



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

JULY 11, 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 Court Financial Report for the month ending June 2022 will be posted on the website and added to the minutes for the record;
 - (c) Motion to approve 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
 Economic Development Committee Meeting Minutes dated June 21, 2022

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

Finance Committee.....Mr. Hanek

Safety & Environment Committee.....Mr. Capretta
 Safety & Environment Committee Meeting Minutes dated June 27, 2022

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

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

Parks, Recreation & Community Committee Meeting Minutes dated
June 27, 2022

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

8. Other Committees, Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated June 27, 2022

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

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

ORD. NO. 43-2022 - An ordinance amending Section 1278.02 of the City of Brunswick Codified Ordinances.- **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 44-2022- An ordinance amending Section 1280.06 of the City of Brunswick Codified Ordinances.- **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 45-2022 - An ordinance establishing Section 1475.11 of the City of Brunswick Codified Ordinances.- **3rd 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). - **3rd Reading** (Finance Committee, *Administration/Todd Fischer*)

b. 2nd 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. - **2nd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*)

c. 1st Reading(s)

RES. NO. 61-2022 - An emergency resolution declaring the City of Brunswick a "Purple Heart City". - **1st Reading** (To be brought from Committee-of-the-Whole, *Nicholas Hanek*)

RES. NO. 62-2022 - An emergency resolution authorizing the City Manager to enter into an agreement with Eclipse Co., LLC for the 2022 Catch Basin Repair Program in an amount not to exceed \$105,683.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 63-2022 - An emergency resolution authorizing the City Manager to enter into an agreement with Set in Stone Contracting, LLC for the construction of the Skyview Drive Phase 2 Project in an amount not to exceed \$835,195.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 64-2022- An emergency resolution authorizing the City Manager and City Engineer to submit a grant and loan application to the Ohio Public Works Commission Issue-1 Program for the Magnolia Drive Reconstruction Phase 2 Project. - **1st Reading** (To be brought from Services, Utilities, Technology, Cable Committee, *Administration/Matt Jones*)

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

ECONOMIC DEVELOPMENT COMMITTEE

June 21, 2022

IN ATTENDANCE: Chairman Brandon Lambert, Committee Member Joseph Delsanter, Community & Economic Development Director Grant Aungst.

The meeting convened at 6:30 p.m.

Committee Member Nicholas Hanek joined the meeting via phone.

GENERAL DISCUSSION:

Mr. Aungst brought up the current conditions of the economy with increasing prices of gas and food, and the effects it will have on the community by mid-summer. He commented there has never been an economy such as this, there are a lot of job openings, cash on hand, hiring is still going strong for entry-level positions, there are not enough workers, prices are going up but people are still out buying. He noted Brunswick and Medina County are still looking steady, and still seeing some economic growth.

Real estate was still selling, interest rates were higher but still reasonable, however, he noted industrial land was tight and will remain tight for years to come. He was looking for a slow down with growth between two to three percent.

Mr. Aungst mentioned some of the upcoming projects; Crash Champions was moving ahead, he pointed out they are a large corporation throughout the country, Market 42 has a lot of opportunities and will be good for enhancing the Pearl Road corridor. Woodpeckers were coming before the Planning Commission with their detailed site plan, and public hearing, he noted when they open they will have 250 full-time employees, and when the second phase opens there will be another 200 to 250 employees.

Additionally, Mr. Aungst mentioned the administration has some additional projects in the works, they are working through details in both industrial and commercial.

The administration continues analyzing the overall department, especially the Planning Coordinator position, with Mrs. Plavecki retiring at the end of the year and coming back part-time, and the administration was still looking at technology and building software.

Mr. Aungst presented information to the committee regarding the DORA (Designated Outdoor Refreshment Area) project. He noted it is both an economic development and planning & zoning issue. The administration was gathering information before presenting to Council. He advised a geographical area has to be determined, there would have to be a buy in from the safety forces, and Medina County Parks Department. Signage, regulations, maintenance budgets, and business interests has to be discussed. Mr. Aungst stated there were a lot of details to discuss.

Mr. Delsanter asked about size limitations on a DORA. To which Mr. Aungst indicated the city can choose that, however it had to be contiguous, and Mr. Lambert interjected it could be up to eleven hundred acres.

Mr. Lambert asked about a time line, to which Mr. Aungst thought it would be September before it would go in front of Planning & Zoning Committee.

Mr. Delsanter asked how he could do some background work on this DORA project to which Mr. Aungst advised to google DORA in Ohio.

Mr. Lambert noted it was a long process to start up the project, and he wanted to know if it would be as daunting to modify the project.

Mr. Aungst thought modifications would be simpler. Also, the safety forces would like to start off with the correct steps and add to it.

Mr. Delsanter questioned Brunswick being the right community for a DORA, and if the layout of the city was amenable to this kind of activity.

To which Mr. Aungst thought there would be a lot of benefits to the community, and it would lend itself well to events. As he recalled, Brunswick Town Center was always talked about being a destination area, where people would come to events, and this would be the start to that. Mr. Aungst noted there would be involvement of the safety forces, budgets, maintenance, noting there was a lot of background work to be done.

Mr. Hanek was present via phone, he acknowledged Mr. Aungst for the progress and ended his call at 6:53 p.m.

Mr. Delsanter brought up the various types of businesses in Town Center.

Mr. Lambert noted if the city institutes a DORA it allows businesses to expand their operations in different ways, and increases their ability to be successful.

Mr. Aungst noted continued background work and discussions will take place, and will go into next year.

In closing, Mr. Aungst asked if Mr. Lambert had any thoughts on changing the committee meeting from the third Tuesday of the month to another day, and Mr. Lambert noted the committee would look at changing it.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 7:06 p.m. Vote - 2 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "B. Lambert", enclosed within a large, loopy oval shape.

Brandon Lambert
Chairman

SAFETY & ENVIRONMENT COMMITTEE MEETING

June 27, 2022

IN ATTENDANCE:

Chairman Anthony Capretta, Committee Member Brandon Lambert, Committee Member Kristy Piper, Tim Smith, Michael Abella, Joseph Delsanter, Nicholas Hanek, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Parks & Recreation Director Taylor Petkovsek, Clerk of Council Laura Timura, News Media

The meeting convened at 6:16 p.m.

DISCUSSION ITEMS:

Fire Hydrants Under the Snow –

Mr. Capretta mentioned when he was in Canada he noticed all the fire hydrants had six-foot pole extensions for snow, and he wanted to bring it to the attention of the City Manager.

Mr. DeForest was aware of those types of poles. However, he received information from Chief Glauner which he wanted to share with the committee. Chief Glauner indicated that upon responding to a fire, it can be fought 5-8 minutes before running out of water, the primary holding tank holds up to 1,000 gallons of water and the back- up tank holds 700 gallons. Additionally, the fire department uses the active 911 feature on cell phones that shows the exact locations of all fire hydrants in the area, which is very accurate in helping locate the fire hydrants. Mr. DeForest encourages all residents to clear the fire hydrants of snow. He noted the disadvantage of putting delineators on the hydrants is they cost between \$20.00 to \$125.00 for each pole, and overtime the fiber glass resin wears down. In speaking with Chief Glauner he was of the opinion that it was not something the city needed. Mr. DeForest noted there are approximate 2,500 fire hydrants spaced approximately 300 feet apart throughout the city, and he believes there is enough water upon response to clear the fire for a period of time before resorting to using the fire hydrants.

GENERAL DISCUSSION:

Mr. Smith had brought up the need for special attention around the sensitive areas in the city as far as pro-life areas, and Mr. DeForest indicated the Division of Police was doing that, special attention was put on all churches and special areas.

Mr. Delsanter brought up the firework code that changed in the State of Ohio, and reminded everyone that the change was not the case in the City of Brunswick. He noted at 11:30 pm in his neighborhood someone was shooting off fireworks, and he believes it was inside park property. Mr. Delsanter has received complaints from residents, about the debris coming onto their property.

Mr. DeForest noted it was a first-degree misdemeanor, and individual could face 6 months in jail and \$1,000 fine.

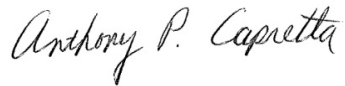
Mr. Lambert asked if there was going to be increased police presence for the July 4th weekend, to which Mr. DeForest indicated there would be additional police staff on July 3, 4, and 5.

It has been brought to the attention of Mr. DeForest that herds of deer have been in various areas of the city, and he thought this was something the committee should address.

ADJOURNMENT:

Being no further business, Mr. Lambert moved to adjourn at 6:25 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script that reads "Anthony P. Capretta".

Anthony Capretta
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

June 27, 2022

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

The meeting convened at 6:10 p.m.

DISCUSSION ITEMS:

a) Park Spotlight

Mrs. Petkovsek chose to highlight Boston Knolls Park located in Ward 3. She pointed out Boston Knolls was used for both baseball and softball and this past year the Brunswick Youth Sports and the City teamed up and replaced all the netting at the baseball fields. The park has a pavilion which was built by the parks department, and a playground set was installed in 2019. The park can be entered from Boston Road/ Weathervane and has ample parking.

b) July 3rd Fireworks Reminder

As a reminder Mrs. Petkovsek announced the City fireworks are scheduled to be set off at dusk July 3, near the high school. A good place to see them are the high school parking lot, the recreation center parking lot and the parking lots across the street from the recreation center. Mrs. Petkovsek noted the rain date for the fireworks would be July 5. Mr. Capretta asked who was doing the fireworks, and to that Mrs. Petkovsek advised American Fireworks.

c) All-Inclusive Playground Update

Mrs. Petkovsek advised the purchase order was increased from \$400,000 dollars to \$600,000 dollars. The contractor submitted the order for the playground, CVE was surveying the area at no costs, the parks department will be prepping the area and demolition is planned prior to getting in the playground materials.

Mrs. Piper mentioned at the school board meeting people were asking about a ground breaking. Mrs. Petkovsek noted the contractor will start as soon as possible, residents renting out the Neura Park pavilion have been notified about the playground construction. The plan is to install the playground as soon as the materials arrive.

Mr. Smith asked about the other playground being there during the construction period, and it was noted that part of preparing the land for the new playground is to demolish

the existing playground, however it was noted by Mrs. Petkovsek the existing swings will remain.

GENERAL DISCUSSION:

Mr. Smith mentioned Bike Medina County will be doing the Slow Roll this Thursday, June 30, at 6:15 pm, they will be meeting in the Cleveland Clinic parking lot, they will bike around the lake and then to North Park, and will return. Mr. Smith noted this was the first time for the Slow Roll in Brunswick featuring the city parks. Mr. Smith stated it was imperative to bring a helmet.

ADJOURNMENT:

Being no further business, Mr. Smith moved to adjourn at 6:16 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Kristy Piper', with a stylized flourish at the end.

Kristy Piper
Chairwoman

COMMITTEE OF THE WHOLE MEETING

June 27, 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, Committee Member Anthony Capretta, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Parks & Recreation Director Taylor Petkovsek, Clerk of Council Laura Timura, News Media

The meeting convened at 6:25 p.m.

DISCUSSION ITEMS:

July 25 Council Meeting Date –

Mr. Hanek explained the reason for moving the date of the July 25 Council Meeting, noting it was due to a fundraiser for the All-Inclusive Playground that evening and several members of Council were planning on attending that event.

The suggestion from the Council Clerk for an alternate date was Wednesday, July 27, however after some discussion it was not an agreeable date.

Mr. Fisher explained the time sensitivity of Resolution No. 59-2022, he pointed out it was emergency legislation with suspension of the rules needing 5 votes.

After further discussion August 8 was an agreeable alternate date.

Mrs. Piper moved the July 25, 2022 Council Meeting to August 8, 2022. Vote 7- Ayes, 0 Nays.

MOTION ITEMS:

A motion to authorize the City Manager to extend the current contract with LNE Group from July 1, 2022 through June 30, 2023 at a cost of \$49,000 –

Mr. DeForest advised LNE has been successful in obtaining federal and state funding and grants for the City.

Mr. Delsanter asked what percentage LNE receives on the allocations, and it was noted by Mr. DeForest LNE is paid \$49,000.00 for their services between now and June 30, 2023.

Mr. Delsanter moved to extend the contract with LNE Group from July 1, 2022 through June 30, 2023 at a cost of \$49,000.00. Vote – 7 Ayes, 0 Nays.

REVIEW 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 –

Mr. Fisher noted this legislation is for the acceptance of annexation of 0.4417 acres of property located in Brunswick Hills Township to the City of Brunswick. This petition was approved by the Medina County Commissioners on May 19, 2022. Mr. Fisher further explained per Ohio Revised Code Section 709.04 the City has to wait sixty days from the date of acceptance by the Commissioners to either accept or reject the petition. The legislation was written as emergency for three readings, he noted the third reading would be at the August 8, 2022 Council meeting hence the need for five votes as an emergency to accept the annexation of the parcel.

Mr. Delsanter moved this resolution to tonight's Council Agenda of June 27, 2022 as an emergency for three readings. Vote – 7 Ayes, 0 Nays.

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

Mr. Fisher advised this legislation authorizes the purchase of the Venus Drive property for storm water management, it was approximately 2.89 acres, with a purchase price of \$25,000.00. He noted up to \$30,000 is available for the purchase and any additional related fees.

Mr. Lambert moved this resolution to tonight's Council Agenda of June 27, 2022 as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Lambert brought up Breezeline, which acquired WOW, and the internet issues residents are having, and they are being deprived of a utility which they pay for.

Mr. Delsanter echoed Mr. Lambert, he also heard from businesses that had to close down for a couple of days due to the failing service. Mr. Delsanter asked if the City Manager could contact the company.

Mr. DeForest asked the law director to address the issue, Mr. Fisher noted the utility was not regulated by the state.

Mr. Abella noted in the past the city had franchise agreements with the cable companies, however that eroded away due to state laws and regulations, and there was nothing to do other than voice opinions about the poor service. Mr. Abella mentioned Breezeline did not honor the agreements that the customers had with WOW.

ADJOURNMENT:

Being no further business, Mr. Smith moved to adjourn at 6:39 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Valerie Zak", written in black ink on a light-colored background.

Valerie Zak

Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 7/11/2022

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.- **3rd 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, ~~tw~~three 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: 7/11/2022

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. - **3rd 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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 7/11/2022

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.- **3rd 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: 7/11/2022

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. - **3rd 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

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: 7/11/2022

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.- **3rd 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: 7/11/2022

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.- **3rd 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: 7/11/2022

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.- **3rd 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: 7/11/2022

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). - **3rd 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.

**RECOMMENDE
D
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: 7/11/2022

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. - **2nd Reading** (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



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.

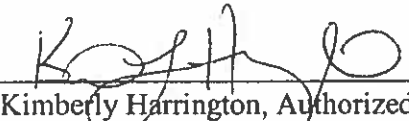
Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as Exhibit "A".

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 _____

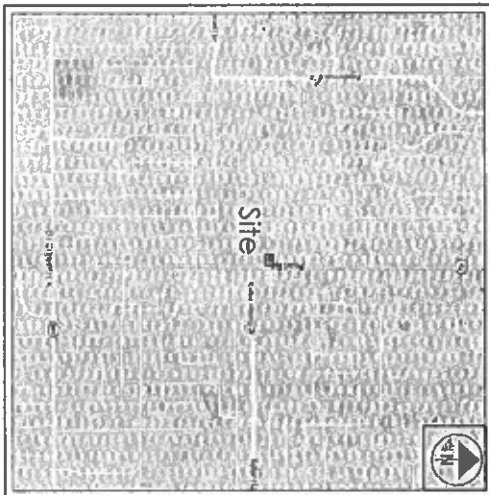
DESCRIPTION	FORM	SET
LOC. MAP	0413	1
MONUMENT BOX	0121	1
IRON PIPE	0125	1
UNITED ACCESS R/W	0125	1
CONTINGENT	0125	1
PROPOSED LINK	0125	1
RIGHT-OF-WAY LINK	0125	1
EXISTING LINK	0125	1
ORIGINAL PROP. LINK	0125	1
ORIGINAL LOT LINK	0125	1

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



LOCATION MAP

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

NOTES

REFERENCES:

North Brunswick Allotment Replot No. 1 Creating Sublot 2A by James P. Yurkchott, 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. 27 by Guy P. Henry, as recorded in Document No. 208P1000026 of Medina County Recorder's Records.

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

BASIS OF BEARINGS:

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

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

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 _____

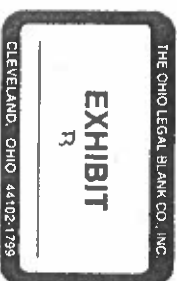
Witness _____



SURVEYOR CERTIFICATION

This plat was prepared from an advise of recorded plots, 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.S. No. 5-7531 Date _____



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

PROJECT NUMBER 18724

DATE 2022-01-28



SURVEYOR CERTIFICATION

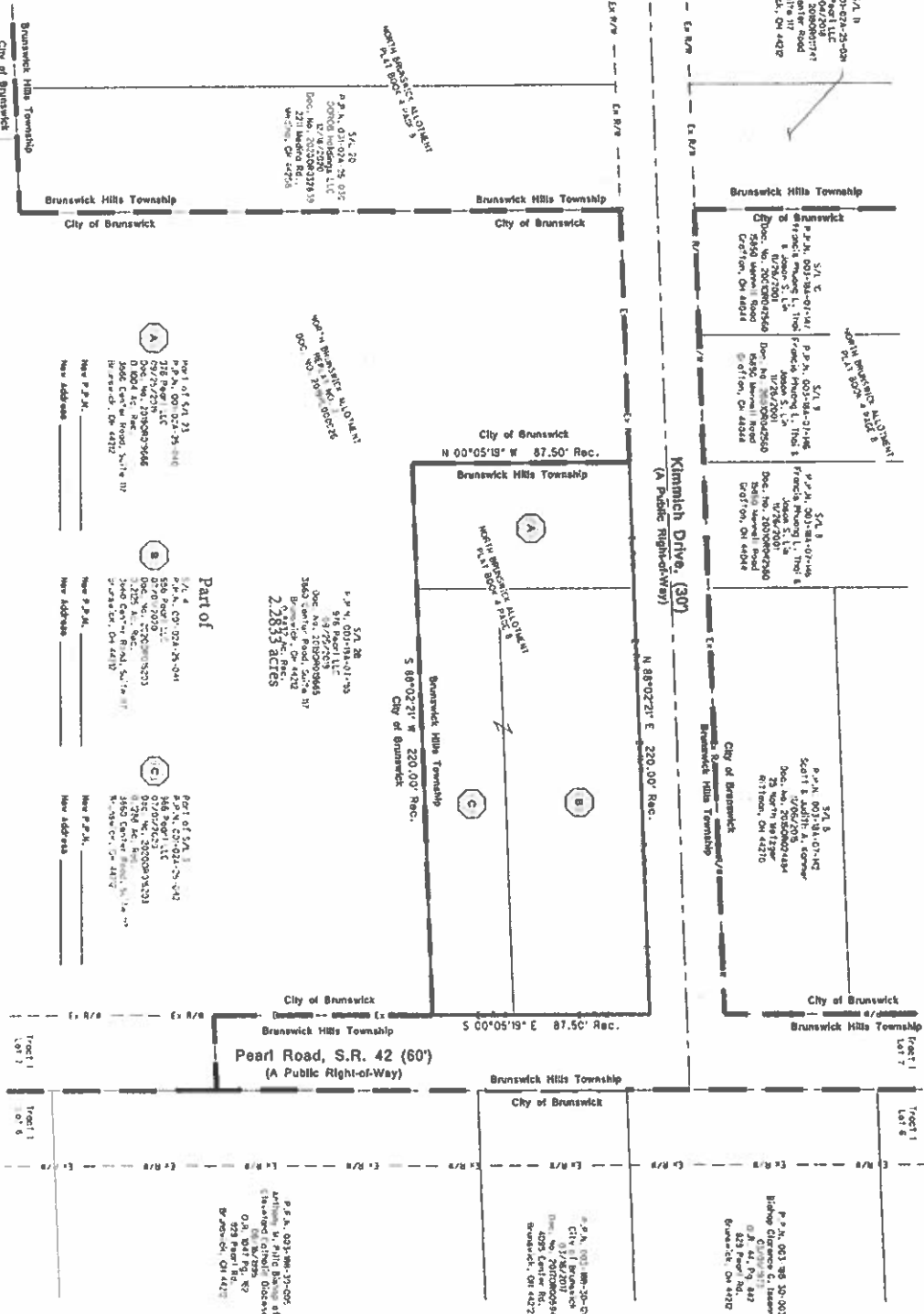
This plat was prepared from a field survey, copies of recorded plats, recorded deeds, one survey map, and other data in the public records of the State of Ohio. I, the undersigned, am a duly licensed and bonded surveyor of the State of Ohio, and I hereby certify that all measurements and calculations 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.

NOTE: All addresses on this plat are for reference only and do not constitute a warranty of accuracy.

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. 001-024-25-040
Doc. No. 2008039446
Dec. No. 2008039446
Brunswick, OH 44202

(B) Part of S.A. 33
P.P.N. 001-024-25-041
Doc. No. 2008039447
Dec. No. 2008039447
Brunswick, OH 44202

(C) Part of S.A. 33
P.P.N. 001-024-25-042
Doc. No. 2008039448
Dec. No. 2008039448
Brunswick, OH 44202

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.

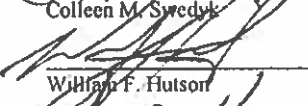
Respectfully submitted,


Rhonda J. Beck
Clerk to the Commissioners

COMMISSIONERS

OF

MEDINA COUNTY


Colleen M. Swedyk

William F. Hutson

Stephen D. Hambley

PROPOSED LEGISLATION



DATE: 7/11/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Nicholas Hanek

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 61-2022** - An emergency resolution declaring the City of Brunswick a "Purple Heart City". - **1st Reading** (To be brought from Committee-of-the-Whole, *Nicholas Hanek*)

BACKGROUND: The Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782. The Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America.

PURPOSE AND EXPLANATION: By Resolution 73-18, City Council declared the City of Brunswick a "Purple Heart City." Purple Heart Day is observed on August 7 each year and is a time for Americans to remember and honor the brave men and women who were either wounded on the battlefield, or paid the ultimate sacrifice with their lives. Purple Heart Day will be observed on Sunday, August 7, 2022, and citizens of the City of Brunswick are encouraged to show their appreciation for the sacrifices that Purple Heart recipients have made in defending our freedoms, to acknowledge their courage, and to show them the honor and support that they have earned.

IMPLEMENTATION SCHEDULE: At the earliest time allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION DECLARING THE CITY OF
BRUNSWICK A “PURPLE HEART CITY.”

WHEREAS: The City of Brunswick has always supported its military veteran population;

WHEREAS: The people of the City of Brunswick have great admiration and the utmost gratitude for all the men and women who have selflessly served this Country and community in the Armed Forces;

WHEREAS: Military veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm’s way for the good of all;

WHEREAS: The contributions and sacrifices of the men and women from the City of Brunswick who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens;

WHEREAS: Many men and women in uniform have given their lives while serving in the Armed Forces;

WHEREAS: The Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782;

WHEREAS: The Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America;

WHEREAS: The mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly make sure we never forget;

WHEREAS: The City of Brunswick has a large, highly decorated veteran population including many Purple Heart recipients; and

WHEREAS: The City of Brunswick appreciates the sacrifices of our Purple Heart recipients made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the honor and support that they have earned.

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

SECTION 1: This Council does hereby declare the City of Brunswick as a “Purple Heart City”

and encourage the citizens of the City of Brunswick to show their appreciation for the sacrifices that Purple Heart recipients have made in defending our freedoms, to acknowledge their courage and to show them the honor and support that they have earned.

SECTION 2: This Council hereby designates August 7, 2022 as the day in the City of Brunswick to remember and recognize veterans who are recipients of the Purple Heart.

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 that immediate passage is necessary to allow this Resolution to be effective as of the August 7, 2022 National Purple Heart Day. 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

PROPOSED LEGISLATION



DATE: 7/11/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Matt Jones

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 62-2022** - An emergency resolution authorizing the City Manager to enter into an agreement with Eclipse Co., LLC for the 2022 Catch Basin Repair Program in an amount not to exceed \$105,683.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

BACKGROUND: Authorization for public bid granted by City Council motion on May 23, 2022. Lowest and best bid received was from Eclipse Co., LLC for \$105,683.

PURPOSE AND EXPLANATION: The proposed project will seek to repair deteriorated catch basins and concrete boxouts citywide, improving neighborhood accessibility and safety to the traveling public. Also, this project will remove and replace a section of failed storm sewer in an easement east of Morlee Drive. This project is being funded through the City's stormwater utility.

IMPLEMENTATION

SCHEDULE: The project is anticipated to commence in August and be completed in November.

FINANCIAL

INFORMATION: 2022 Catch basin Repair Program - - Stormwater Management Enterprise Fund #224 - 224-0420-54265 - - \$105,683.00

FINANCIAL

SUMMARY:

RECOMMENDED ACTION:

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

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

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may commence and be completed during the 2022 construction season.

**ADDITIONAL
INFORMATION:**

BID TABULATION**2022 Brunswick Catch Basin Repair Program****City of Brunswick****DATE: June 29, 2022****CVE JOB NO. 22182 Engineer's Estimate \$103,000.00**

				ECLIPSE CO., LLC		SET IN STONE CONTRACTING, LLC	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	CATCH BASIN OR STORM MANHOLE ADJUSTED TO GRADE	EACH	21	\$1,500.00	\$31,500.00	\$2,150.00	\$45,150.00
2	CATCH BASIN OR STORM MANHOLE RECONSTRUCTED TO GRADE	EACH	5	\$2,335.00	\$11,675.00	\$2,850.00	\$14,250.00
3	MISCELLANEOUS METAL	LBS	2,000	\$6.00	\$12,000.00	\$1.75	\$3,500.00
4	CONCRETE DRIVE APRON	SF	200	\$0.00	\$0.00	\$0.00	\$0.00
5	CONCRETE WALK	SF	300	\$0.00	\$0.00	\$0.00	\$0.00
6	7" CONCRETE SLAB OR JOINT REPAIR	SY	200	\$0.00	\$0.00	\$0.00	\$0.00
7	ODOT 304 AGGREGATE BASE	CY	30	\$126.00	\$3,780.00	\$45.00	\$1,350.00
8	CLEARING & GRUBBING	LUMP	1	\$8,961.00	\$8,961.00	\$5,000.00	\$5,000.00
9	TREE REMOVAL 12" AND GREATER	EACH	2	\$2,423.00	\$4,846.00	\$1,750.00	\$3,500.00
10	FENCE REMOVAL & INSTALLATION	LF	120	\$33.00	\$3,960.00	\$53.50	\$6,420.00
11	36" STORM SEWER	LF	80	\$283.00	\$22,640.00	\$325.00	\$26,000.00
12	FULL HEIGHT HEADWALL	EACH	1	\$2,203.00	\$2,203.00	\$19,000.00	\$19,000.00
13	ROCK CHANNEL PROTECTION, ODOT TYPE C	TONS	15	\$132.00	\$1,980.00	\$200.00	\$3,000.00
14	SEEDING & MULCHING	LUMP	1	\$2,138.00	\$2,138.00	\$6,000.00	\$6,000.00
	TOTAL PROJECT COST			TOTAL	\$105,683.00	TOTAL	\$133,170.00
				NUMBER OF DAYS TO COMPLETE: 10 Days		NUMBER OF DAYS TO COMPLETE: 45	
				EARLIEST STARTING DATE: 10 Days from NTP		EARLIEST STARTING DATE: T.B.D.	

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ECLIPSE CO., LLC FOR THE 2022 CATCH BASIN REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$105,683.00.

WHEREAS: The City of Brunswick received two (2) bids for the 2022 Catch Basin Repair Program (the "Program), in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on June 29, 2022, with Eclipse Co., LLC determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Eclipse Co., LLC, the lowest and best bidder, for the 2022 Catch Basin Repair Program in an amount not to exceed \$105,683.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Program during the 2022 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
Laura Timura

MEMO

Engineering Department



TO: City Council
FROM: Matthew M. Jones, P.E.
DATE: July 7, 2022
RE: 2022 Catch Basin Repair Program

On June 29, 2022, public bids were opened for the 2022 Catch Basin Repair Program. A tabulation of the bid results is attached for your reference. Two companies submitted bids for the project. The low bidder for the project was Eclipse Co., LLC at \$105,683.00. The Engineer's estimate was \$103,000.00. Set in Stone Contracting, LLC was the second low bidder with a bid of \$133,170.00.

The proposed project will seek to repair deteriorated catch basins and concrete boxouts citywide. Also, this project will remove and replace a section of failed storm sewer in an easement east of Morlee Drive.

CVE staff has contacted a sampling of municipal references provided by Eclipse. The reference check did not find any reoccurring issues with Eclipse. Three entities were contacted regarding three separate projects, and all characterized them as an above average contractor.

Based upon a review of the bid documents and other municipal references, it is my opinion that Eclipse has the needed experience, personnel and equipment to successfully complete the work as bid and should be considered the lowest and best bidder for this project.

Therefore, I respectfully request that City Council consider emergency legislation to award a contract for the base bid and additive alternate in the amount of \$105,683.00 to Eclipse Co., LLC. to complete the 2022 Catch Basin Repair Program.

If you have any questions or require any additional information please contact me at your convenience.

Attachments

C: Carl DeForest, City Manager
Paul Barnett, Service Director
Todd Fischer, Finance Director
Ken Fisher, Law Director

PROPOSED LEGISLATION



DATE: 7/11/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Matt Jones

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 63-2022** - An emergency resolution authorizing the City Manager to enter into an agreement with Set in Stone Contracting, LLC for the construction of the Skyview Drive Phase 2 Project in an amount not to exceed \$835,195.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

BACKGROUND: Authorization for a public bid was granted by City Council motion on May 23, 2022. The lowest and best bid received was Set In Stone Contracting, LLC for \$835,195.00

**PURPOSE AND
EXPLANATION:**

The proposed project will remove and replace deteriorated concrete pavement joints/slabs and install a chip seal interlayer and an asphalt overlay on Skyview Drive between Woodhollow Drive and Boston Road. Sidewalk and curb ramps will also be removed and replaced as needed. This project is being partially funded by a grant from the Ohio Public Works Commission.

IMPLEMENTATION

SCHEDULE: The project is anticipated to commence in August and be completed in November.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

This project is being partially funded with a \$622,138 grant and \$167,452 loan (0% loan) from the Ohio Public Works Commission. The OPWC portion will be accounted for in the OPWC Sky View Drive Improvement Fund #373. The remaining costs will be funded from the City's Road Improvement Fund #333.

The total construction costs of \$835,195 are expected to be broken down between OPWC and the City based on the percentages listed in the OPWC award/application. The OPWC portion of construction costs is expected to be \$585,439.78 and charged to account #373-0486-56881 and the City's portion of the construction costs is expected to be \$249,755.22 and charged to account #333-0486-56881.

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may commence and be completed during the 2022 construction season.

**ADDITIONAL
INFORMATION:**

BID TABULATION**Skyview Drive Phase II****City of Brunswick****DATE: June 29, 2022****CVE JOB NO. 22140 Engineer's Estimate \$825,000.00**

ITEM	DESCRIPTION	UNIT	QTY.	SET IN STONE CONTRACTING, LLC		TRI MOR CORPORATION	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	ODOT 254 PAVEMENT PLANING, PORTLAND CEMENT CONCRETE	SY	6,050	\$7.00	\$42,350.00	\$9.00	\$54,450.00
2	ODOT 255 FULL DEPTH PAVEMENT REMOVAL AND RIGID REPLACEMENT, CLASS QC MS	SY	2,400	\$113.00	\$271,200.00	\$253.00	\$607,200.00
3	ODOT 251 PARTIAL DEPTH PAVEMENT REPAIR	SY	1,000	\$27.00	\$27,000.00	\$79.00	\$79,000.00
4	SUBBASE REMOVAL AND REPLACEMENT	CY	800	\$46.75	\$37,400.00	\$98.00	\$78,400.00
5	ODOT 882 SINGLE CHIP SEAL (INTERLAYER)	SY	9,600	\$6.30	\$60,480.00	\$5.00	\$48,000.00
6	ODOT 441 ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22 (1-1/4" DEPTH)	CY	270	\$260.00	\$70,200.00	\$380.00	\$102,600.00
7	ODOT 441 ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, PG64-22 (1-3/4" DEPTH)	CY	340	\$226.00	\$76,840.00	\$260.00	\$88,400.00
8	ASPHALT PAVEMENT SURFACE TREATMENT	SY	9,600	\$1.25	\$12,000.00	\$2.00	\$19,200.00
9	CONCRETE DRIVE APRON (RESIDENTIAL)	SF	1,000	\$13.00	\$13,000.00	\$15.00	\$15,000.00
10	4" CONCRETE SIDEWALK	SF	2,500	\$11.00	\$27,500.00	\$10.00	\$25,000.00
11	CURB RAMP, TYPE A2	SF	750	\$26.00	\$19,500.00	\$19.00	\$14,250.00
12	STORM SEWER REMOVED, 24" AND UNDER	LF	100	\$22.50	\$2,250.00	\$20.00	\$2,000.00
13	12" STORM SEWER	LF	100	\$100.00	\$10,000.00	\$156.00	\$15,600.00
14	CATCH BASIN ADJUSTED TO GRADE	EACH	15	\$1,200.00	\$18,000.00	\$1,100.00	\$16,500.00
15	CATCH BASIN RECONSTRUCTED TO GRADE	EACH	14	\$1,750.00	\$24,500.00	\$2,200.00	\$30,800.00
16	INLET BASIN ADJUSTED TO GRADE	EACH	1	\$1,225.00	\$1,225.00	\$1,100.00	\$1,100.00
17	STORM MANHOLE ADJUSTED TO GRADE	EACH	2	\$1,050.00	\$2,100.00	\$1,100.00	\$2,200.00
18	STORM INLET MANHOLE ADJUSTED TO GRADE	EACH	1	\$1,250.00	\$1,250.00	\$1,100.00	\$1,100.00
19	SANITARY MANHOLE ADJUSTED TO GRADE	EACH	2	\$1,250.00	\$2,500.00	\$1,900.00	\$3,800.00
20	WATER MAIN VALVE & VALVE BOX ADJUST TO GRADE	EACH	8	\$400.00	\$3,200.00	\$500.00	\$4,000.00
21	MISCELLANEOUS METAL	LBS	5,000	\$1.50	\$7,500.00	\$3.00	\$15,000.00
22	MONUMENT BOX ASSEMBLY ADJUSTED TO GRADE	EACH	10	\$500.00	\$5,000.00	\$500.00	\$5,000.00
23	MAINTAINING TRAFFIC AND DETOUR SIGNING	LUMP	1	\$84,000.00	\$84,000.00	\$56,000.00	\$56,000.00
24	PAVEMENT MARKING AND SIGNAGE	LUMP	1	\$10,000.00	\$10,000.00	\$6,500.00	\$6,500.00
25	EROSION CONTROL	LUMP	1	\$6,200.00	\$6,200.00	\$8,500.00	\$8,500.00
TOTAL PROJECT COST				TOTAL	\$835,195.00	TOTAL	\$1,299,600.00
				NUMBER OF DAYS TO COMPLETE: 90		NUMBER OF DAYS TO COMPLETE: 90	

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SET IN STONE CONTRACTING, LLC FOR THE CONSTRUCTION OF THE SKYVIEW DRIVE PHASE 2 PROJECT IN AN AMOUNT NOT TO EXCEED \$835,195.00.

WHEREAS: The City of Brunswick received two (2) bids for the Skyview Drive Phase 2 Project (the "Project"), in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on June 29, 2022, with Set in Stone Contracting, LLC determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Set in Stone Contracting, LLC for the construction of the Skyview Drive Phase 2 Project in an amount not to exceed \$835,195.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Project during the 2012 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
Laura Timura

MEMO

Engineering Department



TO: City Council
FROM: Matthew M. Jones, P.E.
DATE: July 7, 2022
RE: Skyview Drive Phase 2

On June 29, 2022, public bids were opened for the Skyview Drive Phase 2 project. A tabulation of the bid results is attached for your reference. Two companies submitted bids for the project. The low bidder for the project was Set In Stone Contracting, LLC. at \$835,195.00. The Engineer's estimate was \$825,000.00. Tri-Mor Corporation was the second low bidder with a bid of \$1,299,600.00.

This project will remove and replace deteriorated concrete pavement joints/slabs and install a chip seal interlayer and an asphalt overlay on Skyview Drive between Woodhollow Drive and Boston Road. Sidewalk and curb ramps will also be removed and replaced as needed. This is the final phase of improvements for Skyview.

This project is being partially funded by a grant and loan from the Ohio Public Works Commission.

CVE staff has contacted a sampling of municipal references provided by Set In Stone. The reference check did not find any reoccurring issues with Set In Stone. Three municipalities were contacted regarding three separate projects, and all characterized them as an above average contractor. Additionally, Set In Stone was the contractor on the Laurel Road Phase 3 and Old Eagle Drive Reconstruction projects in 2021 and performed both contracts to the City's satisfaction.

Based upon a review of the bid documents and other municipal references, it is my opinion that Set In Stone has the needed experience, personnel and equipment to successfully complete the work as bid and should be considered the lowest and best bidder for this project.

Therefore, I respectfully request that City Council consider emergency legislation to award a contract in the amount of \$835,195.00 to Set In Stone Contracting, LLC to complete the Skyview Drive Phase 2 project.

If you have any questions or require any additional information please contact me at your convenience.

Attachments

C: Carl DeForest, City Manager
Paul Barnett, Service Director
Todd Fischer, Finance Director
Ken Fisher, Law Director

PROPOSED LEGISLATION



DATE: 7/11/2022

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 64-2022-** An emergency resolution authorizing the City Manager and City Engineer to submit a grant and loan application to the Ohio Public Works Commission Issue-1 Program for the Magnolia Drive Reconstruction Phase 2 Project. - **1st Reading** (To be brought from Services, Utilities, Technology, Cable Committee, *Administration/Matt Jones*)

BACKGROUND: New legislation request.

PURPOSE AND EXPLANATION: The proposed project will be a major rehabilitation of Magnolia Drive east of Judita Drive. Exact project limits will be determined based upon the amount of the award granted by OPWC and future Council appropriations. This project would be funded by a combination of Ohio Public Works Commission and local funds.

IMPLEMENTATION SCHEDULE: The application deadline is in early September 2022. Should the application be successful, the project would be targeted for a mid-2023 start once funds become available.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Funding for this project will depend upon the amount of award granted by OPWC and approval of future Council appropriations. Once more information becomes available, the financial information will need to be evaluated. Furthermore, it is likely that a newly established OPWC Magnolia Drive Improvement Fund and other OPWC funding legislation will also be required at a future date (FY 2023) in order to accept any grant or loan funding.

RECOMMENDED ACTION:

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

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

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this application can be submitted to OPWC in advance of the early September 2022 application deadline.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ENGINEER TO SUBMIT A GRANT AND LOAN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION ISSUE 1 PROGRAM FOR THE MAGNOLIA DRIVE RECONSTRUCTION PHASE 2 PROJECT.

WHEREAS: The Magnolia Drive Reconstruction Phase 2 Project (the “Project”) is to be funded by a combination of Ohio Public Works Commission Issue 1 Program grant funds (the “Grant Funds”) with the remainder by local funds (the “Local Funds”); and

WHEREAS: The Grant and Loan Application must be submitted by early September of 2022.

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

SECTION 1: The City Manager and City Engineer are hereby authorized to submit a Grant and Loan Application to the Ohio Public Works Commission Issue 1 Program for financial assistance for the Project.

SECTION 2: In the event Grant Funds are awarded for the Project, acceptance of same by the City shall be contingent upon Council appropriating necessary amounts to meet the Local Funds contribution.

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 that the grant applications must be submitted by the early September of 2022 deadline. 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