

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

SEPTEMBER 25, 2023

6:30 PM

**or Immediately Following
Safety & Environment Committee**

1. Discussion Items
2. Motion Items
 - (a) Motion to excuse Councilman Tim Smith for just cause
 - (b) Motion authorizing a final change order to Set in Stone Contracting, LLC in the amount of \$4,190.84 for the Skyview Drive Phase 2 Project.
3. Review Legislation
 - (a) **RES. NO. 78-2023** - An emergency resolution in support of the proposed repealment of Ohio Revised Code Section 5501.60 as contemplated by S.B. No. 155 and H.B. No. 276. - **1st Reading** (To be brought from Committee of the Whole, *Administration/Kenneth Fisher*)
 - (b) **RES. NO. 81-2023** - An emergency resolution authorizing the City Manager to enter into an agreement with Deborah A. Hite for the purchase of a 0.0754 acre perpetual easement for the Plum Creek Greenway Phase 2 Project in the amount of \$15,000.00. - **1st Reading** (To be brought from Committee of the Whole, *Administration/Matt Jones*)
4. General Discussion
5. Executive Session
 - (a) Motion to go into Executive Session to discuss the subject of pending or imminent court action.
6. Adjournment

PROPOSED MOTION



DATE: 9/25/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Matt Jones

COPY: Mayor Ron Falconi

MOTION: Motion authorizing a final change order to Set in Stone Contracting, LLC in the amount of \$4,190.84 for the Skyview Drive Phase 2 Project.

BACKGROUND: The proposed project sought to rehabilitate, repair, and resurface the existing deteriorated concrete pavement on Skyview Drive between Woodhollow Drive and Boston Road, improving neighborhood accessibility and safety to the traveling public. This project is partially funded by a grant from the Ohio Public Works Commission.

PURPOSE AND EXPLANATION: The change order is necessary to cover the cost of slight overages in full depth concrete repair and sidewalk removal/replacement quantities.

IMPLEMENTATION SCHEDULE: Immediately upon authorization.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Funding splits between the local cost share and the OPWC share have yet to be formally verified with the Ohio Public Works Commission at the time of submission to City Council. The City's plan is to submit this change order to OPWC in the same manner as the original contract as it still falls within the overall funding of the grant. If, for some reason, this change order is not eligible for some OPWC funding, the City's Finance Director has a secondary funding plan and would be comfortable with moving forward provided City Council approves. A Then and Now Certificate in accordance with ORC 5705.41D would also be required as the work has been completed.

Current expectations are for OPWC to fund \$2,937.62 or 70.0961792% of the total change order with the remainder of \$1,253.22 or 29.9038208% funded by the City. The OPWC portion, if eligible, would be posted to the OPWC SkyView Dr Improvement Fund acct#373-0486-56881 and the City portion will be posted to the Road Improvement Fund #333 - account #333-0486-56881.

RECOMMENDED

ACTION:

Passage of a motion authorizing a final change order to Set in Stone Contracting, LLC in the amount of \$4,190.84 for the Skyview Drive Phase 2 project.

ADDITIONAL

INFORMATION:

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 9/25/2023

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. 78-2023** - An emergency resolution in support of the proposed repealment of Ohio Revised Code Section 5501.60 as contemplated by S.B. No. 155 and H.B. No. 276. - **1st Reading** (To be brought from Committee of the Whole, *Administration/Kenneth Fisher*)

BACKGROUND: The Ohio General Assembly enacted Ohio Revised Code Section 5501.60 which states that under certain conditions, when the boundaries of two municipal corporations are adjacent, the Ohio Department of Transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every 4.5 miles.

PURPOSE AND EXPLANATION: S.B. No. 155 and H.B. No. 276 propose to repeal Ohio Revised Code Section 5501.60. This Council does hereby declare its support of the proposed repealment of Ohio Revised Code Section 5501.60 as contemplated by S.B. No. 155 and H.B. No. 276.

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.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 78-2023

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION IN SUPPORT OF THE PROPOSED
REPEALMENT OF OHIO REVISED CODE SECTION 5501.60 AS
CONTEMPLATED BY S.B. NO. 155 AND H.B. NO. 276.

WHEREAS: On or about March 29, 2023, the Ohio General Assembly adopted Am. Sub. H. B. No. 23 which, without limitation, enacted Ohio Revised Code Section 5501.60.

WHEREAS: Ohio Revised Code Section 5501.60 provides that when the boundaries of two municipal corporations are adjacent, the Ohio Department of Transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every 4.5 miles when the following conditions exist:

- (1) The adjacent municipal corporations each have a population of more than 35,000 per the most recent Federal Census;
- (2) The municipal corporations are located in different counties; and
- (3) At least one municipal corporation is located in a county with a population of at least 1,000,000 per the most recent Federal Census.

WHEREAS: The City of Strongsville has long proposed a new interchange on Interstate 71 at Boston Road (the “Interchange”).

WHEREAS: Upon information and belief, Ohio Revised Code Section 5501.60 would require the Ohio Department of Transportation to construct the Interchange as:

- (1) Both the City of Brunswick and City of Strongsville have populations of more than 35,000 per the 2020 Federal Census.
- (2) Both the City of Brunswick (Medina County) and City of Strongsville (Cuyahoga County) are located in different counties.
- (3) The City of Strongsville is located in Cuyahoga County, which has a population of at least 1,000,000 per the 2020 Federal Census.

WHEREAS: This Council, per Resolution No. 91-2022 adopted on September 26, 2022 and attached hereto as Exhibit “A” and incorporated herein by reference, has opposed the proposed Interchange as same will, without limitation:

- (1) Increase vehicular and large industrial traffic on Boston Road in the City of Brunswick.
- (2) Result in increased roadway maintenance, repair and replacement costs to the City of Brunswick relative to Boston Road and other roadways in the City of Brunswick.
- (3) Negatively impact City of Brunswick residents, including those residents in the vicinity of the proposed Interchange.

WHEREAS: This Council, per Resolution No. 21-2023 adopted on March 13, 2023 and attached hereto as Exhibit “B” and incorporated herein by reference, opposed Am. Sub. H.B. No.23.

WHEREAS: This Council is charged with protecting the health, safety and welfare of its residents, yet is increasingly pre-empted from acting to fulfill those official duties by the Ohio General Assembly.

WHEREAS: On or about September 14, 2023, Senator Romanchuk introduced S.B No. 155, which proposes to repeal Ohio Revised Code Section 5501.60.

WHEREAS: On or about September 18, 2023, Representative Miller and Representative Ray introduced H.B. No. 276, which proposed to repeal Ohio Revised Code Section 5501.60.

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

SECTION 1: This Council does hereby declare its support of the proposed repealment of Ohio Revised Code Section 5501.60 as contemplated by S.B. No. 155 and H.B. No. 276.

SECTION 2: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Strongsville City Council, City of Strongsville Mayor Thomas P. Perciak, Ohio State Representative Thomas F. Patton, Ohio State Representative Melanie Miller, Ohio State Representative Sharon A. Ray, Ohio State Senator Mark Romanchuk, Ohio Department of Transportation Director Jack Marchbanks, Northeast Ohio Areawide Coordinating Agency Executive Director & CEO Grace Gallucci and the Board of Directors for the Northeast Ohio Areawide Coordinating Agency.

SECTION 3: 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 that this Council wants to express its support of the proposed repealment of Ohio Revised Code Section 5501.60 as contemplated by S.B. No. 155 and H.B. No. 276. Therefore, the same shall be in full force 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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 91-2022

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION OPPOSING THE PROPOSED
INTERCHANGE ON INTERSTATE 71 AT BOSTON ROAD.

WHEREAS: The City of Strongsville has engaged an engineering firm to perform feasibility and traffic studies for a new interchange on Interstate 71 at Boston Road (the "Interchange").

WHEREAS: The proposed Interchange will increase vehicular and large industrial traffic on Boston Road in the City of Brunswick.

WHEREAS: The proposed Interchange will result in increased roadway maintenance, repair and replacement costs to the City of Brunswick relative to Boston Road and other roadways in the City of Brunswick.

WHEREAS: The proposed Interchange will negatively impact City of Brunswick residents, including those residents in the vicinity of the proposed Interchange.

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

SECTION 1: This Council does hereby declare its opposition to the proposed interchange on Interstate 71 at Boston Road.

SECTION 2: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Strongsville City Council, City of Strongsville Mayor Thomas Perciak, Ohio State Representative Thomas F. Patton, Ohio State Representative Darrell Kick, Ohio State Representative Sharon A. Ray, Ohio Department of Transportation Director Jack Marchbanks, Northeast Ohio Areawide Coordinating Agency Executive Director Grace Gallucci and the Board of Directors for the Northeast Ohio Areawide Coordinating Agency.

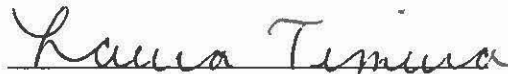
SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason that this Council wants to express its opposition to the proposed Interchange. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading 9/26/2022

Rules Suspended: AYES 6 NAYS 1

ADOPTED: 9/26/2022 AYES 6 NAYS 1

ATTEST:


Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 9/26/2022

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. 91-2022** - An emergency resolution opposing the proposed interchange on Interstate 71 at Boston Road.- **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Ken Fisher)

BACKGROUND: The City of Strongsville has engaged an engineering firm to perform a feasibility and traffic study for a new interchange on Interstate 71 at Boston Road.

PURPOSE AND EXPLANATION: This is an emergency resolution to oppose the Interchange as it will negatively result in increased roadway maintenance, repair, and replacement costs to the City of Brunswick.

IMPLEMENTATION SCHEDULE:

Emergency, 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, suspension of the rules.

ADDITIONAL

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 21-2023

BY: Committee of the Whole

AN EMERGENCY RESOLUTION OPPOSING THE PROPOSED
ENACTMENT OF OHIO REVISED CODE SECTION 5501.60 AS
CONTEMPLATED BY AM. SUB. H. B. NO. 23.

WHEREAS: Am. Sub. H. B. No. 23 proposes to enact Ohio Revised Code Section 5501.60, which provides that when the boundaries of two municipal corporations are adjacent, the Ohio Department of Transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every 4.5 miles when the following conditions exist:

- (1) The adjacent municipal corporations each have a population of more than 35,000 per the most recent Federal Census;
- (2) The municipal corporations are located in different counties; and
- (3) At least one municipal corporation is located in a county with a population of at least 1,000,000 per the most recent Federal Census.

WHEREAS: The City of Strongsville has long proposed a new interchange on Interstate 71 at Boston Road (the "Interchange").

WHEREAS: This Council, per Resolution No. 91-2022 attached hereto as Exhibit "A" and incorporated herein by reference, has opposed the proposed Interchange as same will:

- (1) Increase vehicular and large industrial traffic on Boston Road in the City of Brunswick.
- (2) Result in increased roadway maintenance, repair and replacement costs to the City of Brunswick relative to Boston Road and other roadways in the City of Brunswick.
- (3) Negatively impact City of Brunswick residents, including those residents in the vicinity of the proposed Interchange.

WHEREAS: Upon information and belief, proposed Ohio Revised Code Section 5501.60 would require the Ohio Department of Transportation to construct the Interchange as:

- (1) Both the City of Brunswick and City of Strongsville have populations of more than 35,000 per the 2020 Federal Census.
- (2) Both the City of Brunswick (Medina County) and City of Strongsville (Cuyahoga County) are located in different counties.
- (3) The City of Strongsville is located in Cuyahoga County, which has a

population of at least 1,000,000 per the 2020 Federal Census.

WHEREAS: This Council is charged with protecting the health, safety and welfare of its residents, yet is increasingly pre-empted from acting to fulfill those official duties by the Ohio General Assembly.

WHEREAS: This Council does hereby find that the Ohio General Assembly has introduced laws that erode local Home Rule authority as granted by the Ohio Constitution.

WHEREAS: This Council opposes all measures introduced and/or enacted by the Ohio General Assembly which reduces or eliminates municipalities' constitutionally protected authority to exercise all powers of local self-government and protect the health, safety and welfare of its residents.

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

SECTION 1: This Council does hereby declare its opposition to the proposed enactment of Ohio Revised Code Section 5501.60 as contemplated by Am. Sub. H. B. No. 23.

SECTION 2: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Strongsville City Council, City of Strongsville Mayor Thomas P. Perciak, Ohio State Representative Thomas F. Patton, Ohio State Representative Melanie Miller, Ohio State Representative Sharon A. Ray, Ohio State Senator Mark Romanchuk, Ohio Department of Transportation Director Jack Marchbanks, Northeast Ohio Areawide Coordinating Agency Executive Director & CEO Grace Gallucci and the Board of Directors for the Northeast Ohio Areawide Coordinating Agency.

SECTION 3: 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 that this Council wants to express its opposition to the proposed enactment of Ohio Revised Code Section 5501.60 as contemplated by Am. Sub. H. B. No. 23. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading March 13, 2023

Rules Suspended: AYES 7 NAYS 0

ADOPTED: March 13, 2023 AYES 7 NAYS 0

ATTEST: Laura Timura
Clerk of Council
Laura E. Timura

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 3/13/2023

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. 21-2023** - An emergency resolution opposing the proposed enactment of Ohio Revised Code Section 5501.60 as contemplated by Am. Sub. H. B. No. 23. - **1st Reading** (To be brought from Committee of the Whole, *Administration/Kenneth Fisher*)

BACKGROUND: The City of Strongsville has long proposed a new interchange on Interstate 71 at Boston Road.

PURPOSE AND EXPLANATION: The purpose is to oppose the proposed enactment of Ohio Revised Code Section 5501.60, which provides that when the boundaries of two municipal corporations are adjacent, ODOT shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every 4.5 miles when certain conditions exist.

IMPLEMENTATION

SCHEDULE: One reading 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.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 91-2022

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION OPPOSING THE PROPOSED
INTERCHANGE ON INTERSTATE 71 AT BOSTON ROAD.

WHEREAS: The City of Strongsville has engaged an engineering firm to perform feasibility and traffic studies for a new interchange on Interstate 71 at Boston Road (the "Interchange").

WHEREAS: The proposed Interchange will increase vehicular and large industrial traffic on Boston Road in the City of Brunswick.

WHEREAS: The proposed Interchange will result in increased roadway maintenance, repair and replacement costs to the City of Brunswick relative to Boston Road and other roadways in the City of Brunswick.

WHEREAS: The proposed Interchange will negatively impact City of Brunswick residents, including those residents in the vicinity of the proposed Interchange.

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

SECTION 1: This Council does hereby declare its opposition to the proposed interchange on Interstate 71 at Boston Road.

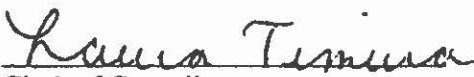
SECTION 2: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Strongsville City Council, City of Strongsville Mayor Thomas Perciak, Ohio State Representative Thomas F. Patton, Ohio State Representative Darrell Kick, Ohio State Representative Sharon A. Ray, Ohio Department of Transportation Director Jack Marchbanks, Northeast Ohio Areawide Coordinating Agency Executive Director Grace Gallucci and the Board of Directors for the Northeast Ohio Areawide Coordinating Agency.

SECTION 3: 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 that this Council wants to express its opposition to the proposed Interchange. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading 9/26/2022

Rules Suspended: AYES 6 NAYS 1

ADOPTED: 9/26/2022 AYES 6 NAYS 1

ATTEST: 
Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 9/25/2023

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. 81-2023** - An emergency resolution authorizing the City Manager to enter into an agreement with Deborah A. Hite for the purchase of a 0.0754 acre perpetual easement for the Plum Creek Greenway Phase 2 Project in the amount of \$15,000.00. - **1st Reading** (To be brought from Committee of the Whole, *Administration/Matt Jones*)

BACKGROUND: Authorization for public bid was granted by City Council motion on January 9, 2023. The construction contract was awarded on April 10, 2023.

PURPOSE AND EXPLANATION: Construction of Phase 2 of the Plum Creek Greenway is currently underway. A bridge over Plum Creek at Laurel Road is included in this phase. The bridge was designed to be located within an easement on private residential property at 3456 Laurel Road, and easements were obtained from the property owner prior to the commencement of construction to accommodate construction of the trail and bridge. However, an additional easement is now necessary for construction of the bridge and adjacent trail section due to a conflict with a Columbia Gas main that would otherwise require relocation of the main at the City's expense. The location of the bridge is being adjusted further onto private property to avoid the conflict. The City administration has negotiated \$15,000.00 in compensation to the property owner. Note that this easement will be significantly less expensive than the quoted cost to relocate the gas line.

IMPLEMENTATION SCHEDULE: The bridge will be constructed in Spring 2024 pending material lead times.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Amount: \$15,000.00
Capital Improvement Fund #300 - Account#: 300-0812-56700

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 be completed during the 2024 construction season.

**ADDITIONAL
INFORMATION:**

EXHIBIT A - LEGAL DESCRIPTIONS

PERPETUAL TRAIL EASEMENT #3 DEBORAH A. HITE CITY OF BRUNSWICK, COUNTY OF MEDINA, OHIO

Page 1 of 4

Situated in the City of Brunswick, County of Medina and State of Ohio and known as being a part of Original Brunswick Township, McCurdy Tract #3, Lot #14 and being a **0.0754 acres (3,284 sq.ft.) Perpetual Trail Easement #3** within a 4.0549 acre (Deed) parcel of land as conveyed to Deborah H. Hite by deed recorded on October 15, 2009, in Instrument #2009OR022841 of the Medina County Recorder's Office and further bounded and described as follows;

Beginning at the intersection of the centerlines of Laurel Road – C.H. 138 (width varies) with El Dorado Blvd. (60 feet wide);

Thence **South 88°56'01" West**, a distant of **69.13 feet** as measured along said centerline of Laurel Road to the Northwesternly corner of said Hite's land;

Thence **South 00°46'52" East**, along the Westerly line of said Hite's land, a distance of **51.63 feet** to a point on the Southerly Right-of-Way line of said Laurel Road;

Thence **South 85°15'09" East**, along said Southerly Right-of-Way line of Laurel Road, a distance of **81.71 feet** to an angle point therein;

Thence **North 69°22'59" East**, continuing along said Southerly Right-of-Way line of Laurel Road, a distance of **54.22 feet** to a point being the Principal Place of Beginning;

Course 1 Thence **North 69°22'59" East**, continuing along said Southerly Right-of-Way line of Laurel Road, a distance of **11.45 feet** to a jog therein;

Course 2 Thence along the arc of said curve deflecting to the left, a distance of **21.79 feet**, said curve having a radius of **60.00 feet**, a delta of **20°48'32"** and a chord which bears **South 68°57'40" East**, a distance of **21.67 feet** to a point of reverse curve;

Course 3 Thence along the arc of said reverse curve deflecting to the right, a distance of **49.39 feet**, said curve having a radius of **90.00 feet**, a delta of **31°26'37"** and a chord which bears **South 74°16'42" East**, a distance of **48.77 feet** to its point of tangency;

- Course 4** Thence **North 90°00'00" East**, a distance of **150.59 feet** to a point of curve;
- Course 5** Thence along the arc of said curve deflecting to the right, a distance of **44.54 feet**, said curve having a radius of **90.00 feet**, a delta of **28°21'27"** and a chord which bears **North 75°49'16" East**, a distance of **44.09 feet** to a point of reverse curve;
- Course 6** Thence along the arc of said reverse curve deflecting to the left, a distance of **21.08 feet**, said curve having a radius of **60.00 feet**, a delta of **20°07'49"** and a chord which bears **North 71°42'27" East**, a distance of **20.97 feet** to a point, said point being the Westerly line of land of Andrea M. Spino & Brian J. Ottinger by deed recorded on September 3, 2013, in Instrument #2013OR023559 of the Medina County Recorder's Office;
- Course 7** Thence along the arc of said curve deflecting to the left, a distance of **22.24 feet**, said curve having a radius of **40.66 feet**, a delta of **31°20'35"** and a chord which bears **South 61°40'16" West**, a distance of **21.97 feet** to a point of reverse curve;
- Course 8** Thence along the arc of said reverse curve deflecting to the right, a distance of **54.22 feet**, said curve having a radius of **68.99 feet**, a delta of **45°01'40"** and a chord which bears **South 68°21'51" West**, a distance of **52.84 feet** to its point of tangency;
- Course 9** Thence **North 90°00'00" West**, a distance of **145.58 feet** to a point of curve;
- Course 10** Thence along the arc of said curve deflecting to the left, a distance of **66.15 feet**, said curve having a radius of **101.27 feet**, a delta of **37°25'20"** and a chord which bears **North 71°56'12" West**, a distance of **64.98 feet** to a point of reverse curve;
- Course 11** Thence along the arc of said reverse curve deflecting to the right, a distance of **18.04 feet**, said curve having a radius of **59.24 feet**, a delta of **17°26'34"** and a chord which bears **North 58°40'51" West**, a distance of **17.97 feet** to the Principal Place of Beginning and containing an area of **0.0754 acres (3,284 sq.ft.)** of land as surveyed, calculated and described from Medina County Recorder's Office according to a survey by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering Ltd., in July 2023, be the same more or less;

The **Basis of Bearings** for this legal description is **North 88°56'01" East** as the Centerline of Laurel Road (Width Varies) as evidenced by monuments found and is the same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network and are used to indicate angles only.

CVE #21348 – Hite Easement
July 19, 2023

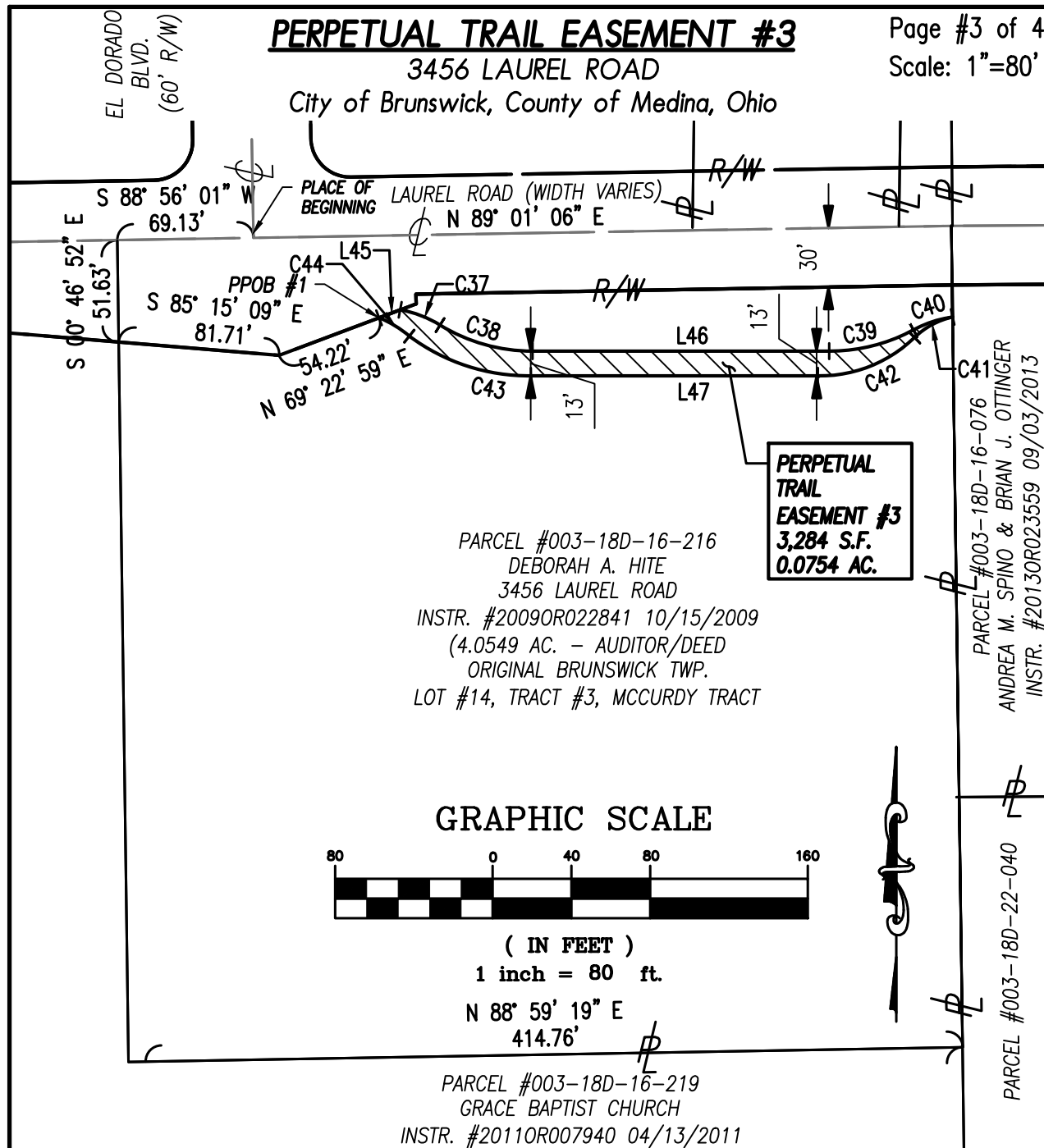
PERPETUAL TRAIL EASEMENT #3

Page #3 of 4

Scale: 1"=80'

3456 LAUREL ROAD

City of Brunswick, County of Medina, Ohio



Basis of Bearing:

N 88°56'01" E as the Centerline of Laurel Road
 (Width Varies) as evidenced by monument found
 and is the same as calculated and reproduced from
 Ohio State Plane Coordinates System. North Zone
 3401 ties to the ODOT VRS Network and is used to
 indicate angles only.

From: Deborah A. Hite
 To: City of Brunswick

PERPETUAL TRAIL EASEMENT TABLES

3456 LAUREL ROAD
City of Brunswick, County of Medina, Ohio

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LINE TABLE		
NO.	LENGTH	DIRECTION
L45	11.45'	N 69°22'59" E
L46	150.59'	N 90°00'00" E
L47	145.58'	N 90°00'00" W

CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	BEARING	CHORD
C37	21.79'	60.00'	20°48'32"	S 68°57'40" E	21.67'
C38	49.39'	90.00'	31°26'37"	S 74°16'42" E	48.77'
C39	44.54'	90.00'	28°21'27"	N 75°49'16" E	44.09'
C40	21.08'	60.00'	20°07'49"	N 71°42'27" E	20.97'
C41	22.24'	40.66'	31°20'35"	S 61°40'16" W	21.97'
C42	54.22'	68.99'	45°01'40"	S 68°21'51" W	52.84'
C43	66.15'	101.27'	37°25'20"	N 71°56'12" W	64.98'
C44	18.04'	59.24'	17°26'34"	N 58°40'51" W	17.97'

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DEBORAH A. HITE FOR THE PURCHASE OF A 0.0754 ACRE PERPETUAL EASEMENT FOR THE PLUM CREEK GREENWAY PHASE 2 PROJECT IN THE AMOUNT OF \$15,000.00.

WHEREAS: Construction of the Plum Creek Greenway Phase 2 Project (the “Project”) is currently underway;

WHEREAS: A bridge over Plum Creek at Laurel Road is included within the Project, which bridge was designed to be located within a previously acquired easement on private residential property;

WHEREAS: An additional easement is now necessary for the construction of the bridge due to a conflict with a Columbia Gas main that would otherwise require relocation of the main at the City’s expense; and

WHEREAS: The additional easement will allow for the relocation of the bridge to avoid the conflict with the Columbia Gas main, the cost of which will be significantly less than the cost to relocate the Columbia Gas main.

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

SECTION 1: That the City Manager is hereby authorized to enter into an agreement with Deborah A. Hite for the purchase of a 0.0754 acre perpetual easement for the Plum Creek Greenway Phase 2 Project.

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 allow completion of the Project during the 2024 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