

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

FEBRUARY 28, 2022

6:30 PM

or Immediately Following
Safety & Environment Committee

REVISED

1. Discussion Items
2. Motion Items
 - (a) Motion authorizing a change order in the amount of \$14,326.92 to Marks Construction, Inc. for the Plum Creek Greenway Phase 1 project.
3. Review Legislation
 - (a) ORD. NO. 19-2022 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to three (3) adjacent parcels of land (Permanent Parcel Nos. 001-02A-25-040, 001-02A-041 and 001-02A-25-042) consisting of 0.4417 acres on Pearl Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)
4. General Discussion
5. Executive Session
 - (a) Motion to go into Executive Session for the purpose of pending litigation
6. Adjournment

PROPOSED MOTION



DATE: 2/28/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Matt Jones

COPY: Mayor Ron Falconi

MOTION: Motion authorizing a change order in the amount of \$14,326.92 to Marks Construction, Inc. for the Plum Creek Greenway Phase 1 project.

BACKGROUND: The original contract in the amount of \$444,909.00 was awarded by City Council on May 24, 2021.

PURPOSE AND EXPLANATION: The additional funds are necessary to cover the costs of pay items agreed upon between the Contractor and City Engineer. Most of the additional costs were due to soft subgrade conditions that were encountered during construction, which were further complicated by unusually high rainfall amounts.

IMPLEMENTATION SCHEDULE: The project is substantially complete with punch list items remaining. Final restoration will occur in Spring 2022.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The change order will increase the contract amount from \$444,909.00 to \$459,235.92. The appropriations for this change order are already in place, therefore no additional budgetary legislation is needed.

If approved, the change order amount of \$14,326.92 would be paid from the Capital Improvement Fund account#300-2019-56700. A "Then & Now" Certificate will also be presented to City Council for approval pursuant to ORC Section 5705.41D. An approved "Then & Now" Certificate would be required by law in addition to the approval of this change order in order to be paid.

RECOMMENDED ACTION: Passage of a motion which authorizes a change order in the amount of \$14,326.92 to Marks Construction, Inc. for the Plum Creek Greenway Phase 1 project.

**ADDITIONAL
INFORMATION:**

PROPOSED LEGISLATION



DATE: 2/28/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: ORD. NO. 19-2022 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to three (3) adjacent parcels of land (Permanent Parcel Nos. 001-02A-25-040, 001-02A-041 and 001-02A-25-042) consisting of 0.4417 acres on Pearl Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting three (3) adjacent parcels of land (Permanent Parcel Nos. 001-02A-25-040, 001-02A-041 and 001-02A-25-042) be annexed from Brunswick Hills Township to the City of Brunswick.

PURPOSE AND EXPLANATION: Brunswick City Council declares that, should the Medina County Commissioners grant the annexation of Permanent Parcel Nos. 001-02A-25-040, 001-02A-041 and 001-02A-25-042 consisting of 0.4417 acres on Pearl Road, the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

IMPLEMENTATION

SCHEDULE: Immediately.

**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?

This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty(20) days before the May 3, 2022 hearing date, i.e., by April 13, 2022.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER _____

BY:

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO THREE (3) ADJACENT PARCELS OF LAND (PPNs 001-02A-25-040, 001-02A-25-041 AND 001-02A-25-042) CONSISTING OF 0.4417 ACRES ON PEARL ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting three (3) adjacent parcels of land be annexed from Brunswick Hills Township to the City of Brunswick, and

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

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of the three (3) adjacent parcels of land (PPNs 001-02A-25-040, 001-02A-25-041 AND 001-02A-25-042) consisting of 0.4417 acres on Pearl Road, the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

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

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the May 3, 2022 hearing date, i.e., by April 13, 2022. 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
Laura E. Timura

Medina County Commissioners

Stephen D. Hambley
William F. Hutson
Colleen M. Swedyk

County Administration Building
144 North Broadway
Medina, Ohio 44256

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

February 18, 2022

Daniel Lindner, Esq.
The Lindner Law Firm LLC
2077 E. 4th Street, 2nd Floor
Cleveland, OH 44115

RE: Petition for Regular Annexation – 0.4417 acres
Brunswick Hills Township to the City of Brunswick

Dear Mr. Lindner,

The Board of Medina County Commissioners will conduct a hearing on the above-referenced petition for annexation submitted by your office today after their regular meeting on Tuesday, May 3, 2022, at approximately 10:30 a.m.

Sincerely,



Rhonda Beck
Clerk of the Board of County Commissioners

cc: Katherine Esber, Fiscal Officer, Brunswick Hills Township
Laura Timura, Clerk of Council, City of Brunswick