



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	Joseph Delsanter At-Large	Keith Kuczma Ward 4
------------------------------	-----------------------------	--------------------------	-----------------------------------	-------------------------------------	-------------------------	-------------------------------------	-----------------------------	---------------------------------	---------------------------------	---------------------------

Administration Representatives

JUNE 26, 2023

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes dated June 12, 2023
5. Mayor's Report:
 - (a) Motion to approve Mayor's recommendation to reappoint Jeffrey Arona, John Rocha, and Joseph Shirilla to the Planning Commission.
 - (b) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....	Mr. Lambert
Services, Utilities, Technology & Cable Committee.....	Mr. Smith
Finance Committee.....	Mr. Hanek
Safety & Environment Committee.....	Mr. Kuczma
Safety & Environment Committee Minutes dated June 12, 2023	
Planning & Zoning Committee.....	Mr. Delsanter
Planning & Zoning Committee Minutes dated June 12, 2023	
Parks, Recreation & Community Committee.....	Mrs. Piper
Building & Building Code Committee.....	Mr. Abella
Building & Building Code Committee Minutes dated June 12, 2023	
8. Other Committees, Boards and Commissions
 - (a) Committee-of-the-Whole Minutes dated June 12, 2023
9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

ORD. NO. 36-2023 - An ordinance authorizing the City Manager to forward a petition for detachment to the Medina County Commissioner's Office for the purpose of adjusting the City boundary lines to include an annexation into the City of Brunswick of PPN 001-02D-08-009. - **3rd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*)

b. 2nd Reading(s)

ORD. NO. 44-2023 - An ordinance establishing Section 432.47 of the City of Brunswick Codified Ordinances Titled "Distracted Driving." - **2nd Reading** (Safety & Environment Committee, *Administration/Robert Safran*)

c. 1st Reading(s)

RES. NO. 47-2023 - An emergency resolution authorizing the City Manager to enter into an agreement with HDI-Enterprises to refinish the gymnasium floor at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,000.00. - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/Taylor Petkovsek*)

ORD. NO. 48-2023 - An emergency ordinance establishing Chapter 416 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 49-2023 - An emergency resolution authorizing the City Manager to enter into an amended agreement to establish the Medina County Emergency Management Agency. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl Deforest*)

RES. NO. 50-2023 - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, Inc. for the 2023 Concrete Repair Program in an amount not to exceed \$293,375.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

ORD. NO. 51-2023 - An ordinance amending Section 1072.03 of the City of Brunswick Codified Ordinances by increasing fees for opening, closing and maintaining graves. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

ORD. NO. 52-2023 - An emergency ordinance establishing a six (6) month temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential

District, and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

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

SAFETY & ENVIRONMENT COMMITTEE

June 12, 2023

IN ATTENDANCE: Chairman Keith Kuczma, Committee Member Kristy Piper, Committee Member Joseph Delsanter, Michael Abella Jr., Tim Smith, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Community & Economic Development Director Grant Aungst, Parks & Recreation Director Taylor Petkovsek, Police Lieutenant Robert Safran, Clerk of Council Laura Timura, News Media

The meeting convened at 6:34 p.m.

DISCUSSION ITEMS:

- a) **ORD. NO. 44-2023** - An ordinance establishing Section 432.47 of the City of Brunswick Codified Ordinances Titled "Distracted Driving." - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

Lieutenant Safran discussed that this ordinance mirrors the one already enacted by the State of Ohio on December 14, 2022. He revealed that the most significant change with this law is that distracted driving becomes a primary offense code, which means that an officer can stop someone who is driving while distracted.

Lieutenant Safran added that the Division of Police is still in the education phase of this law. There is a six-month window where no citations can be issued. An officer can stop someone and say that distracted driving is against the law and start issuing citations starting on October 4, 2023.

Mrs. Piper moved Ordinance 44-2023 to tonight's Council Agenda of June 12, 2023, for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Kuczma disclosed that he received an email from people who want crossing areas to cross from Route 303 to Neura Park. He added that the Administration should look into any grant money available to fund the crosswalks. He mentioned having a crossing by Brunswick Lake would be good.

Mr. Kuczma added that it would be nice to have crosswalks similar to those at Medina Public Square that flash when someone needs to cross.

Mr. Delsanter asked if the Administration could take a look at the area by McKinley Avenue. There have been a couple of near misses with small children in that area. He recommended putting up a speed monitor there.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:39 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Keith Kuczma
Chairman

PLANNING & ZONING COMMITTEE

June 12, 2023

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Brandon Lambert, Committee Member Kristy Piper, Michael Abella Jr., Tim Smith, Keith Kuczma, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Community & Economic Development Director Grant Aungst, Parks & Recreation Director Taylor Petkovsek, Police Lieutenant Robert Safran, Clerk of Council Laura Timura, News Media

The meeting convened at 6:26 p.m.

Mr. Abella arrived at 6:31 p.m.

DISCUSSION ITEMS:

- (a) **ORD. NO. 45-2023** - An ordinance establishing Chapter 1292 of the City of Brunswick Codified Ordinances to regulate electric vehicle charging stations. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)
- (b) **ORD. NO. 46-2023** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or permit approvals for electric vehicle charging stations in all zoning districts of the City and the issuance of such approvals - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

Mr. Aungst recounted that some time ago, the Administration brought the moratorium for electric charging stations to Council because many inquiries were made about them.

Mr. Aungst divulged that much time was spent researching and discussing EV chargers with outside consultants and EV charging companies. Additionally, discussions with the Division of Law have occurred as well.

Mr. Aungst revealed that this ordinance is to authorize text amendments to the Codified Ordinances of Brunswick.

Mr. Aungst continued that the Codified Ordinances are a living, breathing document and that there is the potential for additional changes. He added that after the Planning Commission views the ordinance, it would come back to Council. Because of this timing, a moratorium on installing the EV chargers would be needed. Mr. Aungst divulged that this is strictly for commercial areas, not residential properties. If an individual has a residential use for EV chargers, they can install them. Additionally, if a charging unit is needed inside a building, such as a car dealership, that would also be allowed. This moratorium is for outside planning and zoning purposes.

Mr. Delsanter asked if there was an issue with multi-family housing.

Mr. Aungst stated that if the property is privately held and the charger is on the property in the garage, there is no issue.

Mr. Delsanter mentioned that not all multi-family housing units have garages.

Mr. Aungst remarked that most multi-family housing is located in commercial districts. He divulged that most of the requests from residential property-owners have not presented an issue with the Division of Planning.

Mr. Delsanter advised that this moratorium presents a challenge for landlords and multi-family housing.

Mr. Aungst disclosed that the challenge regarding multi-family housing was addressed in the updated text amendments to the code.

Mr. Lambert moved Ordinance 45-2023 to tonight's Council Agenda of June 12, 2023, for one reading and referral back to the Planning Commission. Vote – 3 Ayes, 0 Nays.

Mr. Lambert moved Ordinance 46-2023 to tonight's Council Agenda of June 12, 2023, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Lambert asked about the status of the discussion about the minimum parking requirements.

Mr. Aungst responded that the Administration is working on the language for that amendment.

Mr. Lambert recounted a concern regarding fall zones for towers. He remarked that the code does not necessarily restrict the ability to build new buildings within 110 percent of the total height of a constructed tower.

Mr. Aungst stated that utility rates must be discussed as part of this issue. He continued that there will also need to be a discussion on catch-zones to catch towers in certain places.

Mr. Aungst revealed that another concern is that there are some properties with towers that are located next to Brunswick Hills Township properties that towers may fall into.

Mr. Delsanter divulged that Ohio Edison has been installing taller poles. He added that he has two poles near his home because the utilities will not agree to move to the newest pole. The new poles are 30 to 40 feet taller than the old ones. Additionally, there are 5G poles which are about 50 feet. Mr. Delsanter asked if this was what Mr. Lambert and Mr. Aungst were referring to.

Mr. Lambert answered that the concern surrounds cell phone towers and new constructions.

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn at 6:34 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Joseph Delsanter
Chairman

BUILDING & BUILDING CODE COMMITTEE

June 12, 2023

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Tim Smith, Brandon Lambert, Joseph Delsanter, Keith Kuczma, Kristy Piper, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Community & Economic Development Director Grant Aungst, Parks & Recreation Director Taylor Petkovsek, Police Lieutenant Robert Safran, Clerk of Council Laura Timura, News Media

The meeting convened at 6:17 p.m.

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

Mr. Lambert arrived at 6:24 p.m.

DISCUSSION ITEMS:

a) Division of Building Update

Mr. Aungst revealed that the City has a new Chief Building Official, James Urankar. He added that he expects Mr. Urankar to do an outstanding job for the community and the City's stakeholders. He disclosed that Mr. Urankar is from Richmond Heights, has an extensive background in building, structures, property maintenance, project management, and construction management, and has numerous certifications. Mr. Aungst exclaimed that the City is very fortunate to have Mr. Urankar.

Mr. Aungst mentioned that the City continues to work through the transition to new building software. However, there have been some challenges that the Division of Building is working through with the vendor. Mr. Aungst divulged that the process is taking longer than planned. He added that the current software is no longer supported but is still useful.

Mr. Aungst revealed that the Division of Building had issued 973 permits this year. The Division has issued 40 violations pertaining to grass and weeds thus far in 2023. In 2022, at this time, the City had issued 59 grass and weed violations. Overall, in 2022, there were 101 total violations. In 2021, there were 59; in 2020, there were 57; and in 2019, there were 108. At the end of 2021, there were 96 violations; in 2020, there were 123; and in 2019, there were 184, showing that the City is improving. Mr. Aungst disclosed that the current cost for cutting grass is \$315 per cut, assessed to the property tax. Mr. Aungst remarked that this may seem expensive, but the cost is high due to the scope of work done by the City. He added that cities should not be in the lawn-cutting business.

Mr. Aungst stated that some common permits being issued this time of the year are fences, pools, garage sales, window replacements, roof replacements, and decks. Brunswick residents can get the permit forms online without entering City Hall.

Mr. Aungst continued that the City has acquired 28 new homes this year, with more coming. Brunswick continues to remain an extremely popular area and continues to grow. There are currently 744 rental units registered and 486 registered contractors that can be found on the City's website. The City does not

endorse a contractor but registers and confirms through their application that they have insurance and bonds.

Mr. Smith asked if Mr. Aungst knew how many new homes might be planned.

Mr. Aungst answered that 77 new homes are planned to be built in Ridgeline Chase. Off of South Carpenter Road, there will be an additional 44 new homes. Across from St. Ambrose, there will be about 43 new homes. There are more housing developments in the City's future plans.

Mr. Smith asked if Brunswick still maintains a popular housing market.

Mr. Aungst responded that it does.

Mr. Smith explained that a couple he knew put their house up for sale, which sold in one day for much higher than the asking price.

Mrs. Piper asked if the City has any programs for grass-cutting for seniors or those who are disabled.

Mr. Aungst answered that the City does not.

Mr. Delsanter disclosed that the City has been investigating and trying to fund some sort of grass-cutting service over the years. Still, the critical aspect is always the money. Managing the programs is also difficult.

Mr. Abella asked about land being cleared out by W. 130th Street and Boston Road.

Mr. Aungst answered that the owners were getting ready to sell that property.

Mr. Abella asked if the property was residential.

Mr. Aungst responded that it was. He added that the area is kept clean because of the jet fuel pipeline.

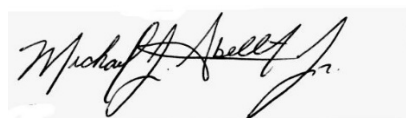
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Smith moved to adjourn at 6:26 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,

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

Michael Abella Jr.
Chairman



COMMITTEE OF THE WHOLE

June 12, 2023

IN ATTENDANCE: Joseph Delsanter, Keith Kuczma, Michael Abella Jr., Tim Smith, Kristy Piper, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Community & Economic Development Director Grant Aungst, Parks & Recreation Director Taylor Petkovsek, Police Lieutenant Robert Safran, Clerk of Council Laura Timura, News Media

The meeting convened at 6:39 p.m.

Mr. Abella moved to excuse Mr. Hanek for just cause. Vote – 6 Ayes, 0 Nays.

MOTION ITEMS:

- a) Motion allowing the City Manager to approve the Recreation Center upgrades "change of scope" proposal from Air Force One dated 5/31/23

Mrs. Petkovsek revealed that some items need to be addressed with a project this size. Instead of requesting more funding, Mrs. Petkovsek has opted to do a scope change on the project instead. The changes will be to insulate the horizontal supply and return ductwork exposed on the exterior of the recreation center. Jackets will be put on all exterior HVAC units except for the gymnasium units to protect them from outside elements and moisture. Additionally, the girders and pipes in the pool complex will be painted, which was not part of the original scope but should have been. In place of those items, the Administration will remove the fitness area rooftop and the Arts and Crafts Room HVAC units from the project scope. Those two HVAC units are working but will need to be replaced next. Mrs. Petkovsek informed that if the exterior ductwork is not insulated, there will be more problems with the HVAC units that were installed most recently.

Mr. Kuczma asked if there was an increase in cost.

Mrs. Petkovsek responded that the overall project is 34 cents less than budgeted.

Mrs. Piper moved to allow the City Manager to approve the Recreation Center upgrades "change of scope" proposal from Air Force One dated 5/31/23. Vote – 6 Ayes, 0 Nays.

- b) Motion authorizing the City Manager to advertise for public bids for the 2023 Catch Basin Repair Program.

Mr. DeForest disclosed that \$100,000 is budgeted for the program and will be similar to programs that have been done throughout the City in the last several years. He continued that the City is looking to identify approximately 35 catch basins that would be repaired.

Mr. DeForest stated that if the motion passes, the Administration will put out information for public bids. He informed that the work would start in August and be completed by wintertime.

Mr. DeForest noted that the selection of the basins will be determined through collaboration with the Division of Service in the next 7-10 days.

Mr. Smith moved to authorize the City Manager to advertise for public bids for the 2023 Catch Basin Repair Program. Vote – 6 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mrs. Piper moved to go into Executive Session for the purposes of pending or imminent litigation, seconded by Mr. Abella. Roll Call – Ayes – 6, Mr. Lambert, Mr. Smith, Mr. Abella, Mr. Delsanter, Mr. Kuczma, Mrs. Piper. Nays – 0

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

The Committee-of-the-Whole reconvened.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn the Committee of the Whole Meeting at 7:02 p.m. Vote – 6 Ayes, 0 Nays.

Submitted Respectfully,

A handwritten signature in cursive script, reading "Irene Jayapandian".

Irene Jayapandian
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/26/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 36-2023** - An ordinance authorizing the City Manager to forward a petition for detachment to the Medina County Commissioner's Office for the purpose of adjusting the City boundary lines to include an annexation into the City of Brunswick of PPN 001-02D-08-009. - **3rd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*)

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

PURPOSE AND EXPLANATION: The approved legislation must be filed with the Medina County Commissioners' Office.

IMPLEMENTATION SCHEDULE:

Three readings

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?

**ADDITIONAL
INFORMATION:**

PETITION FOR BOUNDARY LINE ADJUSTMENT
Ohio Revised Code Section 503.07

TO: BOARD OF COUNTY COMMISSIONERS
MEDINA COUNTY, OHIO
144 NORTH BROADWAY
MEDINA, OHIO 44256

1. The undersigned is the City Manager for the City of Brunswick and has been authorized by the Brunswick City Council to forward this Petition to the Board of County Commissioners for the purpose of adjusting the boundary lines of the City of Brunswick and Brunswick Hills Township to reflect an annexation of real property to the City of Brunswick in accordance with Ohio Revised Code Chapters 503 and 709.
- 2) A copy of the Ordinance No. 36-2023 authorizing the City Manager to forward this Petition to the Board of County Commissioners is attached hereto as Exhibit “1” and incorporated herein by reference.
- 3) The annexation of the subject property is as detailed in Resolution No. 33-2023, as attached hereto as Exhibit “2” and incorporated herein by reference.
- 4) A copy of a map of the City of Brunswick indicating the annexation and change in boundary lines is attached hereto as Exhibit “3” and incorporated herein by reference.
- 5) Ohio Revised Code Section 503.07 states that:

“When the limits of a municipal corporation do not comprise the whole of the township in which it is situated, or if by change of the limits of such corporation include territory lying in more than one township, the legislative authority of such municipal corporation, by a vote of the majority of the members of such legislative authority, may petition the board of county commissioners for a change of township lines in order to make them identical, in whole or in part, with the limits of the municipal corporation, or to erect a new township out of the portion of such township included within the limits of such municipal corporation. The board, on presentation of such petition, with the proceedings of the legislative authority authenticated, at a regular or adjourned session, shall upon the petition of a city change the boundaries of the township or erect such new township, and may upon the petition of a village change the boundaries of the township or erect such new township.”
- 6) Ohio Revised Code Section 503.07 required the Board of County Commissioners to change the boundary lines upon the petition of the City.

WHEREFORE, the undersigned respectfully requests that this Board change the boundary lines of the City of Brunswick and Brunswick Hills Township to reflect the annexation detailed herein.

Carl S. DeForest, City Manager

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

SWORN TO BEFORE ME and subscribed in my presence this ____ day of _____, 2023.

NOTARY PUBLIC

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 36-2023

BY: Committee-of-the-Whole

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO FORWARD A
PETITION FOR DETACHMENT TO THE MEDINA COUNTY
COMMISSIONER’S OFFICE FOR THE PURPOSE OF ADJUSTING THE
CITY BOUNDARY LINES TO INCLUDE AN ANNEXATION INTO THE
CITY OF BRUNSWICK OF PPN 001-02D-08-009.

WHEREAS: A Petition for Annexation of certain territory in Brunswick Hills Township was duly filed by a property owner located in the territory of Brunswick Hills (PPN 001-02D-08-009);

WHEREAS: Said Petition was duly considered by the Board of County Commissioners of Medina County;

WHEREAS: The Board of County Commissioners certified the transcript of this proceeding in connection with said annexation with the map and Petition required in connection therewith to the Clerk of Council;

WHEREAS: The appropriate time frames have elapsed in accordance with the provisions of the Ohio Revised Code Section 709.04;

WHEREAS: The City of Brunswick passed legislation accepting the proposed annexation per Resolution No. 33-2023 adopted on May 8, 2023;

WHEREAS: The City wishes to petition the Medina County Commissioners Office for detachment for the purposes of adjusting the City boundary lines to include this annexation into the City of Brunswick; and

WHEREAS: The Petition is being filed to comply with all relevant provisions of Ohio Revised Code Chapters 503 and 709.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The City Manager is authorized to forward a Petition for detachment to the Medina County Commissioner’s Office for the purpose of adjusting the City boundary lines to include this annexation into the City of Brunswick pursuant to all relevant provisions of Ohio Revised Code Chapters 503 and 709. A copy of said Petition is attached hereto as Exhibit “A”.

SECTION 2: The annexation to be included in the boundary adjustment is contained in Resolution No. 33-2023. A copy of said Resolution is attached hereto as Exhibit "B".

SECTION 3: Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES ____ NAYS ____

ATTEST: _____
Clerk of Council
Laura E. Timura

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 33-2023

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF A 1.5 ACRE PARCEL OF LAND (PPN 001-02D-08-009) KNOWN AS BEING PART OF BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO.

WHEREAS: On January 31, 2023, the Medina County Commissioners adopted Resolution No. 23-0100, as attached hereto as Exhibit "A", approving the Petition for Regular Annexation on Application of Owner of 1.5 acres of land (PPN 001-02D-08-009 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 March 3, 2023; and

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

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

SECTION 1: That the Petition for Regular Annexation on Application of Owner of 1.5 acres of land (PPN 001-02D-08-009) 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 5/8/2023

RULES SUSPENDED: AYES 5 NAYS 0

ADOPTED: 5/8/2023 AYES 5 NAYS 0

ATTEST:

Laura Timura

Clerk of Council

Laura E. Timura

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 5/8/2023

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. 33-2023** - An emergency resolution accepting the petition for annexation of a 1.5 acre of land (PPN 001-02D-08-009) known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: On January 31, 2023, the Medina County Commissioners adopted Resolution No. 23-0100 approving the Petition for Regular Annexation on Application of Owner of 1.5 acres of land known as being part of Brunswick Hills Township to the City of Brunswick. 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.

PURPOSE AND EXPLANATION: This legislation is to accept 1.5 acres of land from Brunswick Hills Township into the City of Brunswick. Resolution 110-2022 was adopted on December 12, 2022, declaring the City's intention to provide municipal services.

IMPLEMENTATION SCHEDULE: One reading , emergency with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommendation to adopt as an emergency with suspension of the rules so that it will be effective immediately.

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 110-2022

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 1.5 ACRE PARCEL OF LAND (PPN 001-02D-08-009) ON LAUREL ROAD.

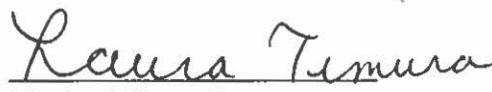
- WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick, and
- WHEREAS: The City of Brunswick does not object to this Petition.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:
- SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 1.5 acres of land on Laurel Road (PPN 001-02D-08-009), 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 January 24, 2023 hearing date. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading 12/12/2022

Rules Suspended: AYES 6 NAYS 0

ADOPTED: 12/12/2022 AYES 6 NAYS 0

ATTEST:


Clerk of Council
Laura E. Timura

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 12/12/2022

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. 110-2022** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.5 acre parcel of land (PPN 001-02D-08-009) on Laurel Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

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

PURPOSE AND EXPLANATION: The approved legislation must be filed with the Medina County Commissioners' Office by January 4, 2023.

IMPLEMENTATION SCHEDULE: Emergency, with suspension of the rules

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

Medina County Commissioners

Stephen D. Hambley
Aaron M. Harrison
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

March 3, 2023

VIA HAND DELIVERY

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

RE: Regular Annexation Petition
1.50 Acres - Brunswick Hills Township and the City of Brunswick

Dear Laura:

For your records, enclosed are Resolution 23-0100 approving the petition for annexation of 1.50 acres of land known as being part of Brunswick Hills Township to the City of Brunswick Medina County approved on January 31, 2023, a certified copy of the minutes of the January 24, 2023 annexation hearing, a certified copy of the minutes of the January 31, 2023 commissioners' meeting and the plat.

If you have any questions, please feel free to contact our office.

Thank you.



Rhonda Beck
Clerk, Board of County Commissioners

Enc.

I received the annexation file and plat for the above-referenced annexation this ____ day of _____, 2023.


Council Clerk

cc: Fiscal Officer, Brunswick Hills Township
John Oberholtzer, Esq. – Agent for Petitioner
Medina County Auditor

REGULAR MEETING – TUESDAY, JANUARY 31, 2023

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

Stephen D. Hambley

Aaron M. Harrison

Colleen M. Swedyk

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

RESOLUTION NO. 23-0100

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

WHEREAS, a petition for annexation of 1.50 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio was filed with the Clerk of the Board of Medina County Commissioners on November 15, 2022 in accordance with Ohio Revised Code Section 709.02 and 709.11, 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 January 24, 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
 - 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.

Commissioners Journal, Volume 206, Page 807

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 1/31/23
Chanda J. Bul

REGULAR MEETING – TUESDAY, JANUARY 31, 2023
RESOLUTION NO. 23-0100 (CONT'D.)

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 1.50 acres in Brunswick Hills Township, identified as PPN(s) 001-02D-08-009 owned by Karen A. King and Barbara M. Petro located at 3546 Laurel Road, Brunswick, Ohio 44212. It is not unreasonably large and is adjacent and contiguous to the land of the municipal corporation of the City of Brunswick;
- 2) Two individual persons 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. 110-2022 adopted December 12, 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 1.50 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.

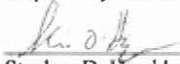
BE IT FURTHER RESOLVED that upon journalization of this resolution, a certified copy of this resolution be sent to the agent for the petitioners, the fiscal officer of the township, and clerk of the municipality.

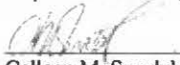
BE IT FURTHER RESOLVED that after the expiration of thirty (30) days after journalization of this resolution, if no appeal has been timely filed under section 709.07 of the Ohio Revised Code, a certified copy of the entire record of the annexation proceedings, including all resolutions of the board, signed by a majority of the members of the board, the petition, map, and all other papers on file, the record of proceedings, if a copy is available, and exhibits presented at the hearing relating to the annexation proceedings, shall be sent to the auditor or clerk of the municipal corporation to which the annexation is proposed.

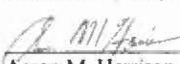
Voting AYE thereon: Mr. Hambley, Mr. Harrison and Mrs. Swedyk

Adopted: January 31, 2023

Prepared by: Commissioners' Office


Stephen D. Hambley


Colleen M. Swedyk


Aaron M. Harrison

REC'D MEDINA COUNTY CO
NOV 15 2022 PM 8:26

BOARD OF COMMISSIONERS
MEDINA COUNTY OF OHIO
144 NORTH BROADWAY STREET
MEDINA, OHIO 44256

John C. Oberholtzer
39 Public Square Ste 201
Medina Oh 44256
AGENT

PETITION FOR ANNEXATION OF 1.5
REGULAR TYPE THERE ARE 2 OWNERS
BARBARA M. PETRO AND KAREN A. KING

We, the undersigned, being all of the owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Brunswick, Medina County, Ohio, being filed under **Sections 709.02 & 709.11** of the Revised Code of Ohio.

Petitioners have 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".

The described territory hereto and made a part of this petition, an accurate map* or plat of the territory sought to be annexed, marked as Exhibit "B".

John C. Oberholtzer is hereby appointed agent for the undersigned Petitioners 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.

John C. Oberholtzer
John C. Oberholtzer

John C. Oberholtzer
(Typed or printed name of agent)

39 Public Square Ste 201
Address

Medina, Oh 44256

330-725-4929
Phone Number/Fax Number

joberholtzer@medinalaw.com
Email Address (if applicable)

ACKNOWLEDGEMENT CERTIFICATE

State of Ohio, County of Medina

The foregoing instrument was acknowledged before me on this 15th (date) by
November (name of person acknowledging).

(Notary Seal)



GWENDOLYN EHRLMAN
Notary Public
State of Ohio
My Comm. Expires
March 23, 2027

Gwendolyn Ehrman
Signature of Notary Public

State of Ohio My commission expires: 2027 (date)

[Signature]

3546 Laurel Road, Brunswick, OH 44212

11/14/2022

ACKNOWLEDGEMENT CERTIFICATE

State of Ohio, County of Medina

The foregoing instrument was acknowledged before me on this 11/14/2022 (date) by
Karen A. King (name of person acknowledging).

(Notary Seal)



JOHN C. OBERHOLTZER
Attorney at Law
NOTARY PUBLIC, STATE OF OHIO
My Commission Has No Expiration Date
Section 147.03 O.R.C.

[Signature]
Signature of Notary Public

State of Ohio My commission expires: _____ (date)

Prepared by:
John C. Oberholtzer
Oberholtzer & Filous LPA
39 Public Square Suite 201
Medina, Oh 44256
330-725-4929

SIGNATURE OF PETITIONER, TYPED NAME AND ADDRESS:


3546 Laurel Road, Brunswick, OH 44212

DATE:

11/14/2022

ACKNOWLEDGEMENT CERTIFICATE

State of Ohio, County of Medina

The foregoing instrument was acknowledged before me on this 11/14/2022 (date) by
Barbara M. Petro (name of person acknowledging).



(Seal)
JOHN C. OBERHOLTZER
Attorney at Law
NOTARY PUBLIC, STATE OF OHIO
My Commission Has No Expiration Date
Section 147.03 O.R.C.


Signature of Notary Public

State of Ohio My commission expires: _____ (date)

List of adjacent property owners

Supino, LLC
3564 Laurel Road, Brunswick, OH 44212
P.N. 003-18D-16-103

John Kalembe & Rosemary Kalembe
3556 Laurel Road, Brunswick, OH 44212
P.N. 003-18D-16-104

Leslie E. Phillips & RoseMary Phillips
1817 Berkshire Drive, Brunswick, OH 44212
P.N. 003-18D-16-105

Randy P. Arnold
1825 Berkshire Drive, Brunswick, OH 44212
P.N. 003-18D-16-106

Albert R. Hreha & Margaret R. Hreha
1835 Berkshire Drive, Brunswick, OH 44212
P.N. 003-18D-16-107

Martha G. Green
1843 Berkshire Drive, Brunswick, OH 44212
P.N. 003-18D-16-108

Michael J. Monk
1853 Berkshire Drive, Brunswick, OH 44212
P.N. 003-18D-16-109

Beatrice B. Tripp
3530 Laurel Road, Brunswick, OH 44212
P.N. 001-02D-08-010

Florine Schultz
3500 Laurel Road, Brunswick, OH 44212
P.N. 001-02D-08-008

List of property owners to be Annex

Karen A. King & Barbara M. Petro
3546 Laurel Road, Brunswick, OH 44212
P.N. 001-02D-08-009

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. 14, Tract 3, McCurdy Tract,
and bounded and described as follows: commencing at a point in the center of Laurel Road (C.H.
138) at a point 2148.9 feet east from the West line of said Lot 14, and in the East line of
Coventry Terrace Phase I, as recorded in Plat Volume 7, Page 28, of Medina County Recorder's
Records, a part of Brunswick City;
Thence S. 2 deg. 45' W. along the East line of the aforesaid subdivision, 495.0 feet to an iron
stake;
thence S. 88 deg. 15' E. 132.0 feet to an iron stake;
thence N. 2 deg. 45' E. 495.0 feet to the center of Laurel Road;
thence N. 88 deg. 15' W. along the center of said road 132.0 feet to the place of beginning, and
containing within said boundaries (1-1/2) acres of land, as surveyed by A.W. Nettleton,
Registered Surveyor No. 1577, on August 10, 1936, be the same more or less, but subject to all
legal highways.



PLAT OF REGULAR ANNEXATION

of 1.5000 Acres in Brunswick Hills
Township to the City of Brunswick

Situated in the Township of Brunswick Hills Township, County of Medina
and State of Ohio and known as being a part Original Brühswick Township
Lot 14, McCurdy Tract, Tract 3

This Plat was prepared from analysis of recorded plats, recorded deeds, and survey records, as applicable. Distances are given in feet and decimal parts thereof. All dimensional and geodetic details are correct and the survey balances and closes to the best of my knowledge.

11-7-2022
ANDREW G. PLANET REG. OHIO SURVEYOR NO. S-7802



ROLLING & HOCEVAR, INC. CIVIL ENGINEERS, SURVEYORS

257 SOUTH COURT STREET SUITE 6 - MEDINA, OHIO 44256

PHONE: (330) 723-1828 FAX: (330) 723-6637

ACCEPTANCE & DEDICATION

I, THE UNDERSIGNED OWNER OF THE LANDS EMBRACED WITHIN THIS PLAT, HEREBY ACKNOWLEDGE THIS PLAT AND HAVE CAUSED THE SAME TO BE PLATTED AND ANNEXED TO THE CITY OF BRUNSWICK.

KAREN A. KING

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KAREN A. KING, WHO ACKNOWLEDGED THE MAKING OF THE FOREGOING INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE HER FREE ACT AND DEED.

IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT _____, OHIO, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

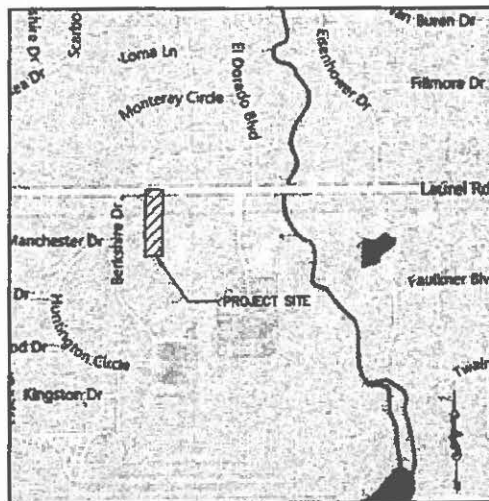
I, THE UNDERSIGNED OWNER OF THE LANDS EMBRACED WITHIN THIS PLAT, HEREBY ACKNOWLEDGE THIS PLAT AND HAVE CAUSED THE SAME TO BE PLATTED AND ANNEXED TO THE CITY OF BRUNSWICK.

BARBARA M. PETRO

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BARBARA M. PETRO, WHO ACKNOWLEDGED THE MAKING OF THE FOREGOING INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE HER FREE ACT AND DEED.

IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT _____, OHIO, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC



VICINITY MAP

APPROVALS

THIS PLAT WAS DULY ACCEPTED BY THE BRUNSWICK CITY COUNCIL AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 20____, ORDINANCE NO. _____.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

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

COMMISSIONER

COMMISSIONER

COMMISSIONER

APPROVED FOR TRANSFER THIS _____ DAY OF _____, 20____.

TAX MAP DRAFTSMAN

RECEIVED FOR TRANSFER THIS _____ DAY OF _____, 20____.

COUNTY AUDITOR

RECEIVED AND RECORDED THIS _____ DAY OF _____, 20____.

AT _____ A.M./P.M. IN DOCUMENT NO. _____.

FEE \$ _____.

MEDINA COUNTY RECORDER

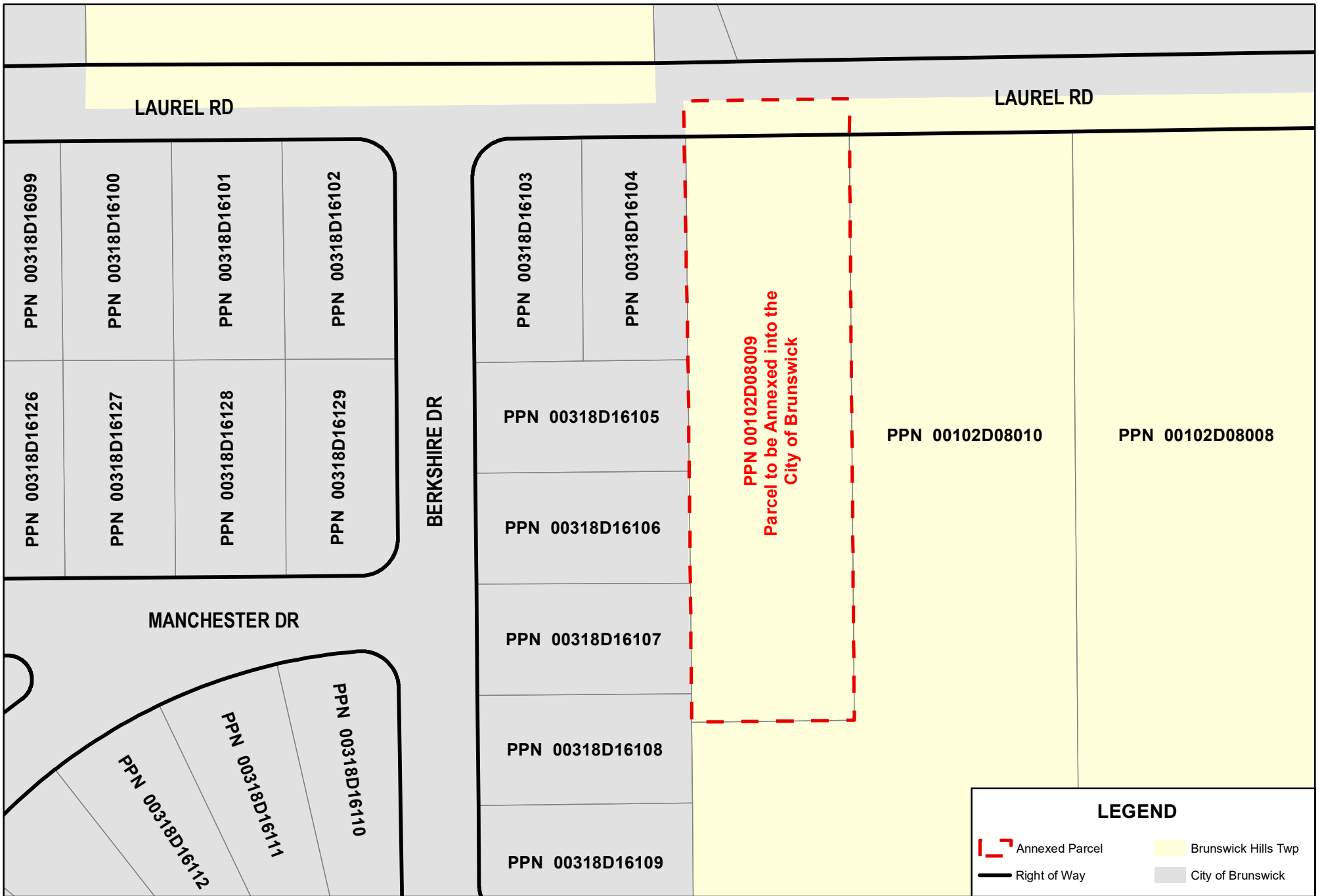


EXHIBIT 3

ANNEXATION FOR THE CITY OF BRUNSWICK

LEGEND

Annexed Parcel

Brunswick Hills Twp

Right of Way

City of Brunswick

N

1 inch = 100 feet

0 50 100 200 Feet

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 110-2022

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 1.5 ACRE PARCEL OF LAND (PPN 001-02D-08-009) ON LAUREL ROAD.

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

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

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

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 1.5 acres of land on Laurel Road (PPN 001-02D-08-009), 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 January 24, 2023 hearing date. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading 12/12/2022

Rules Suspended: AYES 6 NAYS 0

ADOPTED: 12/12/2022 AYES 6 NAYS 0

ATTEST: Laura Timura
Clerk of Council
Laura E. Timura

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 12/12/2022

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. 110-2022** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.5 acre parcel of land (PPN 001-02D-08-009) on Laurel Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

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

PURPOSE AND EXPLANATION: The approved legislation must be filed with the Medina County Commissioners' Office by January 4, 2023.

IMPLEMENTATION SCHEDULE: Emergency, with suspension of the rules

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION: Emergency, with suspension of the rules

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

If emergency or suspension of the rules, why the request?
The approved legislation must be filed with the Medina County Commissioners' Office by January 4, 2023.

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

November 14, 2022

VIA Email – petrobarb56@gmail.com

Barbara M. Petro
9553 Scottsdale Road
Broadview Heights, OH 44147

RE: Petition for Regular Annexation – 1.50 acres
Brunswick Hills Township to the City of Brunswick

Dear Ms. Petro,

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, January 24, 2023, at approximately 10:30 a.m. A court reporter will be present at this hearing.

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

PROPOSED LEGISLATION



DATE: 6/26/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Brian Ohlin

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 44-2023** - An ordinance establishing Section 432.47 of the City of Brunswick Codified Ordinances Titled "Distracted Driving." - **2nd Reading** (Safety & Environment Committee, *Administration/Robert Safran*)

BACKGROUND: On or about December 14, 2022 the Ohio General Assembly adopted Senate Bill 288 wherein Ohio Revised Code Section 4511.204 was revised to prohibit distracted driving through the use of electronic wireless communication devices.

PURPOSE AND EXPLANATION: Update the city ordinance chapter on the basis of Senate Bill 288.

IMPLEMENTATION SCHEDULE: To become law following 3 readings and 30 days.

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?

ADDITIONAL

INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 44-2023

BY: Mr. Kuczma, Mr. Delsanter, Mrs. Piper

AN ORDINANCE ESTABLISHING SECTION 432.47 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES TITLED “DISTRACTED DRIVING”.

WHEREAS: On or about December 14, 2022, the Ohio General Assembly adopted Am. Sub. S.B. 288 wherein Ohio Revised Code Section 4511.204 was revised to prohibit distracted driving through the use of electronic wireless communication devices.

WHEREAS: The provisions of revised Ohio Revised Code Section 4511.204 contained in Am. Sub. S.B. 288 became effective on April 4, 2023, wherein written warnings are required to be issued during the first six (6) months.

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

SECTION 1: That Section 432.47 of the Codified Ordinances is hereby established to read as follows:

“432.47 DISTRACTED DRIVING.

- (A) No person shall operate a motor vehicle, trackless trolley, or streetcar on any street, highway, or property open to the public for vehicular traffic while using, holding, or physically supporting with any part of the person’s body an electronic wireless communications device.
- (B) Division (A) of this section does not apply to any of the following:
 - (1) A person using an electronic wireless communications device to make contact, for emergency purposes, with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;
 - (2) A person driving a public safety vehicle while using an electronic wireless communications device in the course of the person’s duties;
 - (3) A person using an electronic wireless communications device when the person’s motor vehicle is in a stationary position and is outside a lane of travel, at a traffic control signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;
 - (4) A person using and holding an electronic wireless communications device directly near the person’s ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;
 - (5) A person receiving wireless messages on an electronic wireless

communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;

- (6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;
 - (7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body.
 - (8) A person using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body.
 - (9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;
 - (10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;
 - (11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;
 - (12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body.
 - (13) A person storing an electronic wireless communications device in a holster, harness, or article of clothing on the person's body.
- (C)
- (1) Whoever violates division (A) of this section is guilty of operating a motor vehicle while using an electronic wireless communication device, an unclassified misdemeanor.
 - (a) Except as provided in divisions (C)(1)(b), (c), (d) and (2) of this section, the court shall impose upon the offender a fine of not more than one hundred fifty dollars.

- (b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section, Ohio Revised Code Section 4511.204 or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.
 - (c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section, Ohio Revised Code Section 4511.204 or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.
 - (d) Notwithstanding divisions (C)(1)(a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with Ohio Revised Code Section 4511.98 or a substantially equivalent municipal ordinance, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (C)(1)(a), (b) or (c) of this section.
 - (2) In lieu of payment of the fine of one hundred fifty dollars under division (C)(1)(a) of this section and the assessment of points under division (C)(4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in Ohio Revised Code Section 4511.991. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine and shall not have the points assessed against that offender's driver's license if the offender submits the written evidence to the court.
 - (3) The court may impose any other penalty authorized under Ohio Revised Code Sections 2929.21 to 2929.28. However, the court shall not impose a fine or a suspension not otherwise specified in division (C)(1) of this section. The court also shall not impose a jail term or community residential sanction.
 - (4) Except as provided in division (C)(2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with Ohio Revised Code Section 4510.036.
 - (5) The offense established under this section is a strict liability offense and Ohio Revised Code Section 2901.20 does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.
- (D)
- (1) A law enforcement officer does not have probable cause and shall not stop the operator of a motor vehicle for purposes of enforcing this

section unless the officer visually observes the operator using, holding, or physically supporting with any part of the person's body the electronic wireless communications device.

- (2) A law enforcement officer who stops the operator of a motor vehicle, trackless trolley, or streetcar for a violation of division (A) of this section shall inform the operator that the operator may decline a search of the operator's electronic wireless communications device. The officer shall not do any of the following:

- (a) Access the device without a warrant, unless the operator voluntarily and unequivocally gives consent for the officer to access the device;
- (b) Confiscate the device while awaiting the issuance of a warrant to access the device;
- (c) Obtain consent from the operator to access the device through coercion or any other improper means. Any consent by the operator to access the device shall be voluntary and unequivocal before the officer may access the device without a warrant.

- (E) As used in this section"

- (1) "Electronic wireless communications device" includes any of the following:
- (a) A wireless telephone;
 - (b) A text-messaging device;
 - (c) A personal digital assistant;
 - (d) A computer, including a laptop computer and a computer tablet;
 - (e) Any device capable of displaying a video, movie, broadcast television image, or visual image;
 - (f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

- (2) "Voice-operated or hands-free feature or function" means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.
- (3) "Utility" means an entity specified in Ohio Revised Code Section 4905.03(A), (C), (D), (E) or (G).
- (4) "Utility service vehicle" means a vehicle owned or operated by a utility."

SECTION 2: (A) As used in this section, “interim period” means the period of time beginning on April 4, 2023 and ending six months thereafter.

(B) Notwithstanding any provision of law to the contrary, during the interim period, a law enforcement officer may stop a motor vehicle operator for an action that is a violation of City of Brunswick Codified Ordinance Section 432.47 or Ohio Revised Code Section 4511.204. In lieu of issuing the person a ticket, citation, or summons, the law enforcement officer shall issue the person a written warning explaining the provisions of City of Brunswick Codified Ordinance Section 432.47 or Ohio Revised Code Section 4511.204. The written warning may notify the person of the specific date after the interim period when law enforcement officers are authorized to begin issuing tickets, citations, and summons for violations of City of Brunswick Codified Ordinance Section 432.47 or Ohio Revised Code Section 4511.204.

(C) After the interim period, a law enforcement officer may issue a ticket, citation, or summons for a violation of City of Brunswick Codified Ordinance Section 432.47 or Ohio Revised Code Section 4511.204.

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____

AYES _____

NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 6/26/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Taylor Petkovsek

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 47-2023** - An emergency resolution authorizing the City Manager to enter into an agreement with HDI-Enterprises to refinish the gymnasium floor at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,000.00. - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/Taylor Petkovsek*)

BACKGROUND: On March 27, 2023, City Council approved a motion for the Brunswick Community Recreation & Fitness Center to request proposals for gymnasium floor refinishing. Motion was approved 7-0. Request for proposals were advertised on 4/11 and 4/18 with a closing date of 5/8. Two proposals were received.
Review committee score sheets included. Awarded to HDI-Enterprises.

The BCRFC basketball gymnasium floor is original to the facility opening in 1991. Annually, for the last decade at a minimum, we have been performing annual maintenance on the floor. The annual maintenance is a light scrub, and applying two coats of water-based urethane. Based on the age of the original wood floor, we must invest in a full gym floor sanding, painting and finishing. This work is the next best option below a new basketball gymnasium floor. The work that would be completed is; sand the gym floor with coarse, medium fine and extra fine grades of sandpaper, boards that are warped or damaged will be replaced, apply oil base gym floor sealer, paint basketball, pickleball and a new logo, install new baseboards. This would extend the life of our gymnasium floor for potentially another 30 years.

**PURPOSE AND
EXPLANATION:**

IMPLEMENTATION

SCHEDULE: 1st reading: 6/26
2nd reading: 7/10
3rd reading: 7/24
Would plan for work in August

FINANCIAL

INFORMATION:

FINANCIAL

SUMMARY:

Gymnasium floor refinishing has been budgeted in the Capital Improvement Fund - Account #300-0522-56250. In an amount not to exceed \$43,000.00.

The original budget included \$40,000 for this project plus an additional \$3,000 in unused appropriations related to the playground improvement project.

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?
Recommending 3 readings with emergency. Due to the gymnasium schedule (youth fall basketball league and men's league) we are requesting 3 readings with emergency so that the work could be completed in August 2023 and be ready for youth/adult programming in the Fall.

**ADDITIONAL
INFORMATION:**



HDI Enterprises LLC
10133 US 641 N.
Puryear, TN 38251
O: 731-247-5552
F: 731-247-5554
C: 731-363-5142
HDI-Enterprises.com
Thomas@hid-enterprises.com

Proposal

PROJECT: Brunswick Community Recreation and Fitness Center RFP#2023-001 Gymnasium Refinishing
3637 Center Rd.
Brunswick, Oh 44212

TO: City of Brunswick Director of Parks and Recreation
4095 Center Rd.
Brunswick, Oh 44212

FROM: HDI Enterprises LLC - Thomas Kopriva (Operations Manager)
10133 Hwy 641 N
Puryear, Tn 38251

SCOPE: Refinish and Repair Gymnasium Floor Approx. 8910 sq.ft.

TO BE COMPLETED FOR THE TOTAL SUM OF:

Forty three thousand dollars and zero cents \$43,000.00

Please acknowledge this document to act as and be considered now and from now henceforth a/the Proposal From HDI Enterprises LLC to provide the following to: City of Brunswick :

Sand Gym floor down to bare wood per MFMA guidelines, repair up to one thousand sq.ft. Of damaged wood, seal with 2 coats of oil based sealer, paint games lines (1) one main basketball court, (2) two crossing side basketball courts, (2) two volleyball courts and (3) three pickleball courts and 2 color center court logo, contained within center court, as designed by owner after award. If more than 2 colors are desired please add an additional \$1500.00 per color. Apply 2 coats of oil based finish. Furnish and install 4" black bases around perimeter of floor and furnish and install 6" metal thresholds.

Terms: To be paid per bid docs.

Only such work as described above or attached hereto or sent separately such as specs, installation instructions, drawings, renderings and or plans that are made note of or mentioned above will be provided. Which supersedes all previous if any proposals or agreements verbal or written. Unless otherwise agreed upon in writing the all scopes will be performed with strict accordance to attached Specs and installation instructions which will at all times be approved and or recommended by manufacturer and will be in accordance with all MFMA standards. HDI Enterprises LLC is an Approved Licensed MFMA Sports Flooring Contractor which can be easily confirmed by visiting www.MFMA.org.

SUBMITTED BY:  **DATE:** 5-4-2023

PRINT: Thomas Kopriva Jr. HDI Enterprises LLC

APPROVED: _____

PRINT: _____

PROPOSAL SIGNATURE FORM

This page, signed by an officer of the offering company or a designated agent empowered to bind that entity in a contract with the City of Brunswick, is required to accompany the proposal submitted for consideration. If signed by someone other than an officer, complete and submit the Proposal Signature Affidavit along with this form.

I, the undersigned, having carefully examined the Request for Proposals (RFP), propose to furnish services in accordance therewith as set forth in the attached proposal.

I hereby certify that, to the best of my knowledge, this submission is complete and all statements made therein are true and accurate.

I also affirm I am duly authorized to sign and submit this response on behalf of the Company named below.

By my signature below, I attest that I have read, understand, and agree to the terms, conditions, and requirements set forth in the RFP, including any special terms and conditions incorporated in the solicitation documents.

Failure to sign and return this form shall result in the rejection of the accompanying proposal.

OFFEROR INFORMATION:

COMPANY NAME:

HDI Enterprises LLC

ADDRESS:

10133 Hwy 641 N

CITY, STATE, ZIP:

Puryear, Tn 38251

PHONE: 731-247-5552

EMAIL: Thomas@hdi-enterprises.com

AUTHORIZATION TO PROPOSE:


Signature (Manually signed in ink)

Thomas Kopriva Jr.
Name (print)

5-4-2023
Date

Operations Manager
Title

PROPOSAL SIGNATURE AFFIDAVIT

COUNTY OF: HENRY

STATE OF: TENNESSEE

Kimberly Rogers, being duly sworn deposes and says that he/she is
(NAME OF AFFIANT)*

Contract Admin of HDI ENTERPRISES LLC
(TITLE) (COMPANY)

a corporation organized and existing under and by virtue of the laws of the State of
TENNESSEE and having its principle office at

10133 Hwy 641 N Puryear, TN 38251
(NUMBER AND STREET) (CITY/STATE) (ZIP CODE)

Affiant further says that he/she is familiar with the records, minute books and by-laws of

HDI Enterprises LLC; Affiant further says that
(NAME OF COMPANY)

THOMAS KOPRIVA JR is OPERATIONS MANAGER
(NAME OF PERSON SIGNING PROPOSAL/CONTRACT) (TITLE)

of the corporation, is duly authorized to submit a proposal for BRUNSWICK Community Recreation & Fitness Center Gym Floor Refinishing
(CONTRACT OR PROJECT NAME)

for said corporation by virtue of

By laws
(STATE WHETHER A PROVISION OF BY-LAWS OR A RESOLUTION OF THE BOARD OF DIRECTORS. IF BY RESOLUTION, GIVE DATE OF ADOPTION.)

[Signature]
(SIGNATURE OF AFFIANT)*

AFFIANT MUST BE SOMEONE OTHER THAN THE INDIVIDUAL SIGNING THE PROPOSAL/CONTRACT.

Sworn to before me and subscribed in my presences this 4 day of May, 2023.

Stefanie Collins
(NOTARY PUBLIC)

My Commission Expires: 03/05/26



Jamee S. Gerrick

From: Thomas Kopriva <thomas@hdi-enterprises.com>
Sent: Monday, May 22, 2023 10:03 AM
To: Jamee S. Gerrick; Kim Rogers
Subject: Re: Gymnasium Floor Refinishing Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning. I hope all is well!.. Just getting close to d day with our baby boy coming soon. Im pretty sure he will be coming early. I have a few site visits I need to make over the next couple days but want to make sure I get these answered before leaving.

Thank you for your submitted proposal for our Gymnasium Floor Refinishing Project. Our RFP Selection Committee is requesting the following information:

1. Photographic materials displaying previous experience completing similar jobs. pics in the following email
2. Detailed information displaying the price structure and how the financial figures within your proposal were built. We resand alot of floors on a annual basis. We have a average amount of time that it takes us to complete these by square foot so essentially applied that figure to the square footage of this project and come up with our contract price. One of our Forman's lives about a hour away from this facility and is anxious to be apart of this project so we bid a little lower than normal and threw in the center court logo as a cherry on the cake to make it easier for you to select us. The last time we were out there we noticed there was a area under the basketball goals that was a little soft and may be in need of replacing so we included a allowance up to 1k sq feet to cover this repair and any others that we may find . We have alot of this wood in stock and repairing those areas are rather simple for us so we didnt attach any extra dollars to that. *Worst part of court*
3. An anticipated timeline for when the project can begin on your company's schedule as well as a projection for the length or time the job would take to be completed. We have openings in June as early as the first week at this point. The job duration would be 2 weeks or less

Much better than 6-7 weeks...

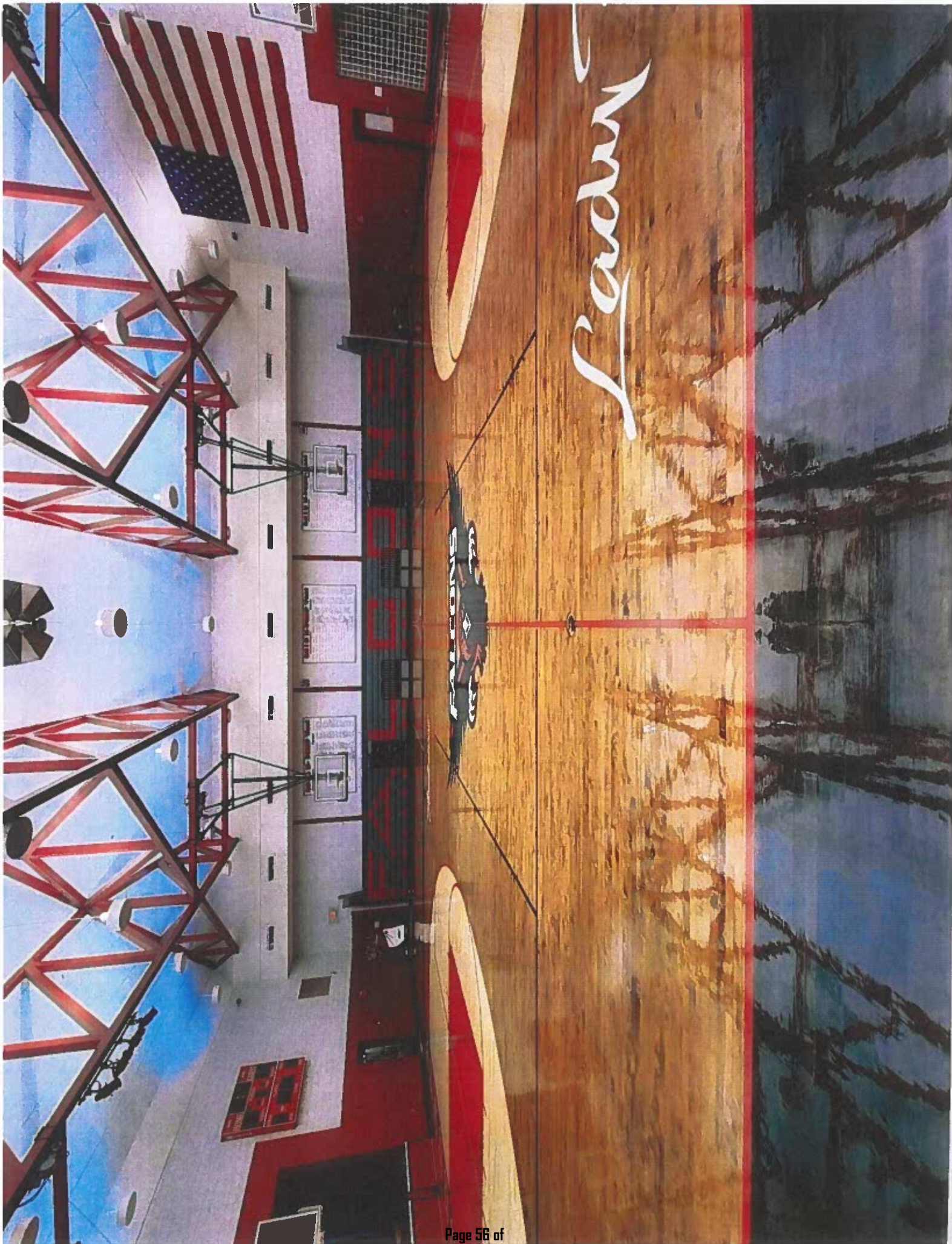
Thomas F. Kopriva Jr.











HOME OF THE LADY FALCONS & FALCONS

HOME OF THE LADY FALCONS & FALCONS



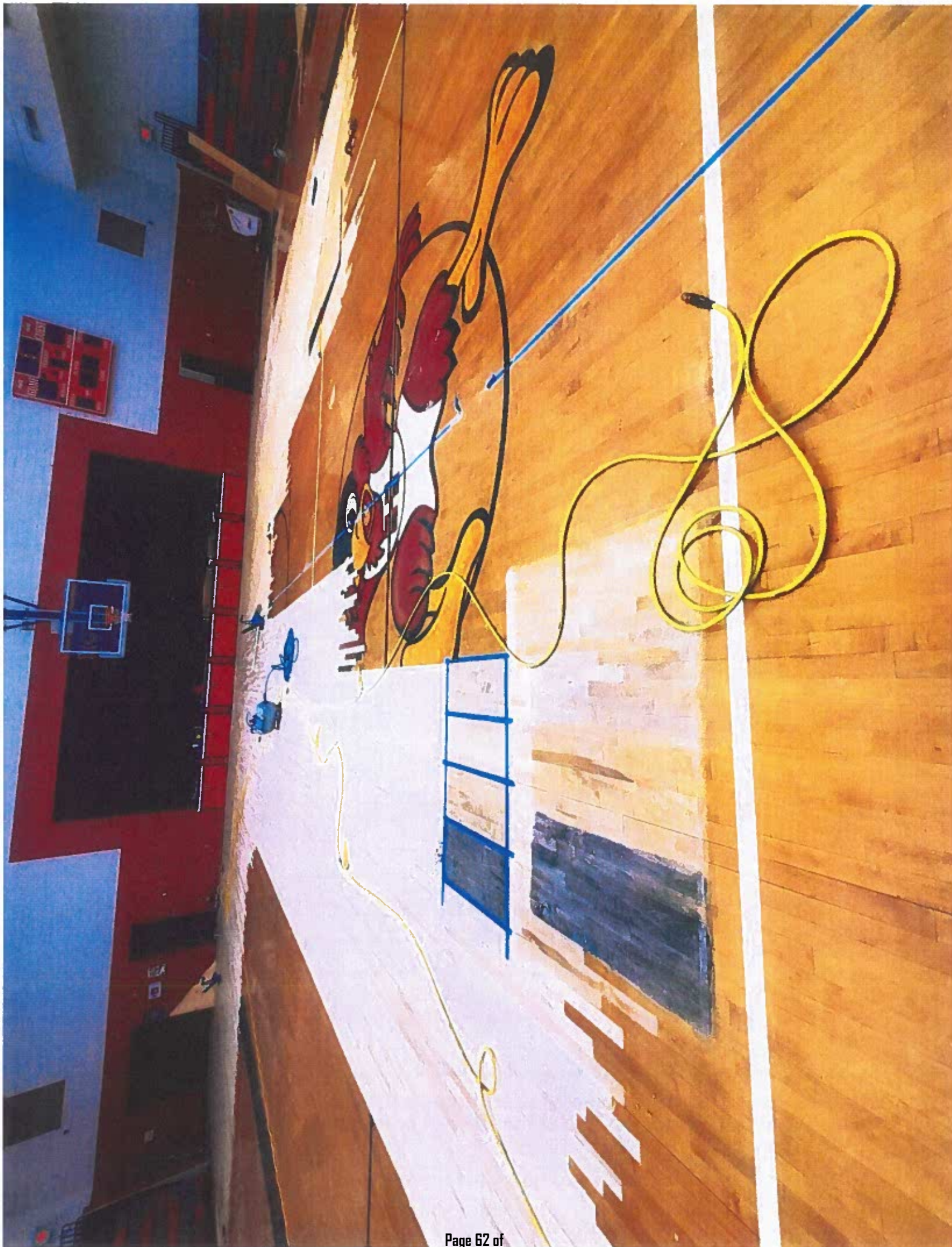
Go Big
RED



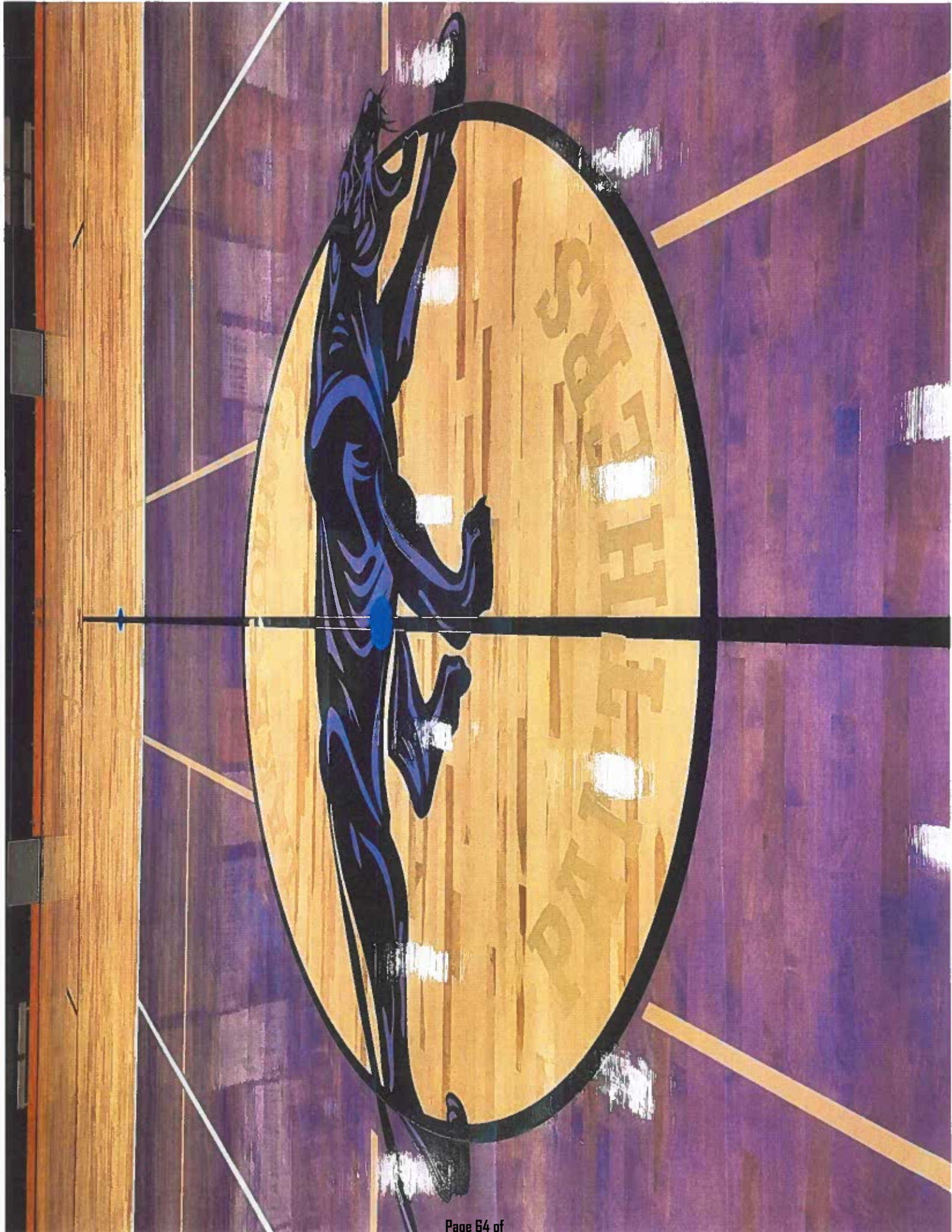












2023 Gymnasium Floor Refinishing Project
RFP 2023-001

Submitted By: HDI - Enterprises LLC
Scored By: Jared Dingess
Date Scored: 5-26-2023

	SCORING		
	NO (0 pts)	MEETS (3 pts)	EXCEEDS (5 pts)
Proposer submitted the designated written information to the City		X	
Prior experience of the Proposer in completing similar gymnasium floor resurfacing projects			X
Proposer's pricing structure		X	
Proposer's ability to meet anticipated completion date			X

Additional Comments:

- Availability and job duration are both fantastic. A couple weeks of down time in the middle of summer when the rec center generally has lower population.
- Previous job photographs look much more on par with the job we are proposing.
- Language of Thomas Kopriva (operations manager) sounded a lot more positive and enthusiastic to take on the job.

**2023 Gymnasium Floor Refinishing Project
RFP 2023-001**

Submitted By: HDI-Enterprises LLC
Scored By: Taylor Pethorsek
Date Scored: 5/27/23

	SCORING		
	NO (0 pts)	MEETS (3 pts)	EXCEEDS (5 pts)
Proposer submitted the designated written information to the City		✓	
Prior experience of the Proposer in completing similar gymnasium floor resurfacing projects			✓
Proposer's pricing structure			✓
Proposer's ability to meet anticipated completion date			✓

18/20

Additional Comments:

The additional information HDI-Enterprises supplied as requested was detailed and explained pricing structure. Included information about price structure in #2 suggested ^{how} why prices was determined. Better timeline to get job done.

2023 Gymnasium Floor Refinishing Project
RFP 2023-001

Submitted By: HDI Enterprises

Scored By: Samee Gerrick

Date Scored: 5/27/23

	SCORING		
	NO (0 pts)	MEETS (3 pts)	EXCEEDS (5 pts)
Proposer submitted the designated written information to the City		✓	
Prior experience of the Proposer in completing similar gymnasium floor resurfacing projects		✓	
Proposer's pricing structure			✓
Proposer's ability to meet anticipated completion date			✓

Additional Comments:

HDI provided a detailed layout of pricing including possible add-ons and repairs. HDI had a very exciting timeline for project from start to finish

2023 Gymnasium Floor Refinishing Project
RFP 2023-001

Submitted By: Cincinnati Floor Company
Scored By: Taylor Pethorsek
Date Scored: 5/27/23

	SCORING		
	NO (0 pts)	MEETS (3 pts)	EXCEEDS (5 pts)
Proposer submitted the designated written information to the City		✓	
Prior experience of the Proposer in completing similar gymnasium floor resurfacing projects		✓	
Proposer's pricing structure		✓	
Proposer's ability to meet anticipated completion date		✓	

12/20

Additional Comments:

provided all requested information.
price was competitive
timeline to complete seems long

2023 Gymnasium Floor Refinishing Project
RFP 2023-001

Submitted By: Cincinnati Floor Company
Scored By: Jamie Gerbick
Date Scored: 5/27/23

	SCORING		
	NO (0 pts)	MEETS (3 pts)	EXCEEDS (5 pts)
Proposer submitted the designated written information to the City		✓	
Prior experience of the Proposer in completing similar gymnasium floor resurfacing projects		✓	
Proposer's pricing structure		✓	
Proposer's ability to meet anticipated completion date		✓	

Additional Comments:

CFC did not include any pricing or potential costs for paint. Proposal is for a blank floor. CFC has a very long projection for gym shut-down time.

2023 Gymnasium Floor Refinishing Project
RFP 2023-001

Submitted By: Cincinnati Floor Company
Scored By: Jared Dingess
Date Scored: 5-26-2023

	SCORING		
	NO (0 pts)	MEETS (3 pts)	EXCEEDS (5 pts)
Proposer submitted the designated written information to the City		X	
Prior experience of the Proposer in completing similar gymnasium floor resurfacing projects		X	
Proposer's pricing structure		X	
Proposer's ability to meet anticipated completion date	X		

Additional Comments:

- No visible inclusion of finish around the exterior edges of the gym, which is important to the overall look and feel.
- Time frame: Not starting the project until August, and additionally requiring 6-7 weeks seems quite extensive
- Excluding basically any stain or graphics from the initial proposal makes the "sand and finish" figure seem a bit steep. Especially considering the job would visually look and seem unfinished.
- Images of previous jobs submitted looked really good, but we unfortunately aren't working with the finances of the university.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 47-2023

BY: Mrs. Piper, Mr. Kuczma, Mr. Smith

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HDI-ENTERPRISES TO REFINISH THE GYMNASIUM FLOOR AT THE BRUNSWICK COMMUNITY RECREATION AND FITNESS CENTER IN AN AMOUNT NOT TO EXCEED \$43,000.00.

WHEREAS: The City of Brunswick received two (2) bids to refinish the gymnasium floor at the Brunswick Community Recreation and Fitness Center, in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on May 8, 2023 with HDI-Enterprises 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 HDI-Enterprises, the lowest and best bidder, to refinish the gymnasium floor at the Brunswick Community Recreation and Fitness Center in an amount not to exceed \$43,000.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the project in August of 2023. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____

AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 6/26/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 48-2023** - An emergency ordinance establishing Chapter 416 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND:

**PURPOSE AND
EXPLANATION:**

As predicated by the City of Brunswick's home rule authority, the Council of the City of Brunswick intends to set limitations and restrictions for any potential construction of full or partial interchanges within the corporate limits of the City of Brunswick and/or any full or partial interchange that requires improvements to any public road within the corporate limits of the City of Brunswick.

IMPLEMENTATION

SCHEDULE: The earliest time allowed by law.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

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

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

It is necessary to immediately update the Codified Ordinances to preserve the City's

home rule authority as granted by the Ohio Constitution.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 48-2023

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE ESTABLISHING CHAPTER 416 OF THE
CITY OF BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Chapter 416 of the Codified Ordinances titled “Eisenhower Interstate Highway System - Interchanges” is hereby established to read as follows:

“416.01 Definitions.

- (a) “Eisenhower Interstate System” means those system of highways comprising the Eisenhower Interstate System within the National Highway System, as designated by the U.S. Department of Transportation, Federal Highway Administration, as located in the City of Brunswick.
- (b) “Interchange” means any full or partial interchange to or from the Eisenhower Interstate System located wholly or partially within the corporate limits of the City of Brunswick, any full or partial interchange that connects to or from any public road within the corporate limits of the City of Brunswick and/or any full or partial interchange that requires improvements to any public road within the corporate limits of the City of Brunswick.

416.02 Interchange Prohibitions.

- (a) Except as may be required pursuant to applicable Federal Law, the construction of any Interchange is prohibited without the approval of City Council pursuant to duly adopted legislation.”

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is necessary to immediately update the Codified Ordinances to preserve the City’s home rule authority as granted by the Ohio Constitution. 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 E. Timura

PROPOSED LEGISLATION



DATE: 6/26/2023

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. 49-2023** - An emergency resolution authorizing the City Manager to enter into an amended agreement to establish the Medina County Emergency Management Agency.
- **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: The Medina County Emergency Management Agency was first established through action taken by the Medina County Board of Commissioners in 1990 and approved by the majority of other political subdivisions, and was originally organized under ORC 5915. The Board of Commissioners have conferred with the EMA Executive Committee and the Medina County Prosecutor's office in numerous meetings and discussions and have agreed to submit the updated Agreement to participating subdivisions in Medina County for review and approval. The Amended Agreement has been composed to clarify terms and bring the EMA Agreement more clearly into compliance with statutory requirements.

PURPOSE AND EXPLANATION: For the coordination of emergency management services for the benefit of Medina County and its residents

IMPLEMENTATION SCHEDULE: As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes

Suspension of Rules Yes

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

Passage as an emergency measure is necessary to continue the Medina County
Emergency Management Agency consistent with applicable statutory requirements.

**ADDITIONAL
INFORMATION:**

AMENDED AGREEMENT TO ESTABLISH
THE MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY

WHEREAS, the Medina County Emergency Management Agency was first established through action taken by the Board of Commissioners of Medina County on January 6, 1990, through Resolution No. 90-39, and subsequently approved by a majority of the other political subdivisions in the County by either explicit approval of this Agreement, by resolution or ordinance, or by implicit approval through participation in the countywide emergency planning process and/or by choosing not to establish a separate program for emergency management; and

WHEREAS the Medina County Emergency Management Agency was originally organized under Ohio Revised Code 5915; and

WHEREAS, effective October 29, 1995, Ohio Revised Code Chapter 5915 was amended and re-codified by SB162 placing Emergency Management Agencies under Title 55 "Roads, Highways and Bridges"; and

WHEREAS all political subdivisions in Medina County have participated in the establishment of a countywide all-hazards emergency operations plan, cooperated in the preparation, and conduct of the annual exercise applicable to all political subdivisions in the County and no individual subdivision has submitted an independent all-hazards emergency management plan; and

WHEREAS the coordination of emergency management services for the benefit of Medina County and its residents continues to be of paramount importance to all of the local political subdivisions in the County; and

WHEREAS the undersigned political subdivisions desire to continue the coordination of emergency services through a countywide emergency management agency, in the manner provided by law, and particularly as provided in Ohio Revised Code Chapter 5502, and to exercise any and all powers set forth therein to coordinate and unify the emergency management activities of the participating subdivisions that do not opt to develop a separate and independent emergency operations plan; and

WHEREAS, it is further declared to be the purpose of this agreement and the policy of the participants hereto, that all emergency management functions of the participants be coordinated to the maximum extent with comparable functions of the State of Ohio and of the Federal government, including their various departments and agencies, and other states and localities, and of private agencies of every type, to the end that the most effective preparation and use can be made of the participants' manpower, resources and facilities for dealing with any disaster or emergency situation that may occur; and

WHEREAS it is hereby found and declared to be necessary to create a countywide emergency management agency to be known as the "Medina County Office of Emergency Management and Homeland Security" hereinafter referred to as MCEMA; to confer upon the executive committee and the director of emergency management, certain emergency powers provided herein; and to provide for the rendering of cooperation and mutual aid, if necessary,

to surrounding and contiguous political subdivisions of the State and adjoining states.

NOW, THEREFORE, BE IT AGREED:

1. That an organization to be known as the MCEMA be formed to perform the services of coordinating the emergency management activities within the County of Medina, by and between the political subdivisions herein, in accordance with the provisions hereinafter set forth.
2. That the MCEMA, hereby authorized, is to render the service of coordinating the emergency management activities of the parties hereto and to exercise for and on behalf of each party hereto such power and authority incident thereto as it may lawfully do, consistent with State statutes and such regulations as have been or shall be promulgated by the Governor of the State, the provisions of this resolution/ordinance/agreement as hereinafter set forth, and the power of the parties hereto authorized, in coordinating such emergency management activities with and within Medina County.
3. That a representative from each political subdivision entering into the agreement, selected by the political subdivision's chief executive, shall constitute a countywide advisory group for the purpose of appointing an executive committee under ORC Section 5502.26 through which the countywide agency shall implement emergency management in the county. The group shall meet at a time and place determined by the Board of County Commissioners in January of each year or at the call of the executive committee when a majority of the executive committee members deems it necessary.
4. That the executive committee shall consist of at least the following seven members: one Medina County Commissioner representing the board of county commissioners entering into the agreement; five chief executives representing the municipal corporations and townships entering into the agreement (which shall consist of one chief executive from each of the three largest cities in Medina County representing each of those cities and two township trustees representing the townships in Medina County); and one nonelected representative selected by the countywide advisory group at the annual meeting. Up to six additional members may be appointed to the executive committee, chosen as follows: 1) the Board of Commissioners of Medina County may at its own option appoint an additional person to the executive committee, who may be either a second Medina County Commissioner or a nonelected representative, 2) the chief executives of the villages in Medina County may at their own option, by majority vote, appoint an individual to the executive committee, who may be either an elected or unelected person, to represent the villages in Medina County, 3) the Medina County Sheriff may at the Sheriff's option appoint a law enforcement officer (who may be the Sheriff him/herself or another officer from a law enforcement agency in Medina County) to the executive committee; and 4) the executive committee may at its option appoint up to three additional individuals to the executive committee, who may be either elected or non-elected individuals. The terms of office of all members appointed to the executive committee, whether the statutory appointees or the additional members, shall be one year, unless otherwise stipulated at the time of the appointment. Members shall continue to

serve until a successor is appointed and takes office. The executive committee shall at least annually, and upon any change in the membership of the executive committee, prepare an official roster of all then current members of the executive committee with their terms listed, and communicate a copy of said roster to each political subdivision entering into the agreement.

5. That the executive committee shall appoint a director/coordinator of emergency management whose duties are prescribed herein by Chapter 5502 of the Ohio Revised Code.
6. That the director will have all such powers as is granted under this agreement and under statute.
7. That the director of emergency management shall be responsible for coordinating, organizing, administering, and operating emergency management in accordance with the agency's program established under this Chapter 5502 of the Revised Code, subject to the direction and control of the executive committee. All agencies, boards, and divisions having emergency management functions within each political subdivision within the county shall cooperate in the development of the all-hazards emergency operations plan, shall cooperate in the preparation and conduct of the annual exercise. The director may appoint, from time to time, a deputy director and/or such other assistants as the director deems advisable, who shall hold office during their pleasure. The director and the assistants to the director shall not be compensated for services rendered unless approved by action of the executive committee. The director may, with the prior consent of the executive committee, employ such technical, clerical, stenographic and other personnel as deemed necessary and fix their compensation when they are to be compensated. The salary of the director and the salaries of other paid personnel shall be paid from the MCEMA fund.
8. That the executive committee shall have general direction of the MCEMA, shall be responsible for the carrying out of the provisions of this agreement through the director of emergency management, may adopt such rules and regulations as it deems necessary for its operations, and may delegate authority to the director for expenditures within the budget and monetary limits as the executive committee sees fit. In performing duties pursuant to this agreement, the executive committee is authorized to cooperate with participating subdivisions, non-participating political subdivisions, the State of Ohio, other states, the Federal government through appropriate channels, and with private agencies in all matters pertaining to emergency management activities of Medina County, the State of Ohio and the United States as provided and encouraged under Revised Code Section 5502.35.
9. That the MCEMA, under Revised Code Section 5502.30, while performing emergency management services in this state pursuant to an arrangement, agreement, or compact for mutual aid and assistance, or any agency, member, agent, or representative of any of them, or any individual, partnership, corporation, association, trustee, or receiver, or any of the agents thereof, in good faith carrying out, complying with, or attempting to comply

with any state or federal law or any arrangement, agreement, or compact for mutual aid and assistance, or any order issued by federal or state military authorities relating to emergency management, is not liable for any injury to or death of persons or damage to property as the result thereof during training periods, test periods, practice periods, or other emergency management operations, or false alerts, as well as during any hazard, actual or imminent, and subsequent to the same except in cases of willful misconduct.

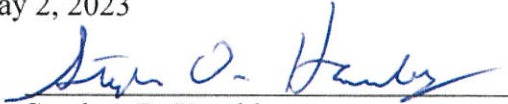
10. That the executive committee shall prepare a budget and annual report of activities for each year, under such rules and regulations as it may prescribe. Said budget and report of activities of the agency shall be presented to the participating political subdivisions at the required annual meeting of the countywide advisory group, as well as made available through electronic media. The funds provided for in said budget and all other funds received from whatever source, or by whatever means, for emergency management by the MCEMA shall be paid to the treasurer of Medina County into a special fund known as the MCEMA Fund.
11. That each participating political subdivision hereto agrees to pay into the MCEMA fund, promptly upon demand and invoice therefore, the amount assessed against it, based upon the annual itemized report on distribution of estimated undivided local government funds required by O.R.C. §5747.51(J) for the undivided local government fund, the County's proportionate share being increased to include the percentage established for the park districts, and to do and perform all and singular, the obligations herein assumed. The participating subdivisions also acknowledge that Medina County bears additional administrative costs that are not reimbursed because Section 5502.26(C) designates a countywide emergency management agency to be considered a county board, statutorily entitled to receive the services of the county auditor, treasurer, and prosecuting attorney in the same manner as other county agencies, boards, or divisions. Medina County also bears additional unreimbursed costs for property insurance, building maintenance, and administrative functions as shown in the regularly adopted Central Services Cost Allocation Plan prepared for Medina County, Ohio.
12. That this agreement may be amended or altered at any time by a majority of the parties hereto.
13. That this agreement shall be in full force and effect when no less than a majority of the political subdivisions within Medina County, including the Board of County Commissioners of Medina County, have subscribed to this agreement and/or submitted their annual cost allocation.
14. That this agreement may be terminated as to the Board of County Commissioners by a majority of its members, as to any township by a majority of the board of trustees, and as to any municipal corporation by a majority of its council, and service of written notice thereof on the director of emergency management within thirty (30) days after the adoption of the budget for the ensuing fiscal year by the agency.
15. A reference to any portion of a statute herein applies to all reenactments or amendments thereof. If statutes are enacted to replace current statutes, the statute latest in date of

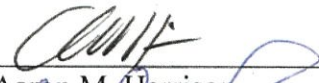
enactment prevails.

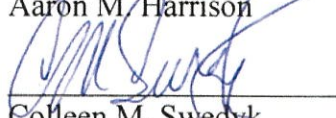
16. This Amended Agreement shall take effect and be in force from and after the date approved by the Board of Commissioners of Medina County by resolution, when approved by a majority of the subdivisions in Medina County that currently participate in Medina County's Countywide Emergency Management Agency, which includes all municipalities and townships within Medina County.

Board of Commissioners of Medina County

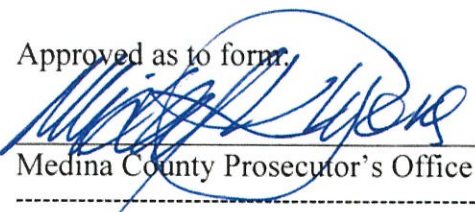
Approved by Resolution No. 23-0354,
on May 2, 2023


Stephen D. Hambley


Aaron M. Harrison


Colleen M. Swedyk

Approved as to form:


Medina County Prosecutor's Office

5/3/2023
Date

Other Subdivision Approvals:

<u>Political Subdivision Name</u>	<u>Resolution/Ordinance #</u>	<u>Date of approval</u>
-----------------------------------	-------------------------------	-------------------------

<u>Chief Executive Officer Printed Name</u>	<u>Signature</u>
---	------------------

<u>Chief Executive Officer Printed Name</u>	<u>Signature</u>
---	------------------

<u>Chief Executive Officer Printed Name</u>	<u>Signature</u>
---	------------------

Approved as to Form:

<u>Entity Legal Counsel</u>	<u>Date</u>
-----------------------------	-------------

Please attach a certified copy of the adopted legislation to this signed agreement and return both documents to:

***Medina County Board of Commissioners
144 N. Broadway Street, Room 201
Medina, OH 44256***

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 49-2023

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AMENDED AGREEMENT TO ESTABLISH THE
MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY.

WHEREAS: Pursuant to Ohio Revised Code Section 5502.26, a board of county commissioners and the chief executive of all or a majority of the political subdivisions in the county may enter into an agreement establishing a countywide emergency management agency; and

WHEREAS: On or about May 2, 2023, the Board of County Commissioners for Medina County adopted Resolution No. 23-0354 approving the Amended Agreement to Establish the Medina County Emergency Management Agency.

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

SECTION 1: That the City Manager is hereby authorized, upon approval of the Law Director, to enter into the Amended Agreement to Establish the Medina County Emergency Management Agency, as attached hereto as Exhibit "A".

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 to continue the Medina County Emergency Management Agency consistent with applicable statutory requirements. 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 E. Timura

PROPOSED LEGISLATION



DATE: 6/26/2023

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. 50-2023** - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, Inc. for the 2023 Concrete Repair Program in an amount not to exceed \$293,375.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

BACKGROUND: Authorization for the initial public bid was granted by City Council motion on March 13, 2023. Bids were opened on April 26, 2023. Three bids were received. The lowest bid exceeded the engineer's estimate by 22.7 percent, necessitating the rejection of all bids. Bids were rejected and the rebid was authorized by a subsequent City Council motion on May 8, 2023.

PURPOSE AND EXPLANATION: The proposed project will remove and replace deteriorated concrete pavement joints/slabs/curbs in Wards 3 and 4 (residential streets) and in the North Industrial Park. Residential street repairs in Wards 1 and 2 are being addressed in a separate concurrent project. This project is being partially funded by the City's road levy.

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

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Amount: \$293,375. The funding will occur as follows: Account 117-0420-56881 will be charged 70% of the total construction, up to \$205,362.50; and Account 333-0474-56870 will be charged 30% of the total construction, up to \$88,012.50.

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 substantially completed during the 2023 construction season.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 50-2023

BY: Mr. Smith, Mr. Abella, Mr. Kuczma

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KONSTRUCTION KING, INC. FOR THE 2023 CONCRETE REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$293,375.00.

WHEREAS: The City of Brunswick received four (4) bids for the 2023 Concrete Repair Program (the “Project”), in accordance with public bidding requirements, for concrete repairs in Wards 3, 4 and the North Industrial Park; and

WHEREAS: The four (4) received public bids were opened on June 21, 2023, with Konstruction King, Inc. determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Konstruction King, Inc., the lowest and best bidder, for the 2023 Concrete Repair Program in an amount not to exceed \$293,375.00.

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 2023 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 E. Timura

BID TABULATION**REBID-2023 CONCRETE PROGRAM**

City Of Brunswick

DATE: June 21, 2023

CVE JOB NO. 23099 Engineer's Estimate: \$280,000.00

				KONSTRUCTION KING, INC.		SET IN STONE CONTRACTING, LLC	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	7" CONCRETE SLAB REPAIR	SY	1,100	\$142.00	\$156,200.00	\$140.00	\$154,000.00
2	7" CONCRETE JOINT REPAIR	SY	100	\$150.00	\$15,000.00	\$150.00	\$15,000.00
3	9" CONCRETE SLAB REPAIR	SY	240	\$150.00	\$36,000.00	\$152.00	\$36,480.00
4	9" CONCRETE JOINT REPAIR	SY	300	\$160.00	\$48,000.00	\$170.00	\$51,000.00
5	ODOT 304 AGGREGATE BASE	CY	100	\$10.00	\$1,000.00	\$15.00	\$1,500.00
6	SUBGRADE REMOVAL AND REPLACEMENT	CY	200	\$10.00	\$2,000.00	\$35.00	\$7,000.00
7	CONCRETE WALK	SF	300	\$11.00	\$3,300.00	\$15.00	\$4,500.00
8	CURB RAMP	SF	500	\$17.00	\$8,500.00	\$27.00	\$13,500.00
9	CONCRETE DRIVE APRON	SF	500	\$10.00	\$5,000.00	\$10.00	\$5,000.00
10	MANHOLE OR CATCH BASIN CASTING ADJUSTED TO GRADE	EACH	6	\$1,000.00	\$6,000.00	\$1,150.00	\$6,900.00
11	CASTING ADJUSTED TO GRADE	EACH	4	\$500.00	\$2,000.00	\$350.00	\$1,400.00
12	CATCH BASIN OR MANHOLE RECONSTRUCTED	EACH	3	\$1,500.00	\$4,500.00	\$1,600.00	\$4,800.00
13	4" UNDERDRAIN	LF	300	\$5.00	\$1,500.00	\$4.65	\$1,395.00
14	MISCELLANEOUS METAL	LBS	2,500	\$1.75	\$4,375.00	\$1.00	\$2,500.00
TOTAL PROJECT COST				TOTAL	\$293,375.00	TOTAL	\$304,975.00
				DAYS TO COMPLETE: 60 Days		DAYS TO COMPLETE: 45	
				EARLIEST START DATE: 8/7/2023		EARLIEST START DATE: Aug. 21, 2023	

				FABRIZI TRUCKING & PAVING CO., INC.		TRI MOR CORPORATION	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	7" CONCRETE SLAB REPAIR	SY	1,100	\$135.00	\$148,500.00	\$155.00	\$170,500.00
2	7" CONCRETE JOINT REPAIR	SY	100	\$152.00	\$15,200.00	\$210.00	\$21,000.00
3	9" CONCRETE SLAB REPAIR	SY	240	\$146.00	\$35,040.00	\$190.00	\$45,600.00
4	9" CONCRETE JOINT REPAIR	SY	300	\$162.00	\$48,600.00	\$250.00	\$75,000.00
5	ODOT 304 AGGREGATE BASE	CY	100	\$60.00	\$6,000.00	\$100.00	\$10,000.00
6	SUBGRADE REMOVAL AND REPLACEMENT	CY	200	\$60.00	\$12,000.00	\$125.00	\$25,000.00
7	CONCRETE WALK	SF	300	\$10.00	\$3,000.00	\$25.00	\$7,500.00
8	CURB RAMP	SF	500	\$28.00	\$14,000.00	\$25.00	\$12,500.00
9	CONCRETE DRIVE APRON	SF	500	\$11.00	\$5,500.00	\$15.00	\$7,500.00
10	MANHOLE OR CATCH BASIN CASTING ADJUSTED TO GRADE	EACH	6	\$950.00	\$5,700.00	\$1,200.00	\$7,200.00
11	CASTING ADJUSTED TO GRADE	EACH	4	\$500.00	\$2,000.00	\$850.00	\$3,400.00
12	CATCH BASIN OR MANHOLE RECONSTRUCTED	EACH	3	\$1,250.00	\$3,750.00	\$1,200.00	\$3,600.00
13	4" UNDERDRAIN	LF	300	\$10.00	\$3,000.00	\$25.00	\$7,500.00
14	MISCELLANEOUS METAL	LBS	2,500	\$2.25	\$5,625.00	\$3.00	\$7,500.00
TOTAL PROJECT COST				TOTAL	\$307,915.00	TOTAL	\$403,800.00
				DAYS TO COMPLETE: 75		DAYS TO COMPLETE: 90	
				EARLIEST START DATE: 7/10/23		EARLIEST START DATE: July 17th	

PROPOSED LEGISLATION



DATE: 6/26/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 51-2023** - An ordinance amending Section 1072.03 of the City of Brunswick Codified Ordinances by increasing fees for opening, closing and maintaining graves. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

BACKGROUND: The last change to the City Codified Ordinance of Cemeteries was January 13, 2020. There have been no cost increases since 2020.

PURPOSE AND EXPLANATION: The purpose of these changes are to adjust the rates charged for services to align them with the cost increases for the 2023 thru 2025 maintenance contract. The rates have not changed since 2020 and will be too low to cover the costs to provide

IMPLEMENTATION SCHEDULE: 3rd reading and a 30-day waiting period.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This legislation would include increased charges as noted in the attachment(proposed changes to Codified Ordinance Section 1072). These charges are recorded as receipts/revenue on the City's books.

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

Cemetery Internment and Perpetual Maintenance

Revised 6-19-23

City of Brunswick					
Open and Close Graves	Existing Codified Ordinance	Proposed Codified Ordinance	Cost Paid to Contractor Without Ongoing Maint. Cost	City of Wadsworth	City of Medina
Residents					
Adult Weekdays	\$550.00	\$670.00	\$570.00	\$800.00	\$500.00
Adult Weekends and Holidays	\$700.00	\$770.00	\$670.00	\$1,900.00	\$750.00
Infant Weekdays	\$300.00	\$670.00	\$570.00	\$500.00	\$250.00
Infant Weekends and Holidays	\$600.00	\$770.00	\$670.00	\$1,100.00	\$500.00
Cremations	\$300.00	\$670.00	\$570.00	\$325.00	\$250.00
Non-Residents					
Adult Weekdays	\$600.00	\$770.00	\$570.00	\$800.00	\$500.00
Adult Weekends and Holidays	\$850.00	\$870.00	\$670.00	\$1,400.00	\$750.00
Infant Weekdays	\$350.00	\$770.00	\$570.00	\$500.00	\$200.00
Infant Weekends and Holidays	\$600.00	\$870.00	\$670.00	\$1,100.00	\$500.00
Cremations	\$325.00	\$870.00	\$570.00	\$325.00	\$250.00

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE AMENDING SECTION 1072.03 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES BY INCREASING FEES FOR
OPENING, CLOSING AND MAINTAINING GRAVES.

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

SECTION 1: That Section 1072.03 of the Codified Ordinances is hereby amended to read as
follows:

“1072.03 CHARGES FOR OPENING, CLOSING AND MAINTAINING GRAVES.

Except as may from time to time be provided by Council in exceptional and meritorious
cases, the following charges shall be in effect for the opening and closing of graves and the
maintenance thereof:

Residents:

Adult (weekdays)	\$670.00
Adult (weekends and holidays)	\$770.00
Infant (weekdays)	\$670.00
Infant (weekends and holidays)	\$770.00
Cremations	\$670.00

Non-Residents:

Adult (weekdays)	\$770.00
Adult (weekends and holidays)	\$870.00
Infant (weekdays)	\$770.00
Infant (weekends and holidays)	\$870.00
Cremations	\$870.00”

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 E. Timura

PROPOSED LEGISLATION



DATE: 6/26/2023

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. 52-2023** - An emergency ordinance establishing a six (6) month temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: City Council believes that a temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code for possible amendments.

PURPOSE AND EXPLANATION: For a period of six (6) months from the effective date of this Ordinance, the City shall not accept or process any rezoning, conditional use and/or use variance applications for any real property located in the R-L Low Density Residential District, and further shall not issue any such approvals during said period.

IMPLEMENTATION SCHEDULE: Immediately.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No

Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

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

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 52-2023

BY: Mr. Delsanter, Mr. Lambert, Mrs. Piper

AN EMERGENCY ORDINANCE ESTABLISHING A SIX (6)
MONTH TEMPORARY MORATORIUM ON THE ACCEPTANCE
AND PROCESSING OF REZONING, CONDITIONAL USE AND/OR
USE VARIANCE APPLICATIONS FOR ALL REAL PROPERTY
LOCATED IN THE R-L LOW DENSITY RESIDENTIAL DISTRICT,
AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick, as a chartered home rule municipality, may legitimately regulate zoning and land use within the City; and

WHEREAS: This Council believes that a temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code for possible amendment thereof.

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

SECTION 1: For a period of six (6) months from the effective date of this Ordinance, the City shall not accept or process any rezoning, conditional use and/or use variance applications for any real property located in the R-L Low Density Residential District, and further shall not issue any such approvals during said period.

SECTOIN 2: This Ordinance shall not apply to applications for rezoning, conditional use and/or use variances filed prior to the effective date of this Ordinance or to real property legally annexed into the City that applies for rezoning to the R-L Low Density Residential District.

SECTION 3: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio

Revised Code.

SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof. 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 E. Timura