



BRUNSWICK CITY COUNCIL AGENDA

Brandon Lambert Ward 3	Kristy Piper At-Large	Tim Smith At-Large	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Laura Timura Clerk of Council	Nicholas Hanek Ward 2	Michael Abella Jr. Ward 1	Jospeh Delsanter At-Large	Anthony Capretta Ward 4
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Administration Representatives

JUNE 27, 2022
In Council Chambers
At 7:00 P.M.

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes dated June 13, 2022.
5. Mayor's Report:
 - (a) Mayor's Update
 - (b) Mayor's recommendation to appoint Thomas Miller to the Board of Zoning Appeals.
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Lambert

Services, Utilities, Technology & Cable Committee.....Mr. Smith

Services Committee Meeting Minutes dated May 23, 2022 and
June 13, 2022

Finance Committee.....Mr. Hanek

Finance Committee Meeting Minutes dated June 13, 2022

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

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

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

Building & Building Code Committee.....Mr. Abella

8. Other Committees, Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated June 13, 2022

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

ORD. NO. 39-2022 - An ordinance amending Section 1216.02(b) of the City of Brunswick Codified Ordinances by updating the fee schedule.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 40-2022- An ordinance amending Section 1216.03(a) of the City of Brunswick Codified Ordinances by updating the fee schedule. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 41-2022 - An ordinance amending Section 1228.03(a) of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 42-2022 - An ordinance amending Section 1244.07(c) of the City of Brunswick Codified Ordinances. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 43-2022 - An ordinance amending Section 1278.02 of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 44-2022- An ordinance amending Section 1280.06 of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 45-2022 - An ordinance establishing Section 1475.11 of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 57-2022 - An ordinance closing the RLF CDBG Fund (#121), the OPWC Grafton Road Fund (#368), and the OPWC Multi-Roads Improvement Fund (#370). - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

c. 1st Reading(s)

RES. NO. 59-2022 - An emergency resolution accepting the petition for annexation of 0.4417 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*)

RES. NO. 60-2022 - An emergency resolution authorizing the purchase of real property for municipal purposes in an amount not to exceed \$30,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

11. City Manager's Report
12. Administrative Departments
13. Open Forum
14. Unfinished Business
15. New Business
 - (a) Donation from Tri-County AFL-CIO to Inclusive Playground
 - (b) Donation from USW Local 979 to Inclusive Playground
16. Adjournment

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

May 23, 2022

IN ATTENDANCE:

Chairman Tim Smith, Committee Member Michael Abella Jr., Committee Member Anthony Capretta, Joseph Delsanter, Nicholas Hanek, Kristy Piper, Brandon Lampert, City Manager Carl DeForest, Law Director Kenneth Fisher, City Engineer Matt Jones, Chief Brian Ohlin, Finance Director Todd Fischer, Planning & Zoning Coordinator Pam Plavecski, News Media.

The meeting convened at 6:20p.m.

DISCUSSION ITEMS:

RES. NO. 51-2022 An emergency resolution authorizing the City Manager to enter into an agreement with Specialized Construction, Inc. for the 2022 Asphalt Road Program in the amount not to exceed \$589,761.50

Mr. Jones advised this was for the annual asphalt road program, this year the asphalt paving portion of the program will be performed entirely in ward 4, on Meadowbrook Boulevard, Manitoulin Pike, and Stearns Drive. Mr. Jones advised Meadowbrook and Manitoulin Pike will have the traditional mill and fill treatment similar to what was done on Rocklyn Drive. Stearns Street will have a more intense asphalt pavement recycling program. He noted this program has not been done in the City of Brunswick but has been done frequently in other communities. Mr. Jones explained the technique as a single pass where machine injects asphalt emulgent chops up the old road and creates a base and then overlaid, creating a smooth base.

In addition, Mr. Jones noted preventive maintenance will be done citywide on previous asphalt overlaid streets; Laurel Road, Rocklyn, and Pinewood, and citywide crack sealing will also be done.

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

June 13, 2022

IN ATTENDANCE:

Chairman Timothy Smith, Committee Member Michael Abella Jr., Joseph Delsanter, Nicholas Hanek, Kristy Piper, Brandon Lampert, City Manager Carl DeForest, Law Director Kenneth Fisher, Finance Director Todd Fischer, Service Director Paul Barnett, Parks and Recreation Director Taylor Petkovsek, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:23p.m.

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

DISCUSSION ITEMS:

ORD. NO. 57-2022 – An ordinance closing the RLF CDBG Fund (#121), the OPWC Grafton Road Fund (#368), and the OPWC Multi-Roads Improvement Fund (#370)

Mr. Abella moved this ordinance from Services, Utilities, Technology & Cable Committee to the Finance Committee. Vote – 2 Ayes, 0 Nays.

Trash /Recycle Collection Rates:

Mr. Barnett explained when the City entered into the last contract with Republic Waste, Finance Director Todd Fischer came up with an estimate with a rate that could last three years, and it will be three years July 2022.

Mr. Barnett referred to a spreadsheet with the charges to the residents, the Medina County tipping fee which is a major part of the costs, and the tipping fees are proposed to top out at \$59.00 a ton in 2027, additionally Republic Waste has an annual increase. Mr. Barnett advised the city has enough in reserve currently not to do anything for a while. Therefore, the proposal is to keep the rates as they are currently, with the hope of being able to do a cost estimate later this year.

Mr. Fischer reiterated having a sufficient reserve to last three to six months, however with the with fuel charges, the administration will have to look at adjusting the rate.

Mr. Abella asked what the residents could be expecting as a monthly increase.

Because of fuel costs, Mr. Fischer stated it was better to come back to Council in three to six months with a more stabilized price instead of putting a number out there now. He also noted with the five-year contract term and extensions that all plays into future costs.

Mr. Barnett did not see the increase being more than \$3.00 to \$5.00 a month.

If and when fuel prices reduce, Mr. Delsanter wanted to know how fast adjustments would be made. It was noted by Mr. Barnett adjustments can be made on a monthly basis. Mr. Barnett explained for every .25 cents increase in cost of diesel fuel, the price goes up .10 cents per customer per month, and for every decrease of .25 cents it then drops .10 cents per customer per month.

Mr. Hanek expressed due to the decision of the county to keep flow control, the city is locked into taking the city's trash to the south of the country versus being able to take it to Republic in Lorain County. With fuel costs continuing to impact the city, Mr. Hanek wanted to know if there was any way to revisit the trucks having to take the city's trash to the transfer station in Medina.

To that, Mr. Barnett noted, when Council passed the last solid waste plan, the county committed to do a study to determine if they got rid of flow control what would happen. The study was ninety five percent done and two people that were doing the study left the company. Mr. Barnett noted that was a topic at last week's board meeting, and there should be an update within a few months, as to what would happen if they get rid of flow control.

Mr. Hanek commented getting rid of flow control would benefit the city.

Mr. Smith asked that Mr. Barnett keep Council updated.

RES. NO. 58-2022 – An emergency resolution authorizing the City Manager to enter into an agreement with Set In Stone Contracting, LLC for the 2022 Concrete Repair Program in an amount not to exceed \$664,725.00

Mr. Barnett advised Set In Stone was the low bidder at \$60,000 dollars under budget, with that the administration was looking to increase the limits of what was being done on Judita, and add more panel replacements in Wards 1 and 2.

Mr. Abella moved Resolution No. 58-2022 to tonight's Council Agenda of June 13, 2022 as an emergency with suspension of the rules. Vote – 2 Aye, 0 Nays.

ADJOURNMENT:

Being no further business Mr. Abella moved to adjourn at 6:35 p.m. Vote - 2 Ayes, 0 Nays.

Respectfully submitted,



Timothy Smith
Chairman

FINANCE COMMITTEE MEETING

June 13, 2022

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Michael Abella, Committee Member Joseph Delsanter, Brandon Lambert, Tim Smith, Kristy Piper, Finance Director Todd Fischer, City Manager/Safety Director Carl DeForest, Service Director Paul Barnett, Law Director Kenneth Fisher, Parks and Recreation Director Taylor Petkovsek, Clerk of Council Laura Timura, News Media

The meeting convened at 6:35 p.m.

ORD. NO. 53-22 - An emergency ordinance amending ordinances #110-2021, #15-2022 and #37-2022 to include amendments to the Appropriation Budget for the year ending December 31, 2022 as incorporated in Exhibit “A” attached hereto

Mr. Fischer advised this legislation was the latest budget amendment recommendations. There is a big decrease relating to refunding the City debt the original plan was to refund the city debt in December 2022, however with it being highly unlikely since the Fed has increased interest rates, and removing that from the budget plan is a 3.5-million-dollar reduction.

Mr. Fischer advised of a \$224,000 dollar increase to replenish appropriations to allow for architect design for a new fire station, an increase of \$200,000 dollars for the all-inclusive playground project increasing the local fund set aside from \$400,000 dollars to \$600,000 dollars due to an increase in donations. There is a set aside of \$125,000 dollars for IT for capital set asides, a \$75,000 dollar increase for additional concrete and asphalt if needed, depending on supply chain, \$75,000 dollar increase for diesel fuel cost for the refuse hauler contract, and an increase of \$50,000 dollars to cover the replacement of a police cruiser that was in an accident, a \$50,000 dollar increase to temporarily expand the police officers force from 40 to 41 due to a long-term military leave of absence.

Mr. Delsanter commented fuel has been talked about regarding vendor situations, and he wanted to know how fuel situation was going internally.

To that Mr. DeForest advised in the near future it may have to be looked into, as of now the departments were staying within budget.

Mr. Delsanter moved Ordinance No. 53-2022 to tonight’s Council Agenda of June 13, 2022 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

ORD NO. 54-2022 – An emergency ordinance to advance funds

Mr. Fischer explained this legislation returns advance monies back to the general fund for completion of grants.

Mr. Delsanter moved Ordinance No. 54-2022 to tonight’s Council Agenda of June 13, 2022 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

ORD. NO. 57-2022 - An ordinance closing the RLF CDBG Fund (#121), the OPWC Grafton Road Fund (#368) and the OPWC Multi-Roads Improvement Fund (#370)

Mr. Fischer advised three grant funds were no longer needed, the funds have been exhausted and will be closed out.

Mr. Abella moved Ordinance No. 57-2022 to tonight's Council Agenda of June 13, 2022 for three readings. Vote – 3 Ayes, 0 Nays.

RES. NO. 55-2022 – An emergency resolution amending Resolution No. 33-2022 to set aside local funds in an amount not to exceed \$600,000.00 from the Parks City-Wide Capital Improvement Fund #341 for the Inclusive/Accessible Playground Project

Mr. Fischer noted in order to expand the project, the City has to increase the local set aside. With donations doing so well in the community, the project is increasing from a \$400,000 project to a \$600,000 project.

Mr. Delsanter mentioned the bid process was specific, and he wanted to know by doing this if there was going to be a challenge on the integrity of the bid.

To that Mr. DeForest answered in the negative, he noted the RFP requested a proposal for a \$400,000.00 playground and a \$600,000.00 playground.

RES. NO. 56-2022 – An emergency resolution emending Resolution No. 46-2022 by increasing the not to exceed amount relative to the agreement with Snider Recreation Inc., for the design/build of the Neura Park All-Inclusive Playground Project from \$400,000.00 to \$600,000.00

Mrs. Petkovsek displayed posters showing the \$400,000.00 project and the \$600,000.00 project, showing the differences in the amount of equipment with the larger project. It was noted with the \$600,000 dollar project the poured in place rubber will be from the basketball court to the existing swings.

Mr. Delsanter asked about the longevity of the products and if there was going to be a needed budget for maintenance.

Mrs. Petkovsek noted the equipment is designed for outdoors, and the parks department will continue maintaining Neura Park. She noted maintenance will have to be done on a yearly or bi yearly basis to extend the life of the poured in place rubber.

Mr. Abella asked for clarification on getting rid of the basketball courts.

Mrs. Petkovsek noted basketball hoops would be part of the new playground, but not a basketball court.

Mr. Smith asked if there were going to be wheelchair accessible swings in the playground, and to that Mrs. Petkovsek pointed out where the wheelchair accessible swings are going to be in the playground.

In closing, Mr. Smith expressed the community has come together to support this project, and it said a lot about the Brunswick residents. Mrs. Petkovsek also noted the business community has been very generous donating their time and products. Mr. Barnett concurred, he mentioned businesses donating time and products to the project.

Mr. Abella moved Resolution No. 55-2022 and Resolution No. 56-2022 to tonight's Council Agenda of June 13, 2022 as an emergency with suspension of the rules. Vote –3 Ayes, 0 Nays.

Mr. Delsanter commended the Administration for the accomplishments of this project and a job well done.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:50 p.m. Vote –3 Ayes, 0 Nays.

Respectfully submitted,

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

Nicholas Hanek

Chairman



COMMITTEE OF THE WHOLE MEETING

June 13, 2022

IN ATTENDANCE: Vice Mayor Nicholas Hanek, Committee Member Joseph Delsanter, Committee Member Michael Abella Jr., Committee Member Brandon Lambert, Committee Member Tim Smith, Committee Member Kristy Piper, City Manager/Safety Director Carl DeForest, Finance Director Todd Fischer, Law Director Ken Fisher, Service Director Paul Barnett, Parks & Recreation Director Taylor Petkovsek, Clerk of Council Laura Timura, News Media

The meeting convened at 6:50 p.m.

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

MOTION ITEMS:

Motion to approve an offer of employment to Valerie Zak as the Assistant Clerk of Council

Mrs. Timura advised Mrs. Zak indicated she was willing to come back and help out during the interim between now and finding an assistant clerk. She will be working 10- 15 hours a week, and would also be willing to train the new assistant. Mrs. Zak advised she is available through the end of the year.

Mr. Smith moved to offer employment to Valerie Zak as the Assistant Clerk of Council. Vote – 6 Ayes, 0 Nays.

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

Mr. Abella moved to adjourn out of Executive Session. Vote – 6 Ayes, 0 Nays.

The Committee of the Whole reconvened at 7:05 p.m.

Mr. Abella moved to authorize the Council Clerk to move forward with Amy Lindsey as a possible candidate for Assistant Clerk of Council. Vote – 6 Ayes, 0 Nays.

ADJOURNMENT:

Being no further business, Mr. Lambert moved to adjourn the Committee of the Whole meeting at 7:07 p.m. Vote 6 Ayes, 0 Nays.

Respectfully submitted,

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

Valerie Zak

Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 6/27/2022

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. 39-2022** - An ordinance amending Section 1216.02(b) of the City of Brunswick Codified Ordinances by updating the fee schedule.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 1216.02(b) pertaining to the Planning Commission fee schedule for preliminary subdivision plans is hereby updated to charge \$300.00 plus \$20.00 per lot; and for a preliminary plan extension, the fee is \$200.00.

PURPOSE AND EXPLANATION: A fee increase is proposed due to economic factors.

IMPLEMENTATION SCHEDULE: First reading on May 9, 2022; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommend approval.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING SECTION 1216.02(b) OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES BY UPDATING THE FEE
SCHEDULE.

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

SECTION 1: That Section 1216.02(b) of the Codified Ordinances is hereby amended to read as
follows:

“(b) Preliminary Subdivision Plans.

- (1) For preliminary subdivision plans, ~~twethree~~ hundred dollars
(\$~~32~~00.00) plus ~~ten-twenty~~ dollars (\$~~12~~0.00) per lot.
- (2) Preliminary plan extension: ~~one-two~~ hundred dollars (\$~~21~~00.00).
- (3) ****”

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
Laura Timura

PLANNING COMMISSION
MEMORANDUM



DATE: June 17, 2022

TO: City Council
Carl S. DeForest, City Manager

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

SUBJECT: Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022,
44-2022, and 45-2022

The Planning Commission, at their meeting on June 16, 2022, voted to **recommend approval** to City Council of Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022, and 45-2022, pertaining to text amendments for Planning Commission application fees, certificate of occupancy, utility easements, and driveway locations.

Regarding Ordinance No. 44-2022, pertaining to attached accessory buildings in Section 1280.06(b), the Commission wished to clarify these requirements are for residential structures, and recommended approval to City Council.

City Council held their first reading on May 9, 2022 for the above proposed legislation.

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

PROPOSED LEGISLATION



DATE: 6/27/2022

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. 40-2022-** An ordinance amending Section 1216.03(a) of the City of Brunswick Codified Ordinances by updating the fee schedule. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: The Planning Commission Site Plan Review Application fees are being amended.

PURPOSE AND EXPLANATION: A fee increase is proposed due to economic factors.

IMPLEMENTATION SCHEDULE: First reading on May 9, 2022; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommend approval.

ADDITIONAL INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING SECTION 1216.03(a) OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES BY UPDATING THE FEE
SCHEDULE.

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

SECTION 1: That Section 1216.03(a) of the Codified Ordinances is hereby amended to read as
follows:

“(a) Applications for site plan reviews as required by Chapter 1278 shall be
charged a fee based on the foundation of the building(s) as follows:

(1)	<u>One residential lot</u>	<u>\$150.00</u>
(21)	0-1,000 square feet	\$15 200.00
(32)	1,001-5,000 square feet	\$25 300.00
(43)	5,001-10,000 square feet	\$35 400.00
(54)	10,001-20,000 square feet	\$5 600.00
(65)	20,001-50,000 square feet	\$8 900.00
(76)	50,001 square feet and greater	\$1,2 900.00”

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
Laura Timura

PROPOSED LEGISLATION



DATE: 6/27/2022

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. 41-2022** - An ordinance amending Section 1228.03(a) of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 1228.03(a), pertaining to utility easements, is hereby amended whereby electric and telephone lines for a subdivision should be located along rear or side lot lines and shall be buried.

PURPOSE AND EXPLANATION: The text amendment requires that electric and telephone lines for a subdivision are required to be buried.

IMPLEMENTATION SCHEDULE: First reading on May 9, 2022; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommend approval.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING SECTION 1228.03(a) OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 1228.03(a) of the Codified Ordinances is hereby amended to read as follows:

“(a) Utility Easements. Electric and telephone lines should be located along rear or side lot lines ~~wherever possible, unless and shall be~~ buried. Easements along rear or side lot lines shall be provided for utilities where necessary and shall be at least sixteen feet wide.”

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
Laura Timura

PLANNING COMMISSION
MEMORANDUM



DATE: June 17, 2022
TO: City Council
Carl S. DeForest, City Manager
FROM: Pam Plavecski, Planning & Zoning Coordinator *PP*
SUBJECT: Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022,
44-2022, and 45-2022

The Planning Commission, at their meeting on June 16, 2022, voted to **recommend approval** to City Council of Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022, and 45-2022, pertaining to text amendments for Planning Commission application fees, certificate of occupancy, utility easements, and driveway locations.

Regarding Ordinance No. 44-2022, pertaining to attached accessory buildings in Section 1280.06(b), the Commission wished to clarify these requirements are for residential structures, and recommended approval to City Council.

City Council held their first reading on May 9, 2022 for the above proposed legislation.

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

PROPOSED LEGISLATION



DATE: 6/27/2022

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. 42-2022** - An ordinance amending Section 1244.07(c) of the City of Brunswick Codified Ordinances. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 1244.07(c), pertaining to certificate of occupancy, has been amended whereby a certificate of occupancy shall also be issued upon transfer of the property to a new owner.

PURPOSE AND EXPLANATION: This will allow the Division of Building and safety forces to have current contact information for a new owner/tenant of a building.

IMPLEMENTATION SCHEDULE: First reading on May 9, 2022; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommend approval.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING SECTION 1244.07(c) OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 1244.07(c) of the Codified Ordinances is hereby amended to read as follows:

“Occupancy of a Building. A zoning certificate of occupancy for a new building, the alteration or expansion of an existing building or a new occupancy of an existing building shall be applied for at the same time as the application for a building permit. A certificate of occupancy shall also be issued upon transfer of the property to a new owner. The certificate shall be issued after the new building, alteration or expansion is completed in conformity with the provisions of this Code and with site plans approved by the Planning Commission.”

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
Laura Timura

PLANNING COMMISSION
MEMORANDUM



DATE: June 17, 2022

TO: City Council
Carl S. DeForest, City Manager

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

SUBJECT: Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022, 44-2022, and 45-2022

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Ken Fisher, Law Director
Matt Jones, Consulting City Engineer
Cliff Calaway, Chief Building Official

PROPOSED LEGISLATION



DATE: 6/27/2022

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. 43-2022** - An ordinance amending Section 1278.02 of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 1278.02(c) is amended whereby a building permit application to amend an approved site plan in an industrial zoning district will not require Planning Commission approval provided the total aggregate cost does not exceed \$150,000.00, subject to administration approval.
Section 1278.02(d) is amended whereby a building permit application to amend an approved site plan in a commercial zoning district will not require Planning Commission approval provided the total aggregate cost does not exceed \$50,000.00, subject to administration approval.

PURPOSE AND EXPLANATION: The proposed legislation will allow the administration to approve a revised site plan application without Planning Commission approval, provided the aggregate cost does not exceed \$150,000.00 for industrial projects and \$50,000.00 for commercial projects.

IMPLEMENTATION SCHEDULE: First reading on May 9, 2022; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes

Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Recommend approval.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING SECTION 1278.02 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 1278.02 of the Codified Ordinances is hereby amended to read as follows:

“1278.02 REVIEW REQUIRED.

(a) ***

(b) ***

(c) Additionally, a building permit application to amend an approved site plan in an industrial zoning district, which application fully complies with all applicable municipal zoning and land use requirements, will not require Planning Commission approval, provided the following conditions are met: (1) the total aggregate cost does not exceed ~~seventy-five~~ one hundred fifty thousand dollars (\$~~15075~~,000.00); (2) the proposed change does not increase the impervious surface area of the site by more than 0.1 acres, as determined by the City Engineer; and (3) the building permit application is reviewed, certified and approved in writing by the City Engineer and Chief Building Official as meeting all applicable municipal zoning and land use requirements. This exception to Planning Commission Approval shall not be utilized more than once after approval of the final site plan. Notwithstanding anything to the contrary contained herein, the Community and Economic Development Director, Chief Building Official, or designee, shall have the discretion to refer any building permit application to the Planning Commission for review and approval.

(d) Additionally, a building permit application to amend an approved site plan in a commercial zoning district, which application fully complies with all applicable municipal zoning and land use requirements, will not require Planning Commission approval, provided the following conditions are met: (1) the total aggregate cost does not exceed ~~twenty-five~~ fifty thousand dollars (\$~~250~~,000.00); (2) the proposed change does not increase the impervious surface area of the site by more than 0.1 acres, as determined by the City Engineer; and (3) the building permit application is reviewed, certified and approved in writing by the City Engineer and Chief Building Official as meeting all applicable municipal zoning and land use requirements. This exception to Planning Commission Approval shall not be utilized more than once after approval of the final site plan. Notwithstanding anything to the contrary contained herein, the Community and

Economic Development Director, Chief Building Official, or designee, shall have the discretion to refer any building permit application to the Planning Commission for review and approval.”

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
Laura Timura

PLANNING COMMISSION
MEMORANDUM



DATE: June 17, 2022

TO: City Council
Carl S. DeForest, City Manager

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

SUBJECT: Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022,
44-2022, and 45-2022

The Planning Commission, at their meeting on June 16, 2022, voted to **recommend approval** to City Council of Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022, and 45-2022, pertaining to text amendments for Planning Commission application fees, certificate of occupancy, utility easements, and driveway locations.

Regarding Ordinance No. 44-2022, pertaining to attached accessory buildings in Section 1280.06(b), the Commission wished to clarify these requirements are for residential structures, and recommended approval to City Council.

City Council held their first reading on May 9, 2022 for the above proposed legislation.

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

PROPOSED LEGISLATION



DATE: 6/27/2022

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. 44-2022-** An ordinance amending Section 1280.06 of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 1280.06(b), pertaining to attached accessory buildings, is hereby amended to include these structures shall be constructed of materials comparable to the principal building. Section 1280.06(c), pertaining to detached accessory buildings, is hereby amended whereby detached accessory buildings exceeding 100 square feet shall be constructed of materials harmonious, as defined in Section 1242.02(41) of this Code, to the principal building. Detached accessory buildings measuring up to 240 square feet shall be located a minimum of 5 feet from the side and rear property lines and a minimum of 15 feet from the rear of the principal building. Detached accessory buildings exceeding 240 square feet 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. Only one shed shall be permitted per lot containing a residential building. No accessory buildings shall be permitted on vacant land.

PURPOSE AND EXPLANATION: The proposed legislation will require accessory buildings to be constructed of materials comparable to the principal residential dwelling, along with reducing the setback requirements for smaller sheds, while also accommodating smaller residential lots.

IMPLEMENTATION SCHEDULE: First reading on May 9, 2022; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommend approval.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

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 of the Codified Ordinances is hereby amended to read as follows:

“All accessory buildings and structures shall comply with the following provisions:

(a) ***

(b) Attached Buildings. An accessory building attached to the principal building on a lot shall be made structurally a part thereof and shall comply in all respects with the requirements of this Zoning Code applicable to the principal building. The attached accessory building shall be constructed of materials comparable to the principal building. However, non-enclosed patio roofs and/or covered porches shall be permitted to extend not more than 10 feet within the minimum front yard setback line.

(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. All detached accessory structures exceeding 100 square feet shall be constructed of materials harmonious, as defined in Section 1242.02(41) of this Code, to the principal building. Detached accessory buildings measuring up to 240 square feet 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. Detached accessory buildings exceeding 240 square feet 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. Only one shed shall be permitted per lot containing a residential building. No accessory buildings shall be permitted on vacant land.

(d) ***

(e) ***

(f) ****”

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
Laura Timura

PLANNING COMMISSION
MEMORANDUM



DATE: June 17, 2022

TO: City Council
Carl S. DeForest, City Manager

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

SUBJECT: Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022,
44-2022, and 45-2022

The Planning Commission, at their meeting on June 16, 2022, voted to **recommend approval** to City Council of Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022, and 45-2022, pertaining to text amendments for Planning Commission application fees, certificate of occupancy, utility easements, and driveway locations.

Regarding Ordinance No. 44-2022, pertaining to attached accessory buildings in Section 1280.06(b), the Commission wished to clarify these requirements are for residential structures, and recommended approval to City Council.

City Council held their first reading on May 9, 2022 for the above proposed legislation.

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

PROPOSED LEGISLATION



DATE: 6/27/2022

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. 45-2022** - An ordinance establishing Section 1475.11 of the City of Brunswick Codified Ordinances.- **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 1475.11 has been established whereby driveways shall be located a minimum of three feet from the side property line and shall not obstruct a drainage swale or drainage course.

PURPOSE AND EXPLANATION: The proposed legislation will regulate the minimum distance of a driveway from a side property line to ensure that drainage swales or drainage courses will not be obstructed.

IMPLEMENTATION

SCHEDULE: First reading on May 9, 2022; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommend approval.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE ESTABLISHING SECTION 1475.11 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 1475.11 of the Codified Ordinances is hereby established to read as follows:

“LOCATION.

Driveways shall be located a minimum of three feet from the side property line and shall not obstruct a drainage swale or drainage course.”

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
Laura Timura

PLANNING COMMISSION
MEMORANDUM



DATE: June 17, 2022
TO: City Council
Carl S. DeForest, City Manager
FROM: Pam Plavecski, Planning & Zoning Coordinator *PP*
SUBJECT: Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022,
44-2022, and 45-2022

The Planning Commission, at their meeting on June 16, 2022, voted to **recommend approval** to City Council of Ordinance Nos. 39-2022, 40-2022, 41-2022, 42-2022, 43-2022, and 45-2022, pertaining to text amendments for Planning Commission application fees, certificate of occupancy, utility easements, and driveway locations.

Regarding Ordinance No. 44-2022, pertaining to attached accessory buildings in Section 1280.06(b), the Commission wished to clarify these requirements are for residential structures, and recommended approval to City Council.

City Council held their first reading on May 9, 2022 for the above proposed legislation.

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 6/27/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 57-2022** - An ordinance closing the RLF CDBG Fund (#121), the OPWC Grafton Road Fund (#368), and the OPWC Multi-Roads Improvement Fund (#370). - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: On December 13, 2004, the Council of the City of Brunswick, Ohio, adopted Ordinance Number 177-04, creating the Federal Revolving Loan Community Development Special Revenue Fund (RLF CDBG Fund) (#121) to account for Federal monies received through the program and expended appropriately only upon authorization granted by the United States Department of Housing and Urban Development (HUD) and/or the Office of Housing and Community Partnerships of the State of Ohio Department of Development; and

On June 10, 2013, the Council of the City of Brunswick, Ohio, adopted Ordinance Number 51-13, creating the OPWC Grafton Road Fund (#368) to account for the OPWC monies awarded to the City of Brunswick; and

On December 11, 2017, the Council of the City of Brunswick, Ohio, adopted Ordinance Number 119-17, creating the OPWC Multi Roads Improvement Fund (#370) to account for the OPWC monies awarded to the City of Brunswick; and

All obligations, for the listed funds, have been incurred and paid, and no outstanding obligations exist.

PURPOSE AND

EXPLANATION: These funds are no longer needed for the purposes for which each fund was created.

IMPLEMENTAT

ION This Council authorizes and directs the Director of Finance to close and remove the following
SCHEDULE: funds from the City's Statement of Cash Position:

Fund Fund Name

#121 RLF CDBG Fund
#368 OPWC Grafton Road Fund
#370 OPWC Multi Roads Improvement Fund

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

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:** No Financial impact to close these funds as there are no dollars assigned to any.

**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

ORDINANCE NUMBER



By:

AN ORDINANCE CLOSING THE RLF CDBG FUND (#121), THE OPWC GRAFTON ROAD FUND (#368) AND THE OPWC MULTI-ROADS IMPROVEMENT FUND (#370).

- WHEREAS: On December 13, 2004, Council adopted Ordinance Number 177-04 creating the Federal Revolving Loan Community Development Special Revenue Fund (RLF CDBG Fund) (#121) to account for Federal funds received through the CDBG program and expended appropriately only upon authorization granted by the United States Department of Housing and Urban Development and/or the Office of Housing and Community Development Partnerships of the State of Ohio, Department of Development;
- WHEREAS: On June 10, 2013, Council adopted Ordinance No. 51-13 creating the OPWC Grafton Road Fund (#368) to account for OPWC funds awarded to the City;
- WHEREAS: On December 11, 2017, Council adopted Ordinance No. 119-17 creating the OPWC Multi-Roads Improvement Fund (#370) to account for OPWC funds awarded to the City; and
- WHEREAS: All obligations for the listed Funds have been incurred and paid and there are no outstanding obligations relative thereto.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:
- SECTION 1: That the Director of Finance is hereby authorized and directed to close the RLF CDBG Fund (#121), the OPWC Grafton Road Fund (#368) and the OPWC Multi-Roads Improvement Fund (#370) as all obligations have been incurred and paid and there are no outstanding obligations relative thereto.
- SECTION 2: That this Ordinance shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER



ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 6/27/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 59-2022** - An emergency resolution accepting the petition for annexation of 0.4417 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND:

**PURPOSE AND
EXPLANATION:**

**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?

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF 0.4417 ACRES OF LAND KNOWN AS BEING PART OF BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO.

WHEREAS: On May 10, 2022, the Medina County Commissioners adopted Resolution No. 22-0378, as attached hereto as Exhibit “A”, approving the Petition for Regular Annexation on Application of Owner of 0.4417 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio;

WHEREAS: Pursuant to Ohio Revised Code Section 709.04, the legislative authority of the City of Brunswick must accept or reject the petition for annexation at the next regular session after the expiration of sixty (60) days of the date of filing the certified transcript of all orders of the board of county commissioners, the petition, map and all other papers on file relating to the annexation proceedings with the clerk of the municipal corporation, which occurred on May 16, 2022; and

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

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

SECTION 1: That the Petition for Regular Annexation on Application of Owner of 0.4417 acres of land known as being part of Brunswick Hills Township is hereby accepted.

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

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

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

and after its passage by the required number of votes or from the earliest time allowed by law.

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

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
 Clerk of Council
 Laura Timura

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 19-2022

BY: Committee-of-the-Whole

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 2/28/2022

2nd Reading 3/14/2022

3rd Reading 3/28/2022

ADOPTED: 3/28/2022 AYES 5 NAYS 0

ATTEST: Laura Timura
Clerk of Council
Laura E. Timura

THE CITY OF BRUNSWICK

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-25-041 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-25-041 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-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.

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:**

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

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

May 13, 2022

Laura Timura, Clerk of Council
City of Brunswick
4095 Center Road
Brunswick, OH 44212

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

Dear Laura:

Enclosed please find a certified copy of Resolution No. 22-0378 approved by the commissioners during their May 10, 2022 meeting, the minutes of the May 3, 2022 annexation hearing (minutes approved on May 10, 2022), and the original plat that has been signed by the commissioners regarding the above-referenced annexation.

Please sign and return acknowledging receipt of the above-mentioned annexation file.

Sincerely,



Rhonda Beck, Clerk
Board of County Commissioners

I received the annexation file and plat for said annexation this 16 day of May, 2022.


Council Clerk

cc: Katherine Esber, Brunswick Hills Township Fiscal Officer
Daniel Linder, Esq., Agent for Petitioner
Medina County Auditor's Office

REGULAR MEETING – TUESDAY, MAY 10, 2022

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

Colleen M. Swedyk

William F. Hutson

Stephen D. Hambley

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

RESOLUTION NO. 22-0378

**APPROVING THE PETITION FOR THE REGULAR ANNEXATION OF
0.4417 ACRES OF LAND KNOWN AS BEING PART OF
BRUNSWICK HILLS TOWNSHIP
TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO**

WHEREAS, a petition for annexation of 0.4417 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio was filed with the Clerk of the Board of Medina County Commissioners on February 18, 2022 in accordance with Ohio Revised Code Section 709.02, and

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

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

WHEREAS, proper procedures were followed and notices given, and a public hearing commenced on May 3, 2022 in accordance with Section 709.032 of the Ohio Revised Code, and

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

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

The Clerk of the Board of County Commissioners
of Medina County, Ohio does hereby certify
that the foregoing is a true and correct copy
of the resolution adopted by said board

on 5/10/22
Rhonda J. Bad

REGULAR MEETING – TUESDAY, MAY 10, 2022
RESOLUTION NO. 22-0378 (CONT'D.)

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

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

- 1) The annexation involves a 0.4417 (T.H. 138) in Brunswick Hills Township, identified as PPN(s) 001-02A-25-040, 001-02A-25-041, 001-02A-25-042 owned by 966 Pearl LLC located at 366 Center Road, Suite 117, Brunswick, OH 44212; and 976 Pearl LLC located at 366 Center Road, Suite 117, Brunswick, Ohio 44212. It is not unreasonably large and is adjacent and contiguous to the land of the municipal corporation of the City of Brunswick;
- 2) Two entities own the property and the all owners signed the petition; therefore, the petition contains signatures of the majority (51%) of owners;
- 3) The City of Brunswick Resolution No. 19-2022 adopted March 28, 2022 declared intention by the City of Brunswick to provide municipal services to the subject property; the landowner is in agreement the annexed territory would receive adequate services sufficient to establish the general good of the territory being annexed;
- 4) The petitioner has proven that the land after annexation will enjoy a level of services comparable or adequate to that enjoyed prior to the annexation;
- 5) No street or highway will be divided or segmented by the boundary line between a township and the municipality as to create a road maintenance problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Medina County, Ohio that having found that the conditions of the Ohio Revised Code have been met, the Petition to Annex 0.4417 acres of land from Brunswick Hills Township to the City of Brunswick, Medina County, Ohio, attached as Exhibit A, is hereby approved and granted in accordance with the law.

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

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

Adopted: May 10, 2022

Prepared by: Commissioners' Office

**BEFORE THE MEDINA COUNTY, OHIO COMMISSIONERS
PETITION FOR ANNEXATION
(ORC §709.02)**

REC'D MEDINA COUNTY CO
FEB 11 2022 AM 8:19

The undersigned, being **all** (100%) of the owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory located in Brunswick Hills Township, Medina County, Ohio:

Petitioner: 966 Pearl LLC
PPN 001-02A-25-041, 001-02A-25-042
Mailing Address: 366 Center Road, Suite 117, Brunswick, Ohio 44212

And

Petitioner: 976 Pearl LLC (Both entities have identical ownership)
PPN 001-02A-25-040
Mailing Address: 366 Center Road, Suite 117, Brunswick, Ohio 44212

This petition is being filed under Section 709.02 of the Revised Code of Ohio.

The described territory is contiguous with the City of Brunswick, Ohio and is less than five hundred (500) acres. Annexation will not create an unincorporated area.

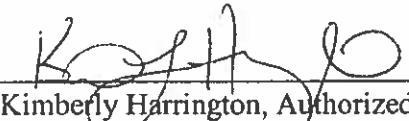
Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as Exhibit "A".

Petitioner has attached hereto and made a part of this petition, an accurate map or plat of the territory sought to be annexed, marked Exhibit "B".

Kimberly Harrington, whose address is 366 Center Road, Suite 117, Brunswick, Ohio 44212 is hereby appointed agent for the Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution,

compromise, increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners.

" ANY OWNER WHO SIGNED THE PETITION MAY HAVE THE SIGNATURE REMOVED BEFORE THE DOCUMENT IS FILED BY DELIVERING A SIGNED STATEMENT TO THE AGENT FOR THE PETITIONERS EXPRESSING THE OWNER'S WISH TO HAVE THE SIGNATURE REMOVED. UPON RECEIVING A SIGNED STATEMENT, THE AGENT FOR THE PETITIONERS SHALL STRIKE THROUGH THE SIGNATURE, CAUSING THE SIGNATURE TO BE DELETED FROM THE PETITION. "



Kimberly Harrington, Authorized Member of
Both 966 Pearl LLC and 976 Pearl LLC, Petitioners
366 Center Road, Suite 117
Brunswick, Ohio 44212
(781) 367-5378
kimh@brownstonerg.com

2-18-22
Date

Boundary Description
Township of Brunswick Hills, County of Medina, State of Ohio
Area to be Annexed by Regular Annexation
0.4417 Acres

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and known as being part of Original Brunswick Township Lot No. 7, Tract No. 1, further known as being all of two parcels of land conveyed to 966 Pearl LLC by deed dated July 1, 2020 and recorded in Document No. 2020OR015203 of the Medina County Recorder's Records and all of a parcel of land conveyed to 976 Pearl LLC by deed dated September 25, 2019 and recorded in Document No. 2019OR019666 of the Medina County Recorder's Records and is bounded and described as follows: Beginning at a northeasterly corner of Sublot 2B as shown on North Brunswick Allotment Replat No. 2, recorded in Document No. 2019PL000026 of the Medina County Recorder's Records and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described, said point also being on the westerly right of way line of Pearl Road, S.R. 42, 60 feet in width:

thence South 88°02'21" West, along a northerly line of Sublot 2B, 220.00 feet to a northeasterly interior point thereof;

thence North 00°05'19" West, along an easterly line of Sublot 2B, 87.50 feet to a point on the southerly right of way line of Kimmich Drive, 30 feet in width;

thence North 88°02'21" East, along the southerly right of way line of Kimmich Drive, 220.00 feet to its intersection with the westerly right of way line of Pearl Road, as aforementioned;

thence South 00°05'19" East, along the westerly right of way line of Pearl Road, 87.50 feet to the principal place of beginning, containing 19,240 square feet or 0.4417 acres of land.

This description is based on record information only and does not constitute an actual boundary survey as outlined in Ohio Revised Code 4733-37.



Page 1 of 1
1972-A ANNEX DESC 2022.docx



Corporate Headquarters
295 South Water Street, Suite 300
Kent, OH 44240
800-828-8312

Local Office
1310 Sharon Copley Rd
PO Box 37
Sharon Center, OH 44274
330-590-8004

APPROVALS

This Plot was duly accepted by the Brunswick City Council at its regular meeting held on the _____ day of _____, 20____.

Clerk of Council _____
President of Council _____

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

Commissioner _____
Commissioner _____
Commissioner _____

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

Tax Map Description _____

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

Medina County Auditor _____

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

Medina County Recorder _____

DESCRIPTION	FORM	SET
LOC. MAP	0121	1
MONUMENT BOX	0121	1
PROV. PLOT	0121	1
UNITED ACCESS R/W	0121	1
CONTINGENT	0121	1
PROPOSED LINK	0121	1
RIGHT-OF-WAY LINK	0121	1
EXISTING LINK	0121	1
ORIGINAL PROP. LINK	0121	1
ORIGINAL LOT LINK	0121	1

PLAT OF ANNEXATION

for Regular Annexation

of 0.4417 Acres in Brunswick Hills

Township to the City of Brunswick
Situating in the Township of Brunswick Hills, County of Medina and State of Ohio and being part of Original Brunswick Township Tract No. 1, Lot 7

ACCEPTANCE

Know all men by these presents that _____ (print name) _____, owner/agent of the lands embraced within this plat, have caused the same to be plotted and annexed to the City of Brunswick.

Owner/Agent _____ Date _____

County of Medina
State of Ohio
Before me a notary public in and for said county and state, personally appeared the above named _____

Owner/Agent _____

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 of _____ Ohio this day of _____, 20____.

Notary public _____

My commission expires _____

Witness _____

Witness _____



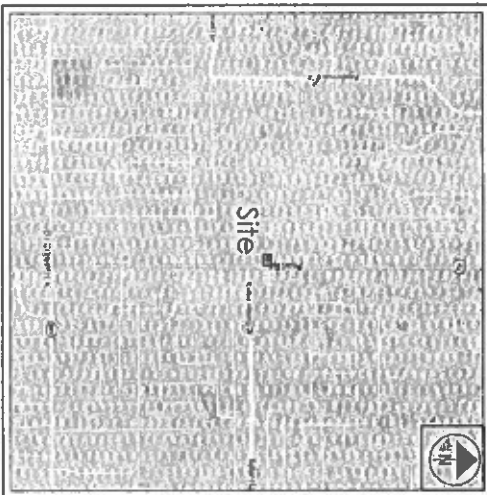
SURVEYOR CERTIFICATION

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.

Guy P. Henry P. No. 5-7531 Date _____

LOCATION MAP

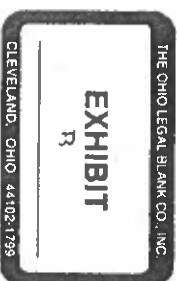
LATITUDE: 41°14'56.9" LONGITUDE: 81°50'32.9"



NOTES:
North Brunswick Allotment Replot No. 1 Creating Sublot 2A by James P. Yurkschott, P.S. 7803, as recorded in Document No. 208P1000028 of Medina County Recorder's Records.
North Brunswick Allotment by Gus H. Hensel, Medina County Surveyor, as recorded in Plot Book 4 Page 8 of Medina County Recorder's Records.
North Brunswick Allotment Replot No. 2A by Guy P. Henry, as recorded in Document No. 208P1000028 of Medina County Recorder's Records.

LEGEND

BEARINGS are based on an assumed meridian and are used herein to indicate angles only. A true meridian plat is based on record information only and does not constitute an actual boundary survey.



Davey Resource Group
1310 SHARON COMLEY ROAD, P.O. BOX 37
SHARON CENTER, OHIO 44474
(PHONE) 330.550.0024 (FAX) 888.826.8423

PEARL ROAD ANNEXATION

TITLE Commissioners Journal, Volume 204, Page 589

DATE

2022-01-28



SURVEYOR CERTIFICATION

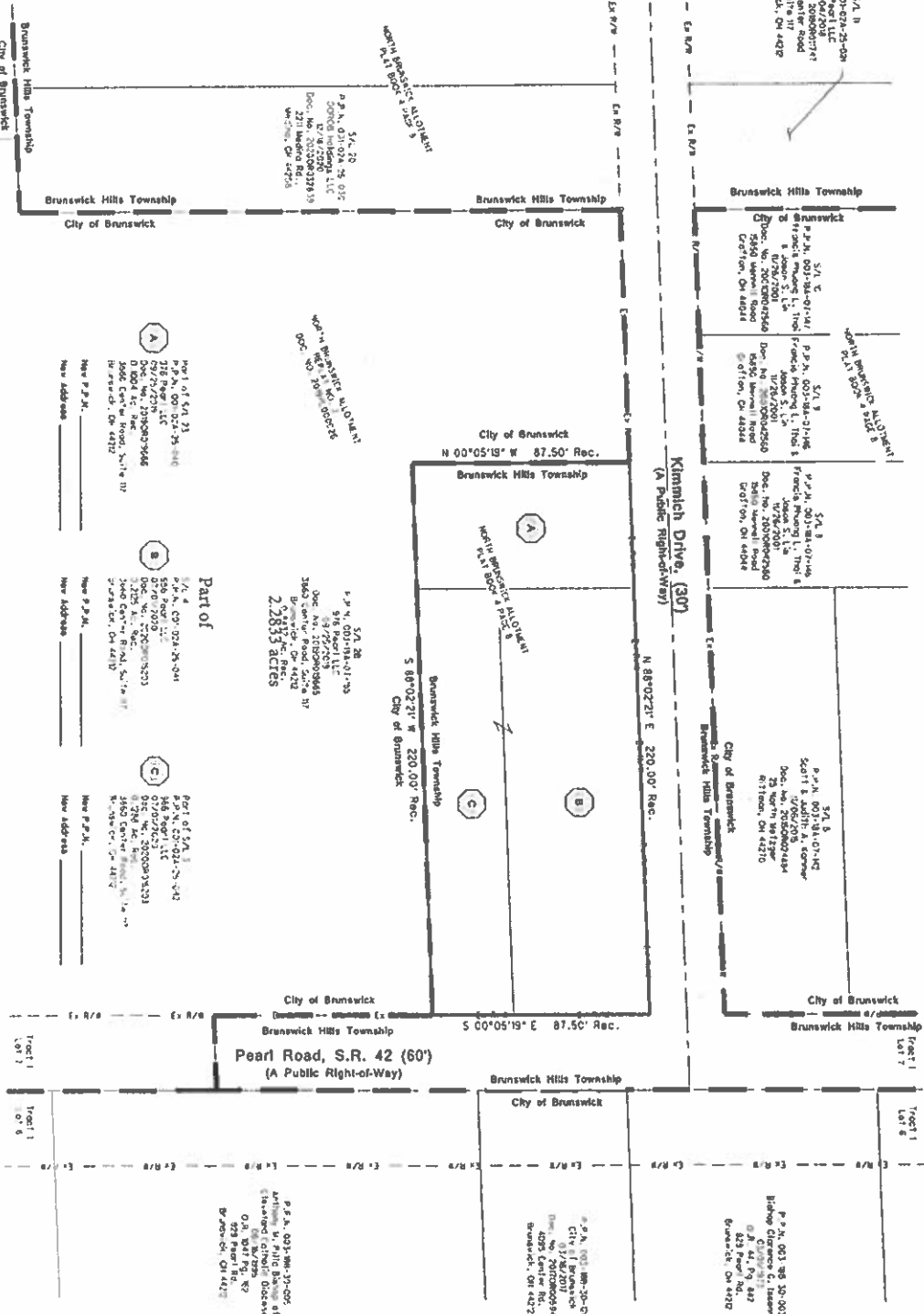
This plat was prepared from a field survey, copies of recorded plat, recorded deeds, one survey map, and other documents in the public records of the State of Ohio. I have examined all documents and recorded details are correct and the survey balances and closes to the best of my knowledge. All monuments shown herein exist or shall be set as shown.

All addresses on this plat are correct unless otherwise noted.

Day P. Hovey P.S. No. S-1631 Date



PLAT OF ANNEXATION **for Regular Annexation** **of 0.4417 Acres in Brunswick Hills Township to the City of Brunswick** **Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and being part of Original Brunswick Township Tract No. 1, Lot 7**



Part of

(A) Part of S.A. 33
P.P.N. 001-25-04-01
Dec. No. 2000039466
Dated: May 10, 2000
Brunswick, OH 44212

(B) Part of S.A. 33
P.P.N. 001-25-04-01
Dec. No. 2000039466
Dated: May 10, 2000
Brunswick, OH 44212

(C) Part of S.A. 33
P.P.N. 001-25-04-01
Dec. No. 2000039466
Dated: May 10, 2000
Brunswick, OH 44212

0.4417 acres – Brunswick Hills Township to the City of Brunswick

Commissioner Hambley called the meeting to order at 10:30 a.m. with William F. Hutson and Colleen M. Swedyk present. The hearing was for the consideration of a regular annexation of 0.4417 acres of land from Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. Mr. Hambley noted that the petition was filed with the Commissioners' office on February 18, 2022 in accordance with Ohio Revised Code Section 709.02. All parties providing statements were sworn in prior to providing their testimony and a court reporter was present for the proceedings.

Petitioner Kim Harrington stated that she is the owner of the parcels they are requesting to be annexed. The request is being made so that they can receive city water/services. They own a parcel directly next to this one, so they are basically trying to square off the city block and bring this in for potential phase 2. There is a building they built after the annexation of the previous parcel, Ambrose Crossing. They are very active members of St. Ambrose Church and School, so they were able to bring the CYO Program by creating a gym space there and they have a couple of other offices they rent out to be able to fill the building. They would like to bring this smaller parcel over as well.

Mr. Hutson stated that he understands that this is surrounded by the City of Brunswick; Mrs. Harrington confirmed. Mr. Hambley added that this is one of the many islands that were created back in 1960.

Mr. Hambley confirmed with the Clerk of the Board there have been no challenges to the validity of petition signatures, the petition contains signatures of the majority of owners, no signature were obtained more than 180 days before filing of the petition with the Clerk, an accurate legal description of the perimeter and accurate plat of the territory proposed for annexation were filed, and the agent was listed in the petition and a list of adjacent property owners was attached. The Clerk of the Board confirmed all required procedures were followed.

There was no one else in attendance wishing to provide testimony.

Mr. Hambley stated that the board will enter its decision on the journal within thirty (30) days of this hearing. He adjourned the hearing at 10:34 a.m.

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this twenty-sixth day of April, 2022.

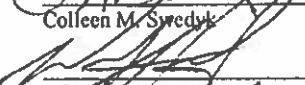
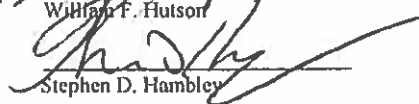
Respectfully submitted,


Rhonda J. Beck
Clerk to the Commissioners

COMMISSIONERS

OF

MEDINA COUNTY


Colleen M. Swedyk

William F. Hutson

Stephen D. Hambley

PROPOSED LEGISLATION



DATE: 6/27/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 60-2022** - An emergency resolution authorizing the purchase of real property for municipal purposes in an amount not to exceed \$30,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: The City Administration became aware of an opportunity to purchase property located on Venus Drive, PPN 003-18B-13-270, for potential storm water retention, which would have a positive impact on decreased flooding in the Healey Creek watershed.

PURPOSE AND EXPLANATION: To purchase this property for storm water management purposes.

IMPLEMENTATION SCHEDULE: At the earliest time allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Storm Water Enterprise Management Fund #224 - Account #224-0455-56882 is used for property purchases relating to storm water management. Up to \$30,000 in appropriations is available for this purchase and related fees.

RECOMMENDED ACTION:

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

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

The Administration would like to proceed with closing as soon as possible.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE PURCHASE OF
REAL PROPERTY FOR MUNICIPAL PURPOSES IN AN AMOUNT NOT TO
EXCEED \$30,000.00.

WHEREAS: Upon prior approval of City Council, the City Manager entered into a Purchase Agreement relative to the vacant real property located Venus Drive, Brunswick, Ohio and further identified as PPN 003-18B-13-270 (the "Property") for a purchase price of \$25,000.00, subject to prorations and expenses identified therein.

WHEREAS: The purchase price of \$25,000.00 is supported by an Appraisal obtained by the City.

WHEREAS: The purchase of the subject Property is for municipal purposes.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized to execute all necessary documents to effectuate the purchase of the subject Property.

SECTION 2: That the Finance Director is authorized to remit payment for the purchase of the subject Property in an amount not to exceed \$30,000.00.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to proceed to Closing as soon as possible. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura Timura