

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

OCTOBER 23, 2023

6:20 PM

**or Immediately Following
Safety & Environment Committee**

1. Discussion Items
 - (a) City flag
2. Motion Items
 - (a) Motion authorizing a change order to Set in Stone Contracting, LLC in an amount not exceed \$181,000.00 for the 2023 Asphalt Road Program.
 - (b) Motion authorizing a final change order to Set in Stone Contracting, LLC in the amount of \$23,477.85 for the 2023 Catch Basin Repair Program.
 - (c) Motion authorizing the City Council to approve proposed Third Amendment to License Agreement between the City and Historical Society.
3. Review Legislation
4. General Discussion
5. Executive Session
 - (a) Motion to go into Executive Session to discuss the subject of pending or imminent court action and to discuss the appointment, employment, dismissal, discipline, demotion, or compensation of a public employee.
6. Adjournment

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION OFFICIALLY ADOPTING THE BRUNSWICK CITY LOGO
AS THE SYMBOL FOR THE BRUNSWICK CITY FLAG.

WHEREAS: On October 26, 1987, City Council adopted Resolution No. 96-87, which
officially adopted the Brunswick City logo as the symbol for the Brunswick City
flag; and

WHEREAS: On June 12, 2000, City Council adopted Resolution No. 76-00 designating a new
design as the official logo of the City of Brunswick as further detailed therein.

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

SECTION 1: That the design of the official logo of the City of Brunswick, as updated pursuant
to Resolution No. 76-00, is hereby officially adopted as the symbol of the
Brunswick City flag.

SECTION 2: That this Resolution 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

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 76-00

By Committee-of-the-Whole

A RESOLUTION OFFICIALLY ADOPTING A REVISED LOGO AS THE OFFICIAL GRAPHIC SYMBOL OF THE CITY OF BRUNSWICK, OHIO

- WHEREAS: The City of Brunswick adopted its present logo in 1981 as the City's official graphic symbol; and
- WHEREAS: The City Council believes the present logo should be modified to fit the current image of the community; and
- WHEREAS: The City Council has developed a modified City logo by incorporating the image of the City clock tower into the original Brunswick logo design; and
- WHEREAS: The Council of the City of Brunswick is desirous of officially designating the new design as the official City of Brunswick logo.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The official logo shall appear as follows. The logo of the City of Brunswick shall have a white field and consist of brown capital letters spelling the word "BRUNSWICK," with a silhouette of branches of a large shade tree, also brown, issuing from the letter "I". A green border in a width similar to the width of the brown capital letters shall surround the brown logo forming a rectangle with rounded corners except for the part around the tree where it conforms to the contour of the trees silhouette. The space between the brown logo and the green border shall be one half the width of the border. The silhouette of the clock tower shall be to the left of the silhouette of the shade tree. The clock tower shall be colored brick red. The mortar joints and clock face shall correspond in color with the white field background of the lettering and tree. The outline of the clock, clock letters, and roof of the clock tower shall be black.

SECTION 2: The brown letters suggest the original meaning of the name Brunswick in German dialect, Brunswic (Brunswig) or Brown Market. The name evolved in modern Germany to "Braunschweig," a former duchy in central Germany. Brown also recalls the fertile earth which was farmed by the original settlers in the Brunswick area. The green border surrounding the name of the City and the prominent tree, shows that Brunswick is a city of many green trees, parks that are the pride of the City's

RESOLUTION NUMBER 76-00

homeowners. White is the color of hope and is indicative of the City's faith in future to grow and prosper. Red represents the vibrance and vitality of the community life in the city.

SECTION 3: Upon adoption of the new logo, the administration is directed to register the logo as the official symbol of the City of Brunswick. Upon securing official registration of the logo reasonable and timely effort shall be made to replace all original logos.

SECTION 4: 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 June 12, 2000

Rules Suspended: AYES 7 NAYS 0

ADOPTED: June 12, 2000 AYES 7 NAYS 0

ATTEST:

Barbara J. Roth, CMC
Clerk of Council
Barbara J. Roth, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 96-87

By Committee of the Whole

A RESOLUTION OFFICIALLY ADOPTING THE BRUNSWICK CITY
LOGO AS THE SYMBOL FOR THE BRUNSWICK CITY FLAG

WHEREAS: The City of Brunswick has adopted the logo proposed by former Mayor Stan Umpleby in 1981 as the City's graphic symbol, and

WHEREAS: The City has need of a distinctive flag to represent it at civic, state and national functions as the occasion requires.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Brunswick City flag shall have the proportions of 3 to 5 feet. It shall have a white field on which is centrally placed the logo of the City to which brown capital letters spelling "BRUNSWICK", with a silhouette of branches of a large shade tree, also brown, issuing from the letter "I". Centered beneath the name of the City shall appear, in brown capital letters, the word "OHIO". The letters shall be one ninth the flags hoist in height except for the letter "I" in Brunswick, for which the overall size of the branches shall be five ninths of the hoist of the flag in height and one fifth of the fly of the flag in width.

SECTION 2: A green border one sixteenth of the hoist in width shall surround the brown logo forming a rectangle with rounded corners except for the part around the tree where it conforms to the contour of the trees silhouette. The space between the brown logo and the green border is one thirty-second of the flags hoist.

SECTION 43: The brown letters suggest the original meaning of the name Brunswick in german dialect, Brunswic (Brunswig) or Brown Market. The name evolved in modern German to "Braunschweig", a former duchy in central Germany. Brown also recalls the fertile earth which was farmed by the original settlers in the Brunswick area. The green border surrounding the name of the City and the prominent tree, show that Brunswick is a city of many green trees, parks and lots that are the pride of the City's homeowners. White is the color of hope and is indicative of the City's faith in its future to grow and prosper.

SECTION 4: 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.

APPROVED:

Judith A. Beadell
Judith A. Beadell, Mayor

DATE:

October 26, 1987

PASSED:

1st reading September 28, 1987
2nd reading October 12, 1987
3rd reading October 26, 1987

ADOPTED:

October 26, 1987

AYES 7 NAYS 0

ATTEST:

Betty Taller
Clerk of Council
Betty Taller

PROPOSED MOTION



DATE: 10/23/2023

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 change order to Set in Stone Contracting, LLC in an amount not exceed \$181,000.00 for the 2023 Asphalt Road Program.

BACKGROUND: The project will remove and replace deteriorated concrete pavement joints/slabs/curbs and install a chip seal interlayer and asphalt overlay on various streets in Wards 1 and 2. Concrete street repairs in Wards 3 and 4 are being addressed in a separate concurrent project. This project is being partially funded by the City's road levy.

Originally, City Council, via Resolution #32-2023, authorized the City Manager to enter into a contract with SET in Stone Contracting, LLC, in an amount not to exceed \$1,046,188. This proposed change order in the amount not to exceed \$181,000 would make the revised total contract not to exceed \$1,227,188.

PURPOSE AND EXPLANATION: The change order is necessary to cover the cost of additional work required to correct drainage issues that became evident after the milling process on Old Eagle Drive and Loma Lane. The additional panel replacement in turn resulted in the need to perform more extensive replacement work on several curb ramps. Also, the change order is needed to cover the costs of additional repairs on Loma Lane that were necessary due to the existing pavement thickness being thinner than normal, particularly in the cul-de-sac. The milling process caused many of these thinner panels to fail, resulting in the need for additional full replacement. These repairs also resulted in the need to reconstruct several drive aprons that were not planned for replacement.

IMPLEMENTATION SCHEDULE: Immediately upon authorization.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The available funding for any neighborhood project is typically used in the following priority order: Road levy proceeds Fund #332- (1st), any additional gas tax Fund #117 (2nd), and any

general fund road transfer Fund #333 (3rd). The original asphalt contract was split 75% Fund #332 and 25% Fund #117.

For the change order of not to exceed \$181,000 specifically, the funding priority will remain the same. However, the % breakdowns will be different to reflect the approximate funding/appropriations remaining in each category while leaving enough room for other potential costs such as engineering, inspections, County auditor fees, etc. Per the Finance Director's calculations, the not to exceed \$181,000 change order, will be split:

\$45,250.00 - 25% to Road Levy Fund/account #332-0473-56881

\$54,300.00 - 30% to SM&R Fund/account #117-0420-56881

\$81,450.00 - 45% to Road Improvement Fund/account#333-0474-56870

RECOMMENDED

ACTION:

Passage of a motion authorizing a final change order to Set in Stone Contracting, LLC in an amount not to exceed \$181,000.00 for the 2023 Asphalt Road Program.

ADDITIONAL

INFORMATION:

PROPOSED MOTION



DATE: 10/23/2023

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 \$23,477.85 for the 2023 Catch Basin Repair Program.

BACKGROUND: The project sought to repair deteriorated catch basins and concrete boxouts citywide, improving neighborhood accessibility and safety to the traveling public. This project is being funded through the City's stormwater utility.

Originally, City Council, via Resolution #72-2023, authorized the City Manager to enter into a contract with SET in Stone Contracting, LLC, in an amount not to exceed \$83,340.00. This proposed change order in the amount of \$23,477.85 would make the revised total contract equal \$106,817.85.

**PURPOSE AND
EXPLANATION:**

The change order is necessary to cover the cost of additional work required at basin locations on Blueberry Hill Drive and Hathaway Drive, along with the addition of two basins on Laurel Road. The total contract amount still falls within the original project budget.

**IMPLEMENTATION
SCHEDULE:**

Immediately upon authorization.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

Additional Change Order Amount: \$23,477.85
Account: 224-0420-54265

**RECOMMENDED
ACTION:**

Passage of a motion authorizing a final change order to Set in Stone Contracting, LLC in the amount of \$23,477.85 for the 2023 Catch Basin Repair Program.

**ADDITIONAL
INFORMATION:**

PROPOSED MOTION



DATE: 10/23/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Taylor Petkovsek

COPY: Mayor Ron Falconi

MOTION: Motion authorizing the City Council to approve proposed Third Amendment to License Agreement between the City and Historical Society.

BACKGROUND:

**PURPOSE AND
EXPLANATION:**

In the Third Amendment - The Premises shall be expanded to include an additional 1.0000 acres, as depicted on Exhibit "A" and further identified thereon as "Proposed Lease Area 1.0000 Acre" and as further described in the legal description attached hereto as Exhibit "B" and incorporated herein by reference.

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

**ADDITIONAL
INFORMATION:**

The Historical Society of the Brunswick Area, Inc has also officially changed their name to "Brunswick Area Historical Society" also referenced in the Third Amendment

THIRD AMENDMENT TO LICENSE AGREEMENT

THIS THIRD AMENDMENT TO LICENSE AGREEMENT (the “Third Amendment”) is entered into by and between the City of Brunswick, a chartered municipal corporation (the “City” or “Licensor”) and the Brunswick Area Historical Society, Inc., an Ohio non-profit corporation formerly known as The Historical Society of the Brunswick Area, Inc. (the “Historical Society” or “Licensee”).

WHEREAS, on or about June 8, 2000, the City and Historical Society entered into a License Agreement wherein the Historical Society leased a portion of real property owned by the City known as Heritage Farm located at 4613 Laurel Road, Brunswick, Ohio (the “Property”), including the buildings located thereon (the “Buildings”) (collectively the “Premises”);

WHEREAS, on or about July 24, 2012, the City and Historical Society entered into a Consent and Indemnification Agreement which provided, among other things, that the parties would negotiate an amendment to the License Agreement whereby the Historical Society would lease and maintain all Heritage Farm Buildings;

WHEREAS, on or about January 28, 2016, the City and Historical Society entered into a First Amendment to License Agreement (the “First Amendment”) which, among other things, amended the area of the Premises to include the cross-hatched area detailed on Exhibit “A” thereto.

WHEREAS, on or about April 9, 2019, the City and Historical Society entered into a Second Amendment to License Agreement (the “Second Amendment”) wherein the area of the Premises was amended per Exhibit “A” thereto.

NOW, THEREFORE, in consideration of the mutual promises, covenants and obligations contained herein, the City and Historical Society hereby agree as follows:

1. It is hereby confirmed that the area of the Premises subject to the License Agreement, as amended by the First Amendment and Second Amendment, shall consist of 2.1470 acres, as depicted on Exhibit “A” attached hereto and incorporated herein by reference, and as further identified thereon as “Existing Brunswick Area Historical Society 2.1470 Acres Leased Area.”
2. The Premises shall be expanded to include an additional 1.0000 acres, as depicted on Exhibit “A” and further identified thereon as “Proposed Lease Area 1.0000 Acre” and as further described in the legal description attached hereto as Exhibit “B” and incorporated herein by reference.
3. The terms and provisions of the License Agreement, as amended by the First Amendment, the Second Amendment and this Third Amendment, shall remain in full force and effect except as otherwise modified by this Third Amendment. In the event of a conflict between the terms of the License Agreement, as amended by the First Amendment and the Second Amendment, and this Third Amendment, the terms of this Third Amendment shall control.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the undersigned have caused this Third Amendment to License Agreement to be executed as of the dates indicated below.

Brunswick Area Historical Society, Inc.,
formerly known as The Historical Society
of the Brunswick Area, Inc.

City of Brunswick, Ohio

By: _____
Title: _____
Date: _____

Carl S. DeForest, City Manager
Date: _____

Approved as to form:

Kenneth J. Fisher, Law Director

LEGAL DESCRIPTION
1.0000 ACRE Lease Parcel

Situated in the State of Ohio, County of Medina, City of Brunswick, known as being part of Original Brunswick Township Tract 1 Lot 18, and also known as being part of a 32.4796 acre parcel annexed to The City of Brunswick recorded in Plat Volume 27, Page 105 of Medina County Recorders records, and more fully described as follows:

Commencing for Reference at the southeast corner of said Tract 1 Lot 18 and centerline of Laurel Road T.H. 138, 60' wide;

Thence, northerly along the east line of Tract 1 Lot 18, a distance of 30.00' to a 5\8" bar with cap "Campbell & Associates" found marked with a 4-ft steel post, at the northerly right of way line of Laurel Road;

Thence, continuing northerly along said easterly line, a distance of 215.00' to a point at the **TRUE PLACE OF BEGINNING** of the lease parcel to be described;

Thence, westerly parallel to the north line of Laurel Road, a distance of 435.00' to a point;

Thence, northerly parallel to the east line of Tract 1 Lot 18, a distance of 100.00' to a point;

Thence, easterly parallel to the north line of Laurel Road, a distance of 435.00' to a point at the east line of Tract 1, Lot 18;

Thence, Southerly along said east line, a distance of 100.00' to the place of beginning.

Said parcel contains 1.0000 acre of land, more or less, and is subject to all legal highways and easements of record, as prepared in October 2023 by Susan L. Eichhorn P.S. 7265 of Corner Stone Professional Land Surveyors, Inc.



EXHIBIT A

ORIGINAL BRUNSWICK TOWNSHIP TRACT 1, LOT 18
NOW IN THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO



Susan L. Eichhorn
SUSAN L. EICHHORN P.S. 7265
OCTOBER 11, 2023 23117

