after 2 readings and to line up with the 2022 Tax Budget legislation timeframes). Will keep accounting records up to date and move funding sources (left over interest revenue and transfers) to proper place now that the Special Assessment debt obligations have been paid in full. Will also allow for current records to be more in synch with future financial planning or forecasted records. Anticipated passage to be June 14, 2021.

**ADDITIONAL
INFORMATION:** None.

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 56-2021

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

AN EMERGENCY ORDINANCE AUTHORIZING THE TRANSFER OF THE
REMAINING BALANCE IN THE SPECIAL ASSESSMENT SOUTH
INDUSTRIAL PARKWAY BONDS RETIREMENT SUB-FUND TO THE
GENERAL OBLIGATION BOND RETIREMENT FUND.

WHEREAS: On September 27, 1999, City Council of the City of Brunswick, Ohio, adopted Ordinance Number 114-99, creating Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund to account for special assessments collected by the County Auditor for the payment of bond principal and interest; and

WHEREAS: By December 1, 2019, the City of Brunswick had paid all of the remaining debt service on the Special Assessment South Industrial Parkway Bonds Retirement Sub-Fund; and

WHEREAS: All obligations, for the listed funds, have been incurred, paid, and that there are no outstanding obligations owed; and

WHEREAS: The unexpended balance is no longer needed for the retirement of bond principal and interest and therefore shall be transferred to the General Obligation Bond Retirement Fund; and

WHEREAS: Any remaining special assessment delinquency collections shall be credited to the General Bond Retirement Fund.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: This Council confirms all of the findings and determinations set forth in the preambles to this Ordinance.

SECTION 2: This Council authorizes and directs the Director of Finance to transfer to the General Obligation Bond Retirement Fund (Fund #771), all moneys remaining in the South Industrial Parkway Bonds Retirement Sub-Fund #781.

SECTION 3: This Council authorizes and directs the Director of Finance to close Special Assessment South Industrial Parkway Bonds Retirement (Sub-Fund #781) as created by City Council Ordinance #114-99.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reasons that the accounting records be kept up to date and proper funding sources be transferred.

Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading_____

Rules Suspended: AYES ____NAYS ____

ADOPTED: _____ AYES ____NAYS ____

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

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 57-2021** - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2022, through December 31, 2022. - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705, the City must annually adopt a tax budget and submit the tax budget to the County Budget Commission in July. This process is audited under the direction of the Auditor of State for compliance each year.

PURPOSE AND EXPLANATION: This Ordinance would adopt the 2022 tax budget and allow it to be submitted in a timely fashion to the County Budget Commission. This will allow the County Auditor to formalize next year's property tax revenue estimates that are necessary to begin the City's annual appropriation budget process. The property tax estimates are expected to be released by fall of 2021.

IMPLEMENTATION

SCHEDULE: Recommended time schedule is for 2 readings with emergency clause and suspension of the rules. Anticipated passage is anticipated to be June 14, 2021.

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?

Recommend approval as an emergency with the suspension of the rules in order to allow for compliance with the filing requirements of the Ohio Revised Code, allow for timely property tax estimates from the County, and allow for the daily operations of the City of Brunswick to continue without interruptions.

**ADDITIONAL
INFORMATION:**

The Finance Director signed the submitted tax budget to indicate the document has been vetted through the Finance Department's review and process. It was also signed as a result of the agenda software process and official minute record as it cannot be changed once the agenda is set. The Finance Director's signature is in draft form until Council formally adopts the Tax Budget by legislation. If Council does not adopt the tax budget by legislation, this document shall simply remain as a draft.

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 57-2021

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

AN EMERGENCY ORDINANCE AUTHORIZING AND ADOPTING THE
PROPOSED TAX BUDGET FOR THE CITY OF BRUNSWICK, OHIO FOR
THE YEAR BEGINNING JANUARY 1, 2022 THROUGH DECEMBER 31,
2022

WHEREAS: The State statute requires that the legislative authority of the City of Brunswick submit to the County Budget Commission a proposed tax budget for the City.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the attached Tax Budget is hereby authorized and adopted as the Tax Budget for the City of Brunswick for the year beginning January 1, 2022 and ending December 31, 2022.

SECTION 2: That the Finance Director is hereby directed to transcribe this tax budget and all other information required to the official budget form prescribed by the County of Medina, Ohio.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the additional reason that the State statute prescribes time limitation on the adoption and certification of this budget. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes

PASSED: 1st Reading _____

RULES SUSPENDED AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

This Budget must be adopted by the Council or other legislative body on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th. FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

To the Auditor of Medina County:

The following Budget for the budget year beginning January 1, 2022 has been adopted by Council and is herewith submitted for consideration of the Budget Commission.

Signed:

Nicole R. Frick
Finance Director, City of Brunswick

Schedule A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED RATES

FUND	For Municipal Use	For Budget Commission Use		For County Auditor Use	
	BUDGET YEAR AMOUNT REQUEST OF BUDGET COM. INSIDE / OUTSIDE	BUDGET YEAR AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	BUDGET YEAR TO BE DERIVED FROM LEEVES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED INSIDE 10 MILL LIMIT BUDGET YEAR	OUTSIDE 10 M. LIMIT BUDGET YEAR
GOVERNMENTAL FUNDS:	1	2	3	4	5
GENERAL FUND	\$ 2,014,900				
SPECIAL REVENUE FUNDS:					
FIRE FUND	262,800	*			
POLICE FUND - POLICE PENSION	855,800	*			
ROAD LEVY FUND					
PROPRIETARY FUNDS					
DEBT SERVICE FUNDS:					
GENERAL OBLIGATION	\$ -				
FIDUCIARY FUNDS					
TOTAL ALL FUNDS	\$ 3,133,500	\$ -	\$ -	\$ -	\$ -

* Includes homestead and rollback amounts since the County includes these amounts in the Certificate of Estimated Resources. However, the City separately reports Homestead and Rollback amounts as intergovernmental revenue (not as tax revenue) on its financial reports pursuant to Auditor of State/GASB requirements. The above tax estimates match the County Auditor's estimated tax revenue on the February 19, 2021 Certificate of Estimated Resources. Property tax revenue estimates for next year will more than likely be updated by the Medina County Auditor's Office in August/September of 2021.

Note: The above also excludes any additional property taxes that may be passed by the voters subsequent to this tax budget submission.

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	Tax Year County Auditor's Estimate of Yield of Levy (Carry to schedule A, column 3)
GENERAL FUND:		
Current Expense Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Current Expense Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Current Expense Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Current Expense Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Current Expense Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Current Expense Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
TOTAL GENERAL FUND OUTSIDE 10 MILL LIMITATION	-	-
SPECIAL LEVY FUNDS:		
Road Levy Capital Improvement Fund, Levy authorized by voters on 05/06/2014, not to exceed 10 years. Authorized purposes under Section 5705.19 (G), R.C.	1.2 mills	855,800
Fund, Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Fund, Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Fund, Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Fund, Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
Fund, Levy authorized by voters on ___/___/___, not to exceed ___ years. Authorized under Section ___, R.C.		
TOTAL SPECIAL LEVY FUNDS:	-	855,800
TOTAL ALL FUNDS	\$ -	\$ 855,800

** Agrees to the amount listed on the County Auditor's Certificate of Estimated Resources dated February 19, 2021. Tax revenue estimate for next year will more than likely be updated by the Medina County Auditor's Office in August/September of 2021.

MEDINA COUNTY
BUDGET
OF

CITY OF BRUNSWICK

FOR FISCAL YEAR
BEGINNING JANUARY 1, 2022

, 20 ____

County Auditor

Deputy Auditor

COUNTY AUDITOR'S ESTIMATE

TAX LEVIES AND RATES FOR 2022, IN BRUNSWICK

CITY / VILLAGE

TAX VALUATION: \$ _____

	Amount Approved By Budget Commission	County Auditor's Estimate of Rate in Mills
LEVIES WITHIN 10 MILL LIMITATION		
County		
Township		
School		
Village		
City		
State		
TOTAL	-	-
LEVIES OUTSIDE 10 MILL LIMITATION		
County		
Township		
School		
Village		
City		
State		
TOTAL	-	-
TOTAL LEVY FOR ALL PURPOSES	\$ -	\$ -

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

The Budget Commission of Medina County, Ohio, hereby makes the following Official Certificate of Estimated Resources
Resources for the City of Brunswick for the Budget Year beginning: January 1, 2022

FUND	Estimated Unencumbered Balance January 1, 2022	Real Estate Property Tax	Personal Property Tax	Local Government Money	Rollback, Homestead and Personal Property Tax Exemption	Other Sources	Total
GOVERNMENTAL FUND TYPE:							
General Fund	13,802,045	1,794,900	-	525,000	220,000	25,275,003	41,616,948
Special Revenue Funds	24,311,838	231,130	-	-	31,670	20,317,335	44,891,993
Debt Service Funds	1,227,508	-	-	-	-	72,429	1,299,937
Capital Project Funds	14,155,625	836,964	-	-	18,836	11,006,418	26,017,843
INTERNAL SERVICE FUND	310,504	-	-	-	-	3,617,250	3,927,754
PROPRIETARY FUND TYPE:							
Enterprise Funds	4,571,037	-	-	-	-	4,254,676	8,825,713
FIDUCIARY FUND TYPE:							
Trust and Agency Funds	290,282	-	-	-	-	955,000	1,245,282
TOTAL ALL FUNDS	\$ 58,668,859	\$ 2,862,994	\$ -	\$ 525,000	\$ 270,506	\$ 65,498,111	\$ 127,825,470

The Budget Commission further certifies that its action on the foregoing budget and the County Auditor's estimate of the rate of each tax necessary to be levied within and outside the 10 mill limitation is set forth in the proper columns of the preceding pages and the total amounts approved for each fund must govern the amount of appropriation from such fund.

DATE _____, 20____

Budget
Commission

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

FUND	Estimated Unincumbered Balance January 1, 2022	Real Estate Property Tax	Personal Property Tax	Local Government Money	Rollback, Homestead and Personal Property Tax Exemption	Other Sources	Total
GOVERNMENTAL FUND TYPE:							
GENERAL FUND							
General Fund	13,802,045	1,794,900	-	525,000	220,000	25,275,003	41,616,948
	13,802,045	1,794,900	-	525,000	220,000	25,275,003	41,616,948
SPECIAL REVENUE FUNDS:							
Court Fees Fund	22,558	-	-	-	-	29,000	51,558
FEMA Grant Fund	-	-	-	-	-	-	-
Police Fund	8,842,316	231,130	-	-	31,670	8,904,988	18,010,104
Fire Fund	6,801,775	-	-	-	-	5,824,800	12,626,575
Street Repair & Maintenance Fund	4,520,754	-	-	-	-	3,638,214	8,158,968
State Highway Fund	476,420	-	-	-	-	180,000	656,420
Law Enforcement Trust Fund	58,848	-	-	-	-	500	59,348
Brunswick Transit Alternative Fund	702,476	-	-	-	-	15,000	717,476
RLF CDBG Fund	-	-	-	-	-	-	-
Brunswick Area Television Fund	808,731	-	-	-	-	438,579	1,247,310
Parks Fund	1,361,099	-	-	-	-	576,000	1,937,099
DOJ Federal Grant Fund	-	-	-	-	-	-	-
Enforcement & Education	27,440	-	-	-	-	3,250	30,690
Recreation Center Fund	680,973	-	-	-	-	707,000	1,387,973
CHIP (HOME) Fund	8,468	-	-	-	-	4	8,472
TOTAL SPECIAL REVENUE FUNDS	24,311,858	231,130	-	-	31,670	20,317,335	44,891,993
DEBT SERVICE FUNDS:							
General Obligation Debt Fund	1,196,799	-	-	-	-	-	1,196,799
S.A. South Industrial Park Improvement Fund	-	-	-	-	-	-	-
S.A. Laurel Road Improvement Fund (2006)	16,074	-	-	-	-	42,358	58,432
S. A. Bruns Lake - Dam Improvement Fund	7,705	-	-	-	-	18,513	26,218
S. A. Bruns Lake - Dredging Improvement Fund	6,930	-	-	-	-	11,558	18,488
TOTAL DEBT SERVICE FUNDS	1,227,508	-	-	-	-	72,429	1,299,937
CAPITAL PROJECT FUNDS:							
CDBG Fund	-	-	-	-	-	-	-
Capital Project Improvement Fund	6,379,768	-	-	-	-	1,261,710	7,641,478
Road Levy Improvement Fund	162,515	836,964	-	-	18,836	855,000	1,873,315
Road Capital Improvement Fund	6,493,782	-	-	-	-	8,889,708	15,383,490
Traffic Control Improvement Fund	3,125	-	-	-	-	-	3,125
Public Square Improvement Fund	12,298	-	-	-	-	-	12,298
City Hall Expansion/Improvement Fund	463	-	-	-	-	-	463
Fire Improvement Fund	79,618	-	-	-	-	-	79,618
Parks City-Wide Improvement Fund	588,821	-	-	-	-	-	588,821
Ohio Environ Improv Program Fed Grant Fund	-	-	-	-	-	-	-
North Carpenter Road Improvement Fund	-	-	-	-	-	-	-
Boston Road Improvement Fund	-	-	-	-	-	-	-
I-71 / Route 303 Enhancement Fund	431,340	-	-	-	-	-	431,340
Brunswick Lake Improvement Fund	3,895	-	-	-	-	-	3,895
OPWC Grafton Road Imp Fund	-	-	-	-	-	-	-
OPWC Center Road Imp Fund	-	-	-	-	-	-	-
OPWC Multi Roads Imp Fund	-	-	-	-	-	-	-
OPWC Laurel Road Imp Fund	-	-	-	-	-	-	-
OPWC Sleepy Hollow & Old Eagle Road Imp Fu	-	-	-	-	-	-	-
TOTAL CAPITAL PROJECT FUNDS	14,155,625	836,964	-	-	18,836	11,006,418	26,017,843

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

FUND	Estimated Unencumbered Balance January 1, 2022	Real Estate Property Tax	Personal Property Tax	Local Government Money	Rollback, Homestead and Personal Property Tax Exemption	Other Sources	Total
INTERNAL SERVICE FUNDS:							
Internal Service Fund	310,504	-	-	-	-	3,617,250	3,927,754
INTERNAL SERVICE FUNDS	310,504	-	-	-	-	3,617,250	3,927,754
ENTERPRISE FUNDS:							
Storm Water Management Fund	2,618,954	-	-	-	-	1,293,291	3,912,245
Refuse Fund	1,952,083	-	-	-	-	2,961,385	4,913,468
TOTAL ENTERPRISE FUNDS	4,571,037	-	-	-	-	4,254,676	8,825,713
TRUST AND AGENCY FUNDS							
Recreation Programs Fund	1,030	-	-	-	-	-	1,030
General Trust Fund	189,627	-	-	-	-	750,000	939,627
Unclaimed Money Fund	59,429	-	-	-	-	20,000	79,429
Twelve Step Recovery Fund	-	-	-	-	-	-	-
Family Violence Program Fund	3,307	-	-	-	-	-	3,307
Flex Spending Plan Fund	34,477	-	-	-	-	140,000	174,477
Non-Residential 3% Assessment	2,102	-	-	-	-	35,000	37,102
Residential 1% Assessment	310	-	-	-	-	10,000	10,310
TOTAL TRUST AND AGENCY FUNDS	290,282	-	-	-	-	955,000	1,245,282
TOTAL ESTIMATED RESOURCES (memorandum Only)	\$ 58,668,859	\$ 2,862,994	\$ -	\$ 525,000	\$ 270,506	\$ 65,498,111	\$ 127,825,470

FUND NAME : GENERAL FUND
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT 1

This Exhibit is to be used for the General Fund Only

DESCRIPTION	2019 ACTUAL	2020 ACTUAL	BUDGET YEAR ESTIMATED FOR 2021	BUDGET YEAR ESTIMATED FOR 2022
1	2	3	4	5
REVENUES:				
Local Taxes:				
General Property Tax - Real Estate	\$ 1,578,379	\$ 1,800,215	\$ 1,794,900	\$ 1,794,900
Tangible Personal Property Tax	\$ -	\$ -	\$ -	\$ -
Municipal Income Tax	20,103,431	20,818,570	20,376,857	20,988,163
Other Local Taxes - Police Pension	-	-	-	-
Total Local Taxes	\$ 21,681,810	\$ 22,618,785	\$ 22,171,757	\$ 22,783,063
Intergovernmental Revenues:				
State Shared Taxes & Permits:				
Local Government	598,634	665,379	601,392	525,000
Estate Tax	-	-	-	-
Cigarette Tax	1,006	1,007	1,100	1,100
Lodging Tax	59,413	38,481	40,000	55,000
Liquor and Beer Permits	31,307	5,042	28,500	30,000
Deregulation - Municipal Income Tax	86,377	39,537	40,000	50,000
Deregulation - Property Tax	-	-	-	-
Property Tax Allocation - Rollback	219,064	246,669	220,000	220,000
Immobilization	-	-	-	-
Personal Property Tax Exemption	-	-	-	-
Other Charges for Services - Govt Only	-	-	-	-
Other State Shared Taxes and Permits	-	-	-	-
Total State Shared Taxes and Permits	\$ 995,801	\$ 996,115	\$ 930,992	\$ 881,100
Grants or Aid				
Federal Grants	-	-	-	-
Other Grants or Aid	-	929,980	-	-
Total Grants or Aid	-	929,980	-	-
Total Intergovernmental Revenues	\$ 995,801	\$ 1,926,095	\$ 930,992	\$ 881,100
Special Assessments - Weeds	50,318	65,971	60,000	60,000
Charges for Services				
Fees/Lease Income	14,930	10,300	12,350	12,350
Cemetery	3,400	3,500	2,500	2,500
Dispatch	-	-	-	-
Senior Activities	-	-	-	-
Total Charges for Services	\$ 18,330	\$ 13,800	\$ 14,850	\$ 14,850
Fines, Licenses, and Permits	1,203,523	588,460	1,039,905	956,200
Interest Earnings	917,535	596,372	400,600	430,000
Miscellaneous - Miscellaneous	8,023	17,526	5,151	5,000
Other Financing Sources:				
Transfers	248,811	178,500	100,000	70,000
Advances	1,600,455	1,813,178	1,968,995	2,614,690
Total Other Financing Sources	\$ 1,849,266	\$ 1,991,678	\$ 2,068,995	\$ 2,684,690
TOTAL REVENUE	\$ 26,724,606	\$ 27,818,687	\$ 26,692,250	\$ 27,814,903

FUND NAME : GENERAL FUND
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT 2

This Exhibit is to be used for the General Fund Only

DESCRIPTION	2019 ACTUAL	2020 ACTUAL	BUDGET YEAR ESTIMATED FOR 2021	FORECASTED 2022
1	2	3	4	5
EXPENDITURES:				
Security of Persons & Property**				
Personal Services	\$ 63,972	\$ 68,850	\$ 75,237	\$ 77,118
Benefits & Insurance	46,768	47,010	55,926	58,710
Contractual Services	662	790	6,000	6,000
Supplies & Materials	1,691	1,076	4,500	4,500
Capital Outlay	645	-	-	-
Total Security of Persons & Property	113,738	117,726	141,663	146,328
Public Health Services				
Personal Services	-	-	-	-
Benefits & Insurance	-	-	-	-
Contractual Services - Cemetery	14,159	18,509	28,925	25,000
Supplies & Materials	111	225	150	150
Capital Outlay	-	-	-	-
Total Public Health Services	14,270	18,734	29,075	25,150
Leisure Time Activities				
Personal Services	84,445	89,999	88,938	91,161
Benefits & Insurance	57,030	56,252	65,654	68,912
Contractual Services	938	1,013	1,200	1,200
Supplies & Materials	52	-	150	150
Capital Outlay	366	-	-	1,250
Total Leisure Time Activities	142,831	147,264	155,942	162,673
Community Environment				
Personal Services	461,600	463,457	522,372	535,431
Benefits & Insurance	209,433	182,965	274,512	287,582
Contractual Services	241,089	226,157	588,070	600,975
Supplies & Materials	18,625	19,092	23,450	23,450
Capital Outlay	2,704	934	9,500	30,800
Total Community Environment	933,451	892,605	1,417,904	1,478,239
Basic Utility Services				
Personal Services	-	-	-	-
Benefits & Insurance	-	-	-	-
Contractual Services	-	-	-	-
Supplies & Materials	-	-	-	-
Capital Outlay	-	-	-	-
Total Basic Utility Services	\$ -	\$ -	\$ -	\$ -

FUND NAME : GENERAL FUND
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT 2

DESCRIPTION	2019 ACTUAL	2020 ACTUAL	BUDGET YEAR ESTIMATED FOR 2021	FORECASTED 2022
(Expenditures Continued)	1	2	3	4
Transportation				
Personal Services	-	-	-	-
Benefits & Insurance	-	-	-	-
Contractual Services	-	-	-	-
Supplies & Materials	-	-	-	-
Capital Outlay	-	-	-	-
Total Transportation	\$ -	\$ -	\$ -	\$ -
General Government				
Personal Services	1,268,424	1,312,369	1,382,063	1,417,142
Benefits & Insurance	731,903	674,127	853,283	892,012
Contractual Services	958,612	1,041,539	1,436,966	1,473,171
Supplies & Materials	28,209	28,174	62,785	62,785
Capital Outlay	146,091	106,805	110,470	172,400
Total General Government	\$ 3,133,239	\$ 3,163,014	\$ 3,845,567	\$ 4,017,510
Debt Service				
Redemption of Principal	-	-	-	-
Interest	-	-	-	-
Other - Debt Service	-	-	-	-
Total Debt Service	\$ -	\$ -	\$ -	\$ -
Other Uses of Funds				
Transfers / Advances Out	20,092,422	20,867,368	22,628,953	21,632,500
Contingencies	-	-	-	-
Other Uses of Funds	-	-	-	-
Total Other Uses of Funds	\$ 20,092,422	\$ 20,867,368	\$ 22,628,953	\$ 21,632,500
TOTAL EXPENDITURES	\$ 24,429,951	\$ 25,206,711	\$ 28,219,104	\$ 27,462,400
Revenues Over / (Under) Expenditures	2,294,655	2,611,976	(1,526,854)	352,503
Beginning Fund Balance	10,951,824	13,246,479	15,328,900	13,802,046
Ending Cash Fund Balance	13,246,479	15,858,455	13,802,046	14,154,549
Estimated Encumbrances (outstanding at year end)		529,555	-	-
Estimated Ending Unencumbered Fund Balances	\$ 13,246,479	\$ 15,328,900	\$ 13,802,046	\$ 14,154,549

FUND NAME : GENERAL BOND RETIREMENT FUND
 FUND TYPE/CLASSIFICATION : DEBT SERVICE FUND
 This Exhibit is to be used for the General Bond Retirement Fund Only

DESCRIPTION	2019 ACTUAL	2020 ACTUAL	BUDGET YEAR ESTIMATED FOR 2021	FORECASTED 2022
1	2	3	4	5
REVENUES:				
Local Taxes:				
General Property Tax - Real Estate	\$ -	-	\$ -	-
Tangible Personal Property Tax	-	-	-	-
Municipal Income Tax	-	-	-	-
Total Local Taxes	\$ -	-	\$ -	-
Intergovernmental:				
Rollback	-	-	-	-
Total Intergovernmental	\$ -	-	\$ -	-
Other Financing Sources:				
Bond Proceeds	-	-	-	-
Premium on Note Sale	-	-	-	-
Miscellaneous	-	-	-	-
Total Other Financing Sources	\$ -	-	\$ -	-
Other Financing Sources:				
Transfers In	568	-	45,694	-
Total Other Financing Sources	\$ 568	-	\$ 45,694	-
TOTAL REVENUE	\$ 568	-	\$ 45,694	-
EXPENDITURES:				
General Government				
Auditor / Treasurer Fees	-	-	-	-
Legal Fees/Cost of Issuance	-	-	-	-
Total General Government	\$ -	-	\$ -	-
Debt Service				
Bond and Note Principal Payment	-	-	-	-
Bond and Notes Interest Payment	-	-	-	-
Total Debt Service	\$ -	-	\$ -	-
TOTAL EXPENDITURES	\$ -	-	\$ -	-
Revenues Over / (Under) Expenditures	568	-	45,694	-
Beginning Uncumbered Balance	1,150,537	1,150,537	1,151,105	1,196,799
Ending Cash Fund Balance	1,151,105	1,150,537	1,196,799	1,196,799
Estimated Encumbrances (outstanding at year end)	-	-	-	-
Estimated Ending Uncumbered Fund Balances	\$ 1,151,105	\$ 1,150,537	\$ 1,196,799	\$ 1,196,799

*Since 2013, all storm water debt has been paid from the Storm Water Enterprise Fund. The City's current debt service plan is to provide a dedicated funding source that can be available for larger capital improvement projects and related debt obligations. Currently this fund's balance is informally earmarked for future debt service if needed for future major road projects or building improvements for 2022 and beyond. Project discussions are ongoing.

FUND	Estimated Un- cumbered Balance January 1, 2022	Budget Year Tex (Only) Receipts	Budget Year Homestead & Rollback (Only) Receipts	Budget Year Other Receipts	Budget Year Estimated Total Receipts	Total Available for Expenditures	BUDGET YEAR EXPENDITURES AND ENCUMBRANCES	Estimated Uncumbered Balance December 31, 2022
GOVERNMENTAL FUND TYPE								
SPECIAL REVENUE FUNDS								
Court Fees Fund	22,558	-	-	29,000	29,000	51,558	10,807	21,218
FEMA Grant Fund	8,842,316	231,130	31,670	8,904,988	9,167,788	18,010,104	4,617,793	8,889,197
Police Fund	6,801,775	-	-	5,824,800	5,824,800	12,626,575	2,575,890	7,353,363
Fire Fund	4,520,754	-	-	3,638,214	3,638,214	8,158,968	1,210,608	4,217,435
Street Repair & Maintenance Fund	476,420	-	-	180,000	180,000	656,420	146,675	509,725
State Highway Fund	58,848	-	-	500	500	59,348	-	44,348
Law Enforcement Trust Fund	702,476	-	-	15,000	15,000	717,476	-	672,476
Brunswick Transit Alternative Fund	-	-	-	-	-	-	-	-
RLE CDBG Fund	808,731	-	-	438,579	438,579	1,247,310	132,041	836,636
Brunswick Area Television Fund	1,361,099	-	-	576,000	576,000	1,937,099	214,020	1,408,752
DOJ Grant Fund	27,440	-	-	3,250	3,250	30,690	-	27,440
Enforcement & Education	680,973	-	-	707,000	707,000	1,387,973	424,977	310,168
Recreation Center Fund	8,468	-	-	4	4	8,472	-	8,472
CHRF (HOME) Fund	24,311,858	231,130	31,670	20,317,335	20,580,135	44,891,993	9,206,135	24,319,249
TOTAL SPECIAL REVENUE FUNDS								
DEBT SERVICE FUNDS:								
General Obligation Debt Fund	1,196,799	-	-	-	-	1,196,799	-	1,196,799
S. A. South Industrial Park Improvement Fund	-	-	-	-	-	58,432	-	19,819
S. A. Laurel Road (2006) Improvement Fund	16,074	-	-	42,358	42,358	18,513	-	7,269
S. A. Burns Lake - Dam Improvement Fund	7,205	-	-	11,558	11,558	18,488	-	6,662
S. A. Burns Lake - Dredging Improvement Fund	6,930	-	-	72,429	72,429	1,299,937	-	1,230,549
TOTAL DEBT SERVICE FUNDS	1,227,508	-	-	-	-	-	-	-
CAPITAL PROJECT FUNDS								
CDBG Fund	-	-	-	-	-	-	-	-
Capital Project Improvement Fund	6,379,768	-	-	1,261,710	1,261,710	7,641,478	-	7,141,478
Road Levy Improvement Fund	162,515	836,964	18,836	855,000	1,710,800	1,873,315	1,710,800	162,515
Road Capital Improvement Fund	6,493,782	-	-	8,889,708	8,889,708	15,383,490	7,813,600	7,569,890
Traffic Control Improvement Fund	3,125	-	-	-	-	3,125	-	3,125
Public Square Improvement Fund	12,298	-	-	-	-	12,298	-	12,298
City Building Improvement Fund	463	-	-	-	-	463	-	463
Fire Improvement Fund	79,618	-	-	-	-	79,618	-	79,618
Parks City Wide Improvement Fund	588,821	-	-	-	-	588,821	-	338,821
Ohio Environ Improv Program Fed Grant Fund	-	-	-	-	-	-	-	-
Boston Road Improvement Fund	431,340	-	-	-	-	431,340	-	431,340
I-71 Route 303 Enhancement Fund	3,895	-	-	-	-	3,895	-	3,895
Brunswick Lake Improvement Fund	-	-	-	-	-	-	-	-
OPWC Grifton Road Imp. Fund	-	-	-	-	-	-	-	-
OPWC Center Road Imp. Fund	-	-	-	-	-	-	-	-
OPWC Multi Roads Imp. Fund	-	-	-	-	-	-	-	-
OPWC Laurel Road Imp. Fund	-	-	-	-	-	-	-	-
OPWC Sleepy Hollow & Old Eagle Imp. Fund	-	-	-	-	-	-	-	-
TOTAL CAPITAL PROJECT FUNDS	14,155,625	836,964	18,836	11,006,418	11,862,218	26,017,843	10,274,400	15,743,443
INTERNAL SERVICE FUNDS:								
Internal Service Fund	310,504	-	-	3,617,250	3,617,250	3,927,754	-	310,504
TOTAL INTERNAL SERVICE FUNDS	310,504	-	-	3,617,250	3,617,250	3,927,754	-	310,504
PROPRIETARY								
ENTERPRISE FUNDS								
Storm Water Management Fund	2,618,954	-	-	1,297,291	1,297,291	3,912,245	33,280	2,028,965
Refuse Fund	1,952,083	-	-	2,961,385	2,961,385	4,913,468	69,169	2,282,768
TOTAL ENTERPRISE FUNDS	4,571,037	-	-	4,258,676	4,258,676	8,825,713	102,449	4,311,733
FIDUCIARY								
TRUST AND AGENCY FUNDS								
Recreation Programs Fund	1,030	-	-	-	-	1,030	-	1,030
General Trust Fund	189,627	-	-	750,000	750,000	939,627	-	189,627
Uncollected Money Fund	59,429	-	-	20,000	20,000	79,429	-	59,429
Family Violence Program Fund	3,307	-	-	-	-	3,307	-	3,307
Pics Spending Plan Fund	34,477	-	-	140,000	140,000	174,477	-	34,477
Non-Residential 3% Assessment Fee	2,102	-	-	35,000	35,000	37,102	-	2,102
Residential 1% Assessment Fee	310	-	-	10,000	10,000	10,310	-	310
TOTAL TRUST AND AGENCY FUNDS	290,282	-	-	955,000	955,000	1,245,282	-	290,282
TOTAL FOR MEMORANDUM ONLY	\$ 44,866,814	\$ 1,068,094	\$ 50,506	\$ 40,223,108	\$ 41,341,708	\$ 86,208,522	\$ 9,308,585	\$ 46,205,760

STATEMENT OF AMOUNTS REQUIRED FOR
PAYMENT OF FINAL JUDGMENTS
(Section 5705.29, Revised Code)

[illegible]

List the amounts required for the payment of each judgment expected to be paid during the year being budgeted.

									BUDGET YEAR	
PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 Mill Limit *	Date of Issue	Due Date	Last Effective Ordinance(s) at time Tax Budget was prepared	Forecasted Interest Rate	Forecasted amounts of G O Bonds Outstanding at Beginning of Budgeted Year January 1, 2022	Amount Required for Principal and Interest 1/1 - 12/31 2022	Amount Receivable from Other Sources to Meet Debt Payments 1/1 - 12/31 2022		
INSIDE 10 MILL LIMIT:										
<u>Payable from Bond Retirement Fund</u>										
None Known at this time.										
<u>Payable from Other Sources</u>										
Traffic Signalization Imp. Bonds \$1,320,000 @	n/a	November 2012	December 2031	#86-12	2.00%-4.00%	800,000	96,675	96,675		
Storm Sewer Improvement Bonds \$1,155,000* @	n/a	November 2012	December 2031	#87-12	2.00%-4.00%	600,000	83,700	83,700		
Capital Improv (Storm Water Mgt) Bonds \$4,672,492 *	n/a	September 2009	December 2029	# 80-09, 81-09 & 82-09	2.00% - 4.20%	2,274,931	334,838	334,838		
TOTAL										
OUTSIDE 10 MILL LIMIT:										
TOTAL						\$ 3,674,931	\$ 515,213	\$ 515,213		

* Debt obligations associated with storm water drainage and improvements are budgeted to be paid off with the stormwater fee. Council authorized this fee and related Enterprise Fund via Ord#31-11. A financial statement beginning balance restatement was required for moving debt obligations from the General Obligation Bond Retirement Fund to the City's new Stormwater Management Enterprise Fund in the City's FY 2012 CAFR.

@The Traffic Signalization and Storm Sewer Bonds were broken out separately since the revenue sources to retire the debt obligations will come from two different funds. The traffic signalization debt obligations are to come from revenue sources in the State Highway Fund and the Storm Sewer debt obligations are to come from the storm water fees collected in the Storm Water Fund.

Note: The above includes General Obligation Bonds issued by the City but excludes OPWC loans and Special Assessment Debt. Furthermore any new projects that may be initiated after the submission of this tax budget are also excluded

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
John Piepsny

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 62-2021** - A resolution authorizing the City Manager to enter into a sponsorship and service agreement with Southwest General Health Center Relative to the Brunswick Community Recreation and Fitness Center. - **1st Reading** (To be brought from Parks, Recreation and Community Committee, *Administration/John Piepsny*)

BACKGROUND: Since 2008, we have partnered with Southwest General Health Center for the sponsorship and lease of the Brunswick Community Recreation and Fitness Center. This partnership has been very valuable to the community and the residents of Brunswick and we wish to continue this. On June 2nd, RFP's were opened at City Hall and it is the administration's recommendation that we move forward with Southwest Hospital again as our partner.

PURPOSE AND EXPLANATION: This legislation will allow the City Manager to enter into a 3-year agreement with Southwest General Health Center for the Sponsorship of the Brunswick Community Recreation Center with an automatic renewal option.

IMPLEMENTATION SCHEDULE: Once adopted, we would enter into an agreement with Southwest Hospital around August 12th, 2021. The New 3 yr agreement is expected to be effective August 15, 2021 - August 14, 2024.

FINANCIAL INFORMATION: Southwest Hospital RFP - 08/12/2021 - Recreation Center - 131-0029-40201 - -

FINANCIAL SUMMARY: The RFP had \$30,000 for sponsorship of the facility for each year of the agreement for a three-year term.

Per John, Recreation Center will bill 3 months at a time through an invoice. Invoices are expected to be billed at the beginning of each 3 month period. Based on this process....the budgeting for this new contract will be:

2021 = 6 months
2022 = 12 months
2023 = 12 months
2024 = 6 months (\$ collected will be only 6 months even though contract doesn't end until Aug 14, 2024. City picked up the additional 1 1/2 months in 2021).

**RECOMMENDED
ACTION:**

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

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

It is the administration's recommendation to adopt this legislation after 3 readings and 30 days.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 62-2021

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SPONSORSHIP AND SERVICE AGREEMENT WITH SOUTHWEST GENERAL HEALTH CENTER RELATIVE TO THE BRUNSWICK COMMUNITY RECREATION AND FITNESS CENTER.

WHEREAS: The City of Brunswick received one (1) response to the City's Requests for Proposals relative to the sponsorship of the Brunswick Community Recreation and Fitness Center (the "Rec Center") and provision of services therein, which response was opened on June 2, 2021; and

WHEREAS: The City and Southwest General Health Center are currently parties to a Sponsorship and Service Agreement relative to a portion of the Rec Center, which expires on or about August 15, 2021.

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 Sponsorship and Service Agreement with Southwest General Health Center, as attached hereto as Exhibit "A", relative to the Rec Center.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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



Southwest General

Partnering with



University Hospitals

To: The City of Brunswick

From: Albert Matyas, MBA, FACHE 
Vice President
Southwest General Health Center

Date: June 2, 2021

RE: **Sponsorship of the Brunswick Community Recreation and Fitness Center RFP 2021-002**
Use of the Facility for Physical Therapy and Aquatic Therapy RFP 2021-003

Enclosed for your review are three copies of Southwest General Health Center's response to:

1. Sponsorship of the Brunswick Community Recreation and Fitness Center RFP 2021-002;
and
2. Use of the Facility for Physical Therapy and Aquatic Therapy RFP 2021-003.

We look forward to continuing our relationship with the City of Brunswick as your partner in the delivery of health education and medical services that aims to enhance the well-being of Brunswick and surrounding communities. Thank you for the opportunity to submit our response to the fore mentioned Request For Proposals.

Questions can be directed to me at the following contact points:

Email: amatyas@swgeneral.com

Phone: 440.816.8051

USPS: Southwest General Health Center
18697 Bagley Road
Middleburg Heights, OH 44130
Attn: Albert Matyas, Vice President

Proposal for

**Sponsorship of the Brunswick Community
Recreation & Fitness Center**

For

**The Brunswick Recreation Center
RFP – 2021 – 002**

Provided by



Southwest General

Partnering with



University Hospitals

18697 Bagley Road
Middleburg Heights, Ohio 44130

Southwest General

Nationally Acclaimed Award Winning Health Care

In 2020, Southwest General Health Center celebrated 100 years of serving southwest Cuyahoga, northern Medina, including the City of Brunswick, and eastern Lorain Counties. Over those years Southwest General has been awarded significant awards for the quality of care that patients receive at the Health Center. A listing of our awards can be found at :

<https://www.swgeneral.com/about-us/achievements-recognition>. Southwest General is known throughout the community as a high quality provider of care.

We are proud of our awards, but it is the efforts of committed physicians, nurses and support personnel that enable Southwest General to win accolades for patient outcomes and operational efficiency. We have a long history of serving our communities and Brunswick and Brunswick Hills are considered part of our primary service area. Southwest General is committed to serving the medical, surgical, diagnostic and therapeutic needs of patients from Brunswick and surrounding communities. Approximately one out of ten employees of Southwest General live in Brunswick.

Recent information indicated that Southwest General was the preferred health care facility for citizens in the greater Brunswick area. The hospital's strong tradition of supporting and educating Emergency Medical Services (EMS) personnel points to the investment that the hospital has committed to the health and safety of this community.

The Brunswick Medical Center and Emergency Department

Get Better Here

The first freestanding Emergency Department in Medina County was opened by Southwest General in 2009. A year earlier in 2008, Southwest General was proud to become a permanent member of the greater Brunswick community with the opening of the Southwest General Brunswick Medical Center. The Brunswick Medical Center is a 40,000 square foot facility located in the heart of the City of Brunswick.

The Medical Center has a variety of primary care physicians and specialists that offer residents of Brunswick easy, convenient access to outstanding medical care. Among specialties that are available are Pediatrics, Family Medicine, Internal Medicine, Cardiology, Orthopedics and Vascular Services, Physical Therapy, Laboratory and Radiology Services.

Southwest General's Brunswick Community Recreation & Fitness Center (BCRFC) Proposal:

Our approach is multi-pronged consisting of health screening and information, education opportunities, service development and promotional support.

Community Health Program

- Southwest General will work with the Brunswick Community Recreation & Fitness Center leadership on new ways that our Community Nursing team can enhance the health status of members.
- Health screenings can be performed to facilitate awareness around the following health conditions:
 - Mental Health
 - Osteoporosis
 - Cholesterol
 - Blood Pressure
- Alternative screenings may be accessible based on community need and availability.
- All community health personnel shall follow the rules and regulations of the BCRFC.

Physician/Health Professional Educational Presentations

- Southwest General will work with BCRFC leadership and staff to schedule physician and/or health professional presentations for the community.
- These educational presentations will provide disease specific information to the public/BCRFC members in order to enhance their knowledge of ways to improve their health status.
- Educational Presentations can include:
 - Shoulder and knee surgery options
 - Weight loss
 - Nutrition
 - Heart Health
 - Diabetes
 - Headaches
 - Cancer prevention
 - Maintaining a Healthy Brain
- Southwest will commit to providing at least one educational presentation per month at the BCRFC at a mutually agreeable time.

Education Programs

- Southwest General currently provides several educational programs that can also be developed on site at the BCRFC. These educational programs cover diverse demographic segments. Examples of the types of educational programs currently provided by Southwest General include:
 - Balance for Life
 - Cardiac Health
 - End of Care/Hospice Decisions
 - Advanced Directives

Service Development

- The expertise and knowledge of exercise physiologists, fitness instructors, and personal trainers will be made available to BCRFC personnel.

Promotional Support

- Southwest General proposes to **sponsor the BCRFC for a three-year term with support of \$30,000 per year**. Terms of payment are negotiable, although quarterly invoices generated from the City of Brunswick is the preferred method.
- Southwest General would have the city agree that sponsorship for the length of the term are exclusive to Southwest General within the Brunswick Recreation Center and adjacent structures.
- Southwest General logo would be placed on all advertising materials prepared by BCRFC.
- No other health related services from other healthcare organizations will be permitted on the recreation center grounds without the consent of Southwest General.
- After the initial three year term, Southwest General would like a right of first refusal if the program is to continue.
- Specific points of this proposal are negotiable.

In response to this proposal please contact:

Southwest General Health Center
18697 Bagley Road
Middleburg Heights, OH 44130
Attn: Albert Matyas, Vice President
(440) 816-6683

PROPOSED LEGISLATION



DATE: 6/14/2021

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

FROM: Carl S. DeForest, City Manager
John Piepsny

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 63-2021** - A resolution authorizing the City Manager to enter into a lease agreement with Southwest General Health Center for a portion of the Brunswick Community Recreation and Fitness Center. - **1st Reading** (To be brought from Parks, Recreation and Community Committee, *Administration/John Piepsny*)

BACKGROUND: Since 2008, we have partnered with Southwest General Health Center for providing physical and aquatic therapy at the Brunswick Community Recreation Center. On June 2nd, RFP's were opened at City Hall and it is the administration's recommendation that we continue this partnership and accept the RFP from Southwest General Health Center for the lease space for physical and aquatic therapy.

PURPOSE AND EXPLANATION: The purpose of this is to allow the City Manager to enter into an Agreement with Southwest General Health Center for the Lease space for physical and aquatic therapy at the Brunswick Community Recreation and Fitness Center.

IMPLEMENTATION

SCHEDULE: Once approved, we would enter into an agreement on or about August 12, 2021. A new 3 year agreement is expected to be effective August 15, 2021 - August 14, 2024.

FINANCIAL INFORMATION: Southwest Hospital RFP - 08/12/2021 - Recreation Center - 131-0029-40201 - -

FINANCIAL SUMMARY: The Recreation Center budget will receive \$20,000 for each year of the three-year agreement.

Per John, Recreation Center will bill 3 months at a time through an invoice. Invoices are expected to be billed at the beginning of each 3 month period. Based on this process....the budgeting for this new contract will be:

2021 = 6 months

2022 = 12 months

2023 = 12 months

2024 = 6 months (\$ collected will be only 6 months even though the contract doesn't end until Aug 14, 2024. City picked up the additional 1 1/2 months in 2021).

**RECOMMENDED
ACTION:**

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 63-2021

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH SOUTHWEST GENERAL HEALTH CENTER FOR A PORTION OF THE BRUNSWICK COMMUNITY RECREATION AND FITNESS CENTER.

WHEREAS: The City of Brunswick received one (1) response to the City's Requests for Proposals relative to the lease of a portion of the Brunswick Community Recreation and Fitness Center (the "Rec Center"), which response was opened on June 2, 2021; and

WHEREAS: The City and Southwest General Health Center are currently parties to a Lease Agreement relative to a portion of the Rec Center, which expires on or about August 15, 2021.

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 Lease Agreement with Southwest General Health Center, as attached hereto as Exhibit "A", relative to the lease of a portion of the Rec Center.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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



Southwest General

Partnering with



University Hospitals

To: The City of Brunswick

From: Albert Matyas, MBA, FACHE 
Vice President
Southwest General Health Center

Date: June 2, 2021

RE: **Sponsorship of the Brunswick Community Recreation and Fitness Center RFP 2021-002**
Use of the Facility for Physical Therapy and Aquatic Therapy RFP 2021-003

Enclosed for your review are three copies of Southwest General Health Center's response to:

1. Sponsorship of the Brunswick Community Recreation and Fitness Center RFP 2021-002;
and
2. Use of the Facility for Physical Therapy and Aquatic Therapy RFP 2021-003.

We look forward to continuing our relationship with the City of Brunswick as your partner in the delivery of health education and medical services that aims to enhance the well-being of Brunswick and surrounding communities. Thank you for the opportunity to submit our response to the fore mentioned Request For Proposals.

Questions can be directed to me at the following contact points:

Email: amatyas@swgeneral.com

Phone: 440.816.8051

USPS: Southwest General Health Center
18697 Bagley Road
Middleburg Heights, OH 44130
Attn: Albert Matyas, Vice President

Proposal for

Use of Facility for Physical Therapy and Aquatic Therapy

at

**The Brunswick Recreation Center
RFP – 2021 – 003**

Provided by



Southwest General

Partnering with



University Hospitals

18697 Bagley Road
Middleburg Heights, Ohio 44130

Southwest General

Nationally Acclaimed Award Winning Health Care

In 2020, Southwest General Health Center celebrated 100 years of serving southwest Cuyahoga, northern Medina, including the City of Brunswick, and eastern Lorain Counties. Over those years Southwest General has been awarded significant awards for the quality of care that patients receive at the Health Center. A listing of our awards can be found at :

<https://www.swgeneral.com/about-us/achievements-recognition>. Southwest General is known throughout the community as a high quality provider of care.

We are proud of our awards, but it is the efforts of committed physicians, nurses and support personnel that enable Southwest General to win accolades for patient outcomes and operational efficiency. We have a long history of serving our communities and Brunswick and Brunswick Hills are considered part of our primary service area. Southwest General is committed to serving the medical, surgical, diagnostic and therapeutic needs of patients from the Brunswick and surrounding communities. Approximately one out of ten employees of Southwest General live in Brunswick.

The Brunswick Medical Center and Emergency Department

Get Better Here

The first freestanding Emergency Department in Medina County was opened by Southwest General in 2009. A year earlier in 2008, Southwest General was proud to become a permanent member of the greater Brunswick community with the opening of the Southwest General Brunswick Medical Center.

The Medical Center has a variety of primary care physicians and specialists that offer residents of Brunswick easy, convenient access to outstanding medical care. Among specialties that are available are Pediatrics, Family Medicine, Internal Medicine, Cardiology, Orthopedics and Vascular Services, Physical Therapy, Laboratory and Radiology Services.

Physical Medicine and Rehabilitation of Southwest General

Returning Patients to an Active Life

Southwest General has a proud history of successful inpatient and outpatient therapy programs. Located in Southwest General's LifeWorks fitness facility, and our Brunswick, North Royalton and Strongsville locations, our physical therapy, occupational therapy and speech therapy services attract patients from a four county area. Physical Medicine and Rehabilitation has over 175 therapists and associates working in outpatient and inpatients settings.

SOUTHWEST GENERAL'S RESPONSE TO RFP – 2021 – 003

Southwest General appreciates the opportunity to respond to this Request For Proposal for Physical and Aquatic Therapy to be located at the Brunswick Recreation Center. The hospital's strong tradition of delivering excellent physical therapy (PT) to patients is demonstrated by the tremendous service demand at Southwest General's Brunswick Medical Center.

Our therapists are licensed and receive on-going education to ensure patients receive the best service available to regain their active lives. Our therapists bring expertise in the following therapy programs:

- Orthopedic Rehabilitation to recover from an injury to the knee, shoulder, hip, or other joint
- Sports Medicine for the injured athlete to return to their sport and prevent further injury
- Spine Rehabilitation
- Balance and Vestibular Training
- Scoliosis Treatment
- Lymphedema Treatment
- Stroke Rehabilitation
- Amputee Rehabilitation

Physical Therapy Services at Brunswick Recreation Center

The current Physical Therapy office at the Brunswick Recreation Center (BRC) would house a Southwest General therapist 3 days a week, anticipating hours of operation from 9 a.m. to 6:30 p.m. Because our therapy services are built around the needs of patients from the Brunswick community, Southwest General would increase therapy services availability based on the demand and specialized needs of the community.

Our therapists receive training in aquatic rehabilitation to maximize the benefits of the properties of the water to reduce pain, increase strength and endurance, and improve range of motion.

We would anticipate using the former massage therapy room for patient assessment and aquatic equipment space for aquatic therapy patients. We anticipate utilization of a portion of the shallow end of the pool two mornings per week for 1 hour each day, with expectation to increase to 2 hours each day based on demand.

Southwest General Physical Therapy Proposal:

Southwest General, in order to make available a vibrant, high quality physical therapy service at the Brunswick Recreation Center (BRC) proposes to provide the following:

Personnel

- One physical therapist to evaluate and treat patients with a physicians order for land and/or aquatic therapy.
- The therapist will be in good standing and licensed to treat in the State of Ohio.
- All education and training will be performed by Southwest General.
- Additional therapy personnel resources can be made available as service demand increases.
- Southwest General personnel will also participate in necessary training/educational seminars in order to fulfill requirements for the Brunswick Recreation Center.

Operations/Patient Treatment

- Southwest General therapists will work with BRC leadership and staff members to establish an agreeable patient check-in procedure to ensure an excellent patient experience.
- Southwest General therapists will utilize the equipment and facilities within the BRC in compliance of BRC standards and protocols.
- BRC will provide free access to Southwest General therapists to the internet through BRC's internet service. This access is needed for patient record information and internal communications. Compliance with BRC's internet standards will be maintained.
- Southwest General will supply needed specialized equipment to service patients in either the upstairs therapy space or the aquatic space on the pool deck.
- Aquatic therapy scheduling will be mutually agreed to by Southwest General and BRC leadership.

- Appropriate signage space for patient navigation and service awareness will be made available to Southwest General by BRC. Southwest General will generate all necessary signage at its expense.

Financial Support

- Southwest General proposes these services be offered for a three year term to the Brunswick Recreation Center with a fee paid of \$20,000 per year for access and use of the facility.
- Terms of payment are negotiable.
- Southwest would have the city agree that therapy services provided for the length of the RFP are exclusive to Southwest General within the Brunswick Recreation Center and adjacent structures.
- No other health related services from other healthcare organizations will be permitted on the recreation center grounds without the consent of Southwest General.
- Reimbursement and/or billing of therapy services will be the responsibility of Southwest General.
- After the initial three year term, Southwest General would like a right of first refusal if the program is to continue.
- Specific points of this proposal are negotiable.

We look forward to providing a high quality physical therapy service to the citizens of Brunswick at the Brunswick Recreation Center. Southwest General believes in the development of long term partnerships that will benefit the health and well being of the community. We believe that our therapy services will provide a positive experience for the Brunswick Recreation members and members of the City of Brunswick and surrounding cities. We thank you for the opportunity to respond to your request for proposal.

In response to this proposal please contact:

Southwest General
18697 Bagley Road
Middleburg Heights, OH 44130

Attn: Albert Matyas, Vice President

PROPOSED LEGISLATION



DATE: 6/14/2021

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. 64-2021** - An emergency ordinance approving the final plat for the Vicky Drive Extension (Overlook Pointe) Development, subject to final engineering approval and any other conditions imposed by Council. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: On June 3, 2021, the Brunswick City Planning Commission recommended approval to the City Council of the final plat for the Vicky Drive extension (Overlook Pointe) single-family cluster development, attached as Exhibit "A", subject to final engineering approval.

PURPOSE AND EXPLANATION: Final plat approval for the Vicky Drive extension (Overlook Pointe) is subject to City Council and engineering approval, pursuant to Sections 1224.04(a)(3) and 1226.04 of the Subdivision Regulations.

IMPLEMENTATION SCHEDULE:

Immediately.

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?

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, property, health, safety, or welfare, and for the additional reason, that immediate passage is necessary to allow construction to commence 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.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 64-2021

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

AN EMERGENCY ORDINANCE APPROVING THE FINAL PLAT FOR THE VICKY DRIVE EXTENSION (OVERLOOK POINTE) DEVELOPMENT, SUBJECT TO FINAL ENGINEERING APPROVAL AND ANY OTHER CONDITIONS IMPOSED BY COUNCIL.

WHEREAS: On June 3, 2021, the Brunswick City Planning Commission recommended approval to City Council of the Final Plat for the Vicky Drive Extension (Overlook Pointe) Development, subject to final engineering approval.

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

SECTION 1: That the Final Plat for the Vicky Drive Extension (Overlook Pointe) Development, as attached hereto as Exhibit "A", is hereby approved subject to final engineering approval and any other conditions imposed by this Council.

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 that immediate passage is necessary to allow construction to commence 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

MAYOR
RON FALCONI

CITY OF BRUNSWICK

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
JOSEPH P. DELSANTER
NICHOLAS HANEK
PATRICIA HANEK
BRIAN K. OUSLEY
VALERIE M. ZAK

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

June 4, 2021

Chris Bender
Parkview Homes
22700 Royalton Rd.
Strongsville, OH 44149

RE: Vicky Drive extension (Overlook Pointe) final plat
South of Patricia Drive, Brunswick

Dear Mr. Bender:

The Brunswick City Planning Commission, at their meeting on June 3, 2021, voted to **recommended approval** to City Council of the Vicky Drive extension (Overlook Pointe) final plat, subject to the following:

1. Final plat approval is subject to engineering and City Council approval, pursuant to Sections 1224.04(a)(3) and 1226.04 of the Subdivision Regulations. Legislation is scheduled for City Council's meeting on June 14, 2021. Please contact Fijabi Gallam, Clerk of Council, at (330) 558-6845 for meeting times.

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

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator

- c: Carl DeForest, City Manager
Grant Aungst, Community & Economic Dev. Director
Ken Fisher, Law Director
Matt Jones, Consulting City Engineer
Cliff Calaway, Chief Building Official
Travis Crane, Davey Resource Group



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

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

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

President of Council

This Plat was duly accepted by the Brunswick City Planning Commission at its regular meeting held on the _____ day of _____, 20____.

Secretary

This Plat was duly accepted by the Brunswick City Engineer this ____ day of _____, 20____.

City Engineer

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

Commissioner

Commissioner

Commissioner

All required central wastewater disposal facilities have been satisfactorily installed or financial guarantees have been approved by the Medina County Sanitary Engineer on this ____ day of _____, 20____.

Sanitary Engineer

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

Tax Map Draftsman

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

Medina County Auditor

Received and recorded this ____ day of _____, 20____.

At _____ A.M./P.M recorded in Plat Document No._____.

Fee:_____.

Medina County Recorder

Vicky Drive Allotment

Creating Sublot Nos. 1-15 and Blocks 'A' and 'B'
Situating in the City of Brunswick, County of Medina and State of Ohio and being part of Original Brunswick Township Lot 7, Tract 1 and further known as being all of a 12.0313 acre parcel of land conveyed to Hinckley Land Holdings LLC by deed dated November 19, 2020 and recorded in Document No. 2020OR029750 of the Medina County Recorder's Records.



LOCATION MAP

LATITUDE: 41°15'08.4" LONGITUDE: 81°50'45.0"

NOTES

REFERENCES:

"Eagle Oaks Subdivision No. 7" by John W. Denega, P.S. as recorded in Plat Book 15, Page 24 of Medina County Recorder's Records.

"Eagle Oaks Subdivision No. 9" by John W. Denega, P.S. as recorded in Plat Book 16, Page 32 of Medina County Recorder's Records.

"The Timbers Subdivision Phase 1" by Michael R. Elewski, P.S. 7252 as recorded in Plat Book 25, Page 161 of Medina County Recorder's Records.

"The Timbers Subdivision Phase 2" by Michael R. Elewski, P.S. 7252 as recorded in Plat Book 26, Page 13 of Medina County Recorder's Records.

"Replat of Blocks "E", "F" & "G" in the Timbers Subdivision - Phase 2" by Michael R. Elewski, P.S. 7252 as recorded in Plat Book 27, Page 125 of Medina County Recorder's Records.

"Timberlake Trail Phase Six" by Robert E. Knight, P.S. 6448 as recorded in Document Number 2005PL000028 of Medina County Recorder's Records.

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

BASIS OF BEARINGS:

Centerline bearing of Pearl Road (S.R. 42) was calculated to be South 00°01'02" East, based upon Ohio State Plane Coordinate System, North Zone, NAD 1983, Ground.

NOTE:

All 5/8" x 30" iron pins set are affixed with a plastic cap bearing the inscription "DRG ENG 7631-8557"

ACCEPTANCE & DEDICATION

Know all men by these presents that _____(Print Name), owner/agent of Hinckley Land Holdings LLC, owner of the lands embraced within this plat, and do hereby dedicate to public use forever the streets as shown hereon. All Storm Water Management, Storm Sewer, and Sanitary Sewer easements shown hereon are dedicated to the City of Brunswick, the Cleveland Division of Water, the Medina County Sanitary Engineer or the relevant utility providers. It is expressly acknowledged the maintenance and repair of the storm water retention basins and their associated outlet structures are the sole responsibility of the Homeowner's Association as detailed in the covenants, restrictions and easement documents referenced below. The maintenance and repair of the storm sewer is the sole responsibility of the City of Brunswick. The City of Brunswick, however, is granted access to the retention basins to perform whatever services it deems necessary.

Owner/Agent (Sign) _____ Date _____

County of Medina

State of Ohio

Before me a notary public in and for said county and state, personally appeared the above named _____ and _____, owners/ agents of 834 Pearl, LLC,who acknowledged the making of 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 _____, Ohio this ____ day of _____, 20____.

Notary public

My commission expires

Witness

Witness

LEGEND		
DESCRIPTION	FOUND	SET
MAG NAIL	○ M.N.F.	✕
MONUMENT BOX	⌈ ⌋	⌈ X ⌋
IRON PIN	○ I.P.F.	●
IRON PIPE	⊙ P.F.	
LIMITED ACCESS R/W	--- Ex LA --- Ex LA	
CENTERLINE	_____	
PROPERTY LINE	_____	
RIGHT-OF-WAY LINE	--- Ex R/W ---	
EASEMENT LINE	-----	
ORIGINAL PROP. LINE	 Z	
ORIGINAL LOT LINE	_____	

COVENANTS, RESTRICTIONS & EASEMENTS

The Subdivision shown on this plat is subject to the covenants, restrictions and easements contained in the declaration or restrictions, covenants and easements, filed for record on the ____ day of _____ and recorded in Doc. No. _____ in the Medina County Recorders Records, State of Ohio.

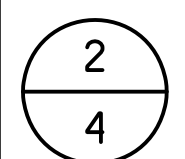
SURVEYOR CERTIFICATION

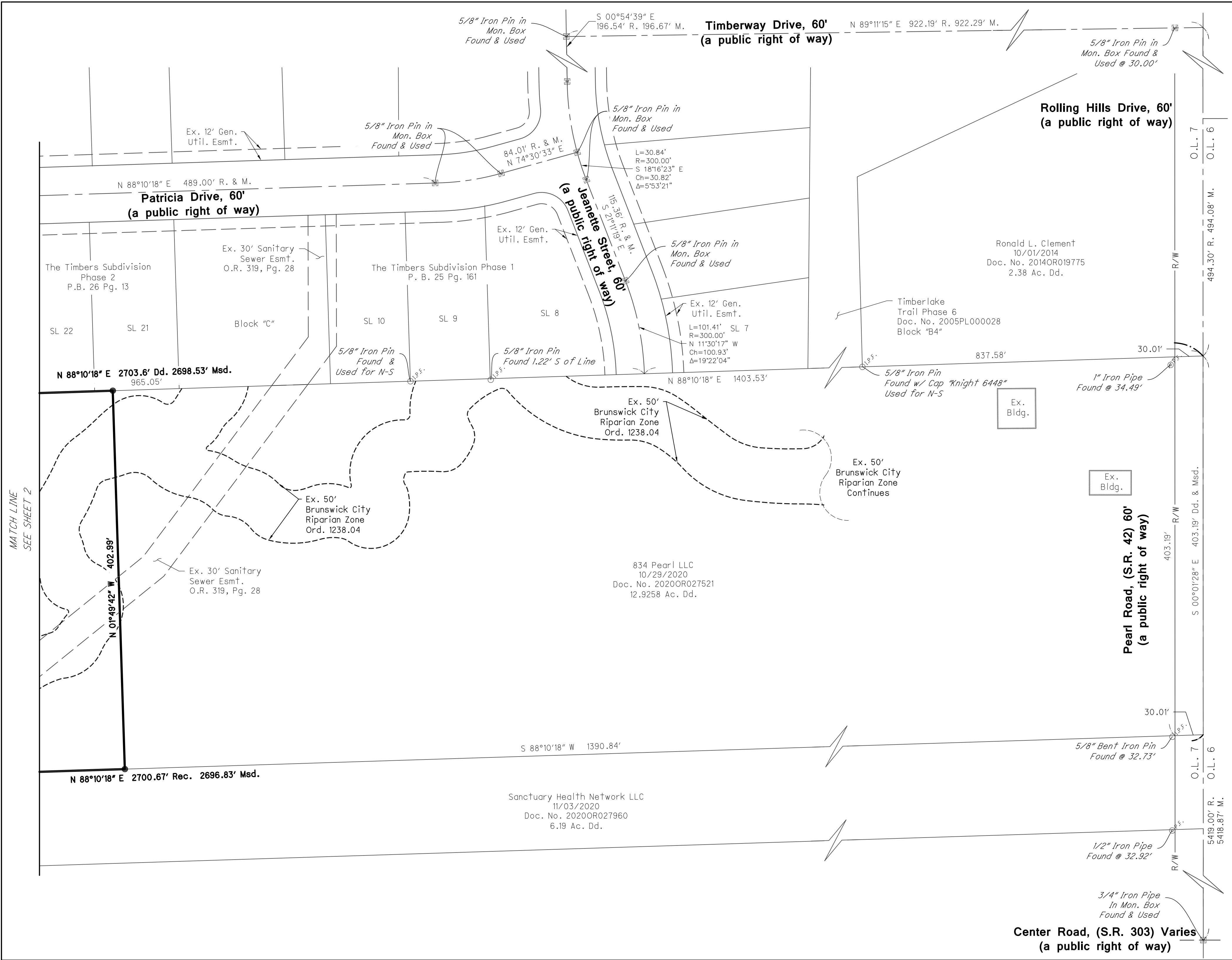
This Plat was prepared from analysis of recorded plats, recorded deeds, and survey records, as applicable. Distances are given in feet and decimal parts thereof. All dimensional and geodetic details are correct and the survey balances and closes to the best of my knowledge. All monuments shown hereon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

Jeremy M. Sack P.S. No. S-8557 _____ Date _____

AREA TABLE	
Sublots (15)	5.9000 Acres
Dedicated Right of Way	1.0895 Acres
Open Space Block 'A'	3.2257 Acres
Open Space Block 'B'	1.8161 Acres
Total	12.0313 Acres

SHEET INDEX	
Sheet Number	Sheet Title
1	TITLE
2	SUBLOTS
3	REMAINDER
4	EASEMENTS





MATCH LINE
SEE SHEET 2

DAVEY Resource Group		1310 SHARON COPLEY ROAD, P.O. BOX 37 SHARON-CENTER, OHIO 44274 (PHONE) 330.590.8004 (FAX) 888.820.9423	
VICKY DRIVE EXTENSION		REMAINDER	
PROJECT NUMBER		DATE	
1972		2021-04-15	
3		4	

File: F:\Upc_ena\projects\1972_niche_property_brunswick_hills.dwg 1972 plat.dwg Saved: 2/23/2021 10:58 AM (s0014) PlotStyle: (TGC 2017.ctb) Scale: (1:1) Page Setup: (24 Br 18 PDF)

