

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

JULY 15, 2024

5:50 PM

IN COUNCIL CHAMBERS

1. Motion Items
 - (a) Excuse Councilman Abella for Just Cause
2. Review Legislation
 - (a) **RES. NO. 62-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, Inc. for the Pepperwood Drive Resurfacing Project in an amount not to exceed \$1,087,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*)
 - (b) **RES. NO. 63-2024** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 22.0536± acre property (PPN 001-02A-25-001) located on Woodward Avenue. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)
 - (c) **RES. NO. 64-2024** - An emergency resolution amending Resolution No. 59-2024 by increasing the not to exceed amount of Guaranteed Maximum Price Amendment No. 1 with RFC Contracting, LLC for specified sitework, concrete, asphalt, pre-purchased equipment and fire hydrant/waterline assembly for the new fire station headquarters project by \$48,167.76 from \$2,345,908.00 to \$2,394,075.76. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)
 - (d) **RES. NO. 65-2024** - An emergency resolution authorizing the City Manager and Finance Director to enter into Guaranteed Maximum Price Amendment No. 2 with RFC Contracting, LLC for specified site furnishings, landscaping, fencing & gates, masonry, steel, rough and finish carpentry, roofing, siding, openings, drywall/ceilings, flooring, painting, specialties, fire suppression, plumbing, HVAC, electrical/technology, and selected alternates for the new fire station headquarters project in an amount not to exceed \$8,534,527.95. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)
3. Adjournment

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 7/15/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Magovac

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 62-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, Inc. for the Pepperwood Drive Resurfacing Project in an amount not to exceed \$1,087,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*)

BACKGROUND: Authorization for a public bid was granted by City Council motion on June 10, 2024. Bids were received on July 3, 2024. The lowest and best bidder was Konstruction King, Inc for \$1,087,000. The bid included the entire Pepperwood Drive from Wolff Drive to Grafton Road. The south side from Wolff Drive to Baywood Drive is the portion relating to the City's OPWC application and grant project. The City of Brunswick cannot award the construction contract until after the OPWC Pepperwood Project Agreements have been executed by all parties. The agreements were executed on July 3, 2024 and the City received an email for OK to proceed. The south side of the improvement project will be split 50.238183% to OPWC and 49.761817% City costs. The North side of the project from Baywood to Grafton will be 100% local costs and not part of the OPWC project. Based on the lowest and best bid and bid quantities, the engineer has calculated that the South side of the construction project costs = \$758,089.50. These costs will be split between the OPWC portion of \$380,850.39 (Fund/acct# 375-0557-56881) and the City portion of \$377,239.11 (Fund/acct# 333-0557-56881). The Engineer has calculated the north side of the project to equal \$328,910.50 to be charged to Fund/acct# 333-0557-56881.

PURPOSE AND EXPLANATION: The proposed project will seek to rehabilitate, repair and resurface the existing deteriorated concrete pavement on Pepperwood Drive between Wolff Drive and Grafton Road, improving neighborhood accessibility and safety to the traveling public.

The lowest and best bidder was Konstruction King, Inc for \$1,087,000. The bid included the entire Pepperwood Drive from Wolff Drive to Grafton Road. The south side from Wolff Drive to Baywood Drive is the portion relating to the City's OPWC application and grant project. The City of Brunswick cannot award the construction contract until after the OPWC Pepperwood Project Agreements have been executed by all parties. The agreements were executed on July 3, 2024 and the City received an email for OK to proceed. The south side of the improvement project will be split 50.238183% to OPWC and 49.761817% City costs. The North side of the project from Baywood to Grafton will be

100% local costs and not part of the OPWC project. Based on the lowest and best bid and bid quantities, the engineer has calculated that the South side of the construction project costs = \$758,089.50. These costs will be split between the OPWC portion of \$380,850.39 (Fund/acct# 375-0557-56881) and the City portion of \$377,239.11 (Fund/acct# 333-0557-56881). The Engineer has calculated the north side of the project to equal \$328,910.50 to be charged to Fund/acct# 333-0557-56881.

**IMPLEMENTATION
SCHEDULE:**

The project is anticipated to commence in August and be completed in November. The construction contract and this legislation cannot be awarded until after OPWC Pepperwood Project Agreements have been executed by all parties. This is necessary in order to secure an overall grant award in the amount of \$658,500.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

The lowest and best bidder was Konstruktion King, Inc for \$1,087,000. The bid included the entire Pepperwood Drive from Wolff Drive to Grafton Road. The south side from Wolff Drive to Baywood Drive is the portion relating to the City's OPWC application and grant project. The City of Brunswick cannot award the construction contract until after the OPWC Pepperwood Project Agreements have been executed by all parties. The agreements were executed on July 3, 2024 and the City received an email for OK to proceed. The south side of the improvement project will be split 50.238183% to OPWC and 49.761817% City costs. The North side of the project from Baywood to Grafton will be 100% local costs and not part of the OPWC project. Based on the lowest and best bid and bid quantities, the engineer has calculated that the South side of the construction project costs = \$758,089.50. These costs will be split between the OPWC portion of \$380,850.39 (Fund/acct# 375-0557-56881) and the City portion of \$377,239.11 (Fund/acct# 333-0557-56881). The Engineer has calculated the north side of the project to equal \$328,910.50 to be charged to Fund/acct# 333-0557-56881.

Summary:

Wolff Drive to Baywood Drive, OPWC portion \$380,850.39; City of Brunswick portion \$377,239.11

Baywood Drive to Grafton Road, 100% City portion, \$328,910.50

**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 2024 construction season.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 62-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KONSTRUCTION KING, INC. FOR THE PEPPERWOOD DRIVE RESURFACING PROJECT IN AN AMOUNT NOT TO EXCEED \$1,087,000.00.

WHEREAS: The City of Brunswick received three (3) bids for the Pepperwood Drive Resurfacing Project (the "Project"), in accordance with public bidding requirements;

WHEREAS: The three (3) received public bids were opened on July 3, 2024, with Konstruction King, Inc. determined to be the lowest and best bidder; and

WHEREAS: The Project is being partially funded with a grant from the Ohio Public Works Commission.

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. for the construction of the Pepperwood Drive Resurfacing Project in an amount not to exceed \$1,087,000.00.

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 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: _____

Assistant Clerk of Council
Irene Jayapandian

PROPOSED LEGISLATION



DATE: 7/15/2024

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. 63-2024** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 22.0536± acre property (PPN 001-02A-25-001) located on Woodward Avenue. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

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 that a parcel of real property located on Woodward Avenue be annexed from Brunswick Hills Township to the City of Brunswick.

PURPOSE AND EXPLANATION: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 22.0536± acres of property located on Woodward Avenue (PPN 001-02A-25-001), 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.

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?

The approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the August 27, 2024, hearing date.

**ADDITIONAL
INFORMATION:**



CRITCHFIELD

www.ccj.com

June 27, 2024

Via Certified Mail

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

RE: Petition for Regular Annexation – 22.0536 acres
Brunswick Hills Township to the City of Brunswick

Dear Clerk:

Please be advised that a Petition for Annexation was filed with the Medina County Commissioners on June 25, 2024 at 3:22 p.m. The Board of Medina County Commissioners will conduct a hearing on the Petition for Annexation on **Tuesday, August 27, 2024 at approximately 11:00 a.m.** I am enclosing copies of the Petition with exhibits and the notice of hearing received from the Medina County Commissioners for your review and retention.

Please contact me should you have any questions or need additional information.

Sincerely,

Daniel P. Calvin

DPC/tas
Enclosures

4879-4773-3452, v. 1

Daniel P. Calvin
calvin@ccj.com

4996 Foote Road
Medina, OH 44256

P: 330.723.6404
F: 330.721.7644



Medina County Board of Commissioners

Stephen D. Hambley

Aaron M. Harrison

Colleen M. Swedyk

June 26, 2024

Via Email (calvin@ccj.com) and Regular U.S. Mail

Daniel P. Calvin, Esq.
Critchfield Law Firm
4996 Foote Road
Medina, OH 44256

RE: Petition for Regular Annexation –22.0536 acres
Brunswick Hills Township to the City of Brunswick

Dear Mr. Calvin,

The Medina County Board of Commissioners is in receipt of the regular petition for annexation received from your office on June 25, 2024. A time-stamped copy of the petition was provided at the time of filing for your records. Please advise if you wish for future correspondence to be sent via email, or if regular mail is your preferred method.

The Board of Commissioners will conduct a hearing on the above-referenced petition for annexation on **Tuesday, August 27, 2024, at 11:00 a.m.** providing no objections are received between now and then. Our office will arrange for a court reporter to be present at this hearing.

Sincerely,

Rhonda Beck
Clerk of the Board of County Commissioners

**Petition for Annexation
To the City of Brunswick
of 22.0536 acres, more or less
In the Township of Brunswick Hills
(Regular Petition – O.R.C. §709.02)**

MEDINA CO COMMISSION
JUN 25 '24 PM 3:22

The undersigned ("Petitioner"), being the sole owner of the real property known as Medina County Permanent Parcel Number 001-02A-25-001, which parcel consists of 22.0536 acres as more fully described in Exhibit A attached hereto and made a part hereof ("Property") hereby petitions, pursuant to Ohio Revised Code Section 709.02, for the annexation of the Property to the City of Brunswick, Medina County, Ohio.

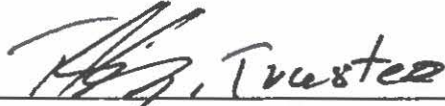
In support of its petition, Petitioner states as follows:

1. The legal description of the perimeter of the Property is attached hereto as Exhibit A and made a part hereof.
2. A plat map of the Property is attached hereto as Exhibit B and made a part hereof. The Property is adjacent to the City of Brunswick.
3. The undersigned Petitioner is the sole owner, as defined in ORC Section 709.02(E), of all of the land in the area proposed to be annexed.
4. A list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory or directly across the road from it is attached hereto as Exhibit C and made a part hereof.
5. Daniel P. Calvin, Attorney, of 4996 Foote Road, Medina, Ohio 44256, is hereby appointed agent for Petitioner with full power and authority to do any and all things necessary in connection with the filing, review and approval of this petition.

[Signatures appear on following page]

[Signature Page to Petition for Annexation]

Petitioner:



Thomas G. Simon, Trustee of the Thomas G. Simon
2005 Trust U/A/D/ May 26, 2005

Date: 6-7-, 2024

Acceptance of Appointment

The undersigned, named herein agent for Petitioner, hereby acknowledges and accepts the appointment of agent for said Petitioner.



Daniel P. Calvin

Exhibit A
Legal Description

See attached.



LEWIS LAND PROFESSIONALS

INC.

Civil Engineering & Land Surveying

Legal Description
Township of Brunswick Hills
Annexation
Project No. 24-106
Area = 22.0536 Acres

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio, and known as being part of Lot 7, Tract 1 of Original Brunswick Township, also known as being all of a parcel of land conveyed on 12/28/2007 to Thomas G. Simon, Tr, as recorded in Document No. 2007OR034023 of the Medina County Recorder's records and being further bounded and described as follows:

Commencing at a 5/8" iron pin found at the northeasterly corner of Sublot 254 of Eagle Oaks Subdivision No. 7 as recorded in Plat Vol. 15, P. 24 of the Medina County Recorder's records; thence **South 00°26'28" East**, along the easterly line of said Eagle Oaks Subdivision No. 7, a distance of **144.89 feet** to a 5/8" iron pin (capped "Schwartz 7193") found at the **TRUE PLACE OF BEGINNING** for the parcel of land herein described;

Thence **North 88°13'43" East**, along the southerly line of a parcel of land conveyed on 05/05/2023 to SHN Brunswick, LLC as recorded in Document No. 2023OR006328 of the Medina County Recorder's records, a distance of **2228.55 feet** to a 5/8" iron pin (capped "Lewis Land Professionals") set;

Thence **South 00°05'29" East**, along the westerly line of a parcel of land conveyed on 05/06/1987 to John R. & Barbara A. Rocha as recorded in O.R. 373, P. 893 of the Medina County Recorder's records, the westerly line of a parcel of land conveyed on 01/05/2021 to Henry A. & Cynthia Hoffman as recorded in Document No. 2021OR000292 of the Medina County Recorder's, the westerly line of a parcel of land conveyed on 12/24/2013 to 922 Pearl, LLC as recorded in Document No. 2013OR033603 of the Medina County Recorder's records, and a westerly line of Sublot 13 of North Brunswick Allotment as recorded in Plat Vol. 4, P. 8 of the Medina County Recorder's records, passing over a 1" iron pin found at 100.58 feet, and a 5/8" iron pin found at 446.91 feet, a distance of **465.18 feet** to a 5/8" iron pin (capped "Lewis Land Professionals") set;

Thence **South 88°06'06" West**, along the northerly line of said North Brunswick Allotment, a distance of **146.40 feet** to a 5/8" iron pin (capped "Lewis Land Professionals") set;

8691 Wadsworth Rd. Ste. 100 Wadsworth, Ohio 44281
(330) 335-8232

Thence North 00°02'36" West, along the easterly line of a record 0.100 Ac. parcel of land conveyed on 12/08/2022 to Ambrose Properties New England, LLC as recorded in Document No. 2022OR024876 of the Medina County Recorder's records, and the easterly line of a record 1.0000 Ac. parcel of land conveyed on 12/18/2020 to Dorub Holdings, LLC as recorded in Document No. 2020OR032838 of the Medina County Recorder's records, a distance of 217.00 feet to a point (witnessed by a 5/8" iron pin (illegible cap) found North 00°02'36" West, 0.80 feet);

Thence South 88°06'06" West, along the northerly line of said record 1.0000 Ac. Dorub Holdings, LLC parcel, and the northerly line of a record 0.747 Ac. parcel of land conveyed on 12/18/2020 to Dorub Holdings, LLC as recorded in Document No. 2020OR032838 of the Medina County Recorder's records, a distance of 371.00 feet to a 5/8" iron pin found;

Thence South 00°02'36" East, along the westerly line of said record 0.747 Ac. Dorub Holdings, LLC parcel, passing over a 1-1/2" iron pipe found at 216.88 feet, a distance of 217.00 feet to a point (witnessed by a said 1-1/2" iron pipe found North 00°02'36" West, 0.12 feet);

Thence South 88°06'06" West, along the northerly line of a record 0.828 Ac. parcel of land conveyed on 12/08/2022 to Ambrose Properties New England, LLC as recorded in Document No. 2022OR024876 of the Medina County Recorder's records, the northerly line of a record 4.790 Ac. parcel of land conveyed on 12/08/2022 to Ambrose Properties New England, LLC as recorded in Document No. 2022OR024876 of the Medina County Recorder's records, the northerly line of a parcel of land conveyed on 03/04/1992 to Timothy R. Hendricks as recorded in O.R. 676, P. 858 of the Medina County Recorder's records, the northerly line of a parcel of land conveyed on 07/01/2015 to Bradford J. & Brandy L. Hughes as recorded in Document No. 2015OR013692 of the Medina County Recorder's records, the northerly line of a parcel of land conveyed on 09/30/2014 to Kevin M. Seifert as recorded in Document No. 2014OR019631 of the Medina County Recorder's records, the northerly line of a parcel of land conveyed on 04/14/2020 to Jane Costlow as recorded in Document No. 2020OR007974 of the Medina County Recorder's records, and the northerly line of a parcel of land conveyed on 02/11/2016 to Robert & Karyl Getson as recorded in Document No. 2016OR002794 of the Medina County Recorder's records a distance of 1708.69 feet to a 5/8" iron pin (capped "Lewis Land Professionals") set;

Thence North 00°24'33" West, along the easterly line of said Eagle Oaks Subdivision No. 7, passing over a 5/8" iron pin found at 45.06 feet, and a 5/8" iron pin found at 411.23 feet, a distance of 470.05 feet to the **PLACE OF BEGINNING** and containing 22.0536 acres of land, more or less, as surveyed by Louis J. Giffels, Registered Surveyor No. 7790 in May 2024, for and on behalf of Lewis Land Professionals, Inc.

The **BASIS OF BEARING** for this description is Grid North of the Ohio State Plane Coordinate System, NAD83 (2011), North Zone as established by GPS Observation.

8691 Wadsworth Rd. Ste. 100 Wadsworth, Ohio 44281
(330) 335-8232

**Exhibit B
Annexation Plat**

See attached.

PLAT OF REGULAR ANNEXATION OF 22.0536 ACRES
FROM THE TOWNSHIP OF BRUNSWICK HILLS TO THE CITY OF BRUNSWICK

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio,
and known as being part of Lot 7, Tract 1 of Original Brunswick Township

LEWIS LAND PROFESSIONALS, INC. CIVIL ENGINEERS, SURVEYORS

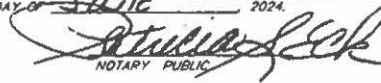
ACCEPTANCE

I, Thomas G. Simon, Trustee of the Thomas G. Simon 2005 Trust U/A/D/ May 26, 2005, owner of the land embraced within this annexation plat, hereby acknowledge this plat and annexation to be my free act and deed. I certify that there are no delinquent taxes or assessments against the lands embraced within this plat.


Thomas G. Simon, Trustee

STATE OF OHIO
MEDINA COUNTY

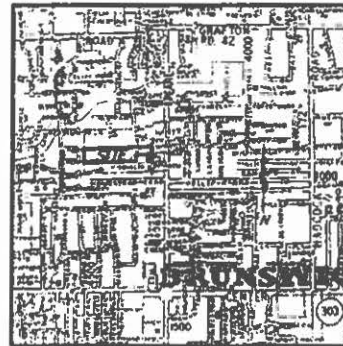
BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED THOMAS G. SIMON WHO ACKNOWLEDGED THE MAKING OF THE FOREGOING INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE THEIR FREE ACT AND DEED, IN TESTIMONY WHEREOF I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MEDINA OHIO THIS 17 DAY OF SEPTEMBER 2024.


NOTARY PUBLIC



Patricia S Eck
Notary Public, State of Ohio
My Commission Expires
October 24, 2028

PER OHIO REVISED CODE 709.02



LOCATION MAP

TOTAL AREA TO
BE ANNEXED
=22.0536 ACRES

SURVEYOR'S CERTIFICATION

I hereby certify that I have surveyed the land on this plat, that the plat is a correct representation of the land surveyed, that the survey balances and closes, that all dimensional and geodetic details are correct, and that the monuments shown thereon exist or shall be set at all lot corners and radius returns.

Louis J. Giffels



Date: 05/29/2024

Reg. Ohio Surveyor No. PS-#7790



APPROVALS

This Annexation Plat was duly accepted by the Brunswick City Council at its regular meeting held on the ____ day of _____, 2024 by Ordinance No. _____.

President: _____

Deputy Clerk of Council: _____

Approved this ____ day of _____, 2024, by the Medina County Commissioners:

Commissioner: _____

Commissioner: _____

Commissioner: _____

Approved for transfer this ____ day of _____, 2024, by the

Medina County Tax Map Office.

Tax Map Draftsman: _____

Received for transfer this ____ day of _____, 2024, by the

Medina County Auditor's Office.

County Auditor: _____

Received and Recorded this ____ day of _____, 2024, by the Medina County Recorder's Office and is recorded by Plat Document No. _____.

Recorder: _____


Lewis Land Professionals, Inc.

Civil Engineering & Surveying
8891 Wadsworth Rd., Suite 100 Wadsworth, Ohio 44281
Phone: (330) 335-8232
www.landproinc.com

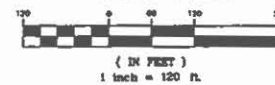
SHEET 1 OF 2

PROJ. No. 24-106 DRAWING NAME 24-106.dwg

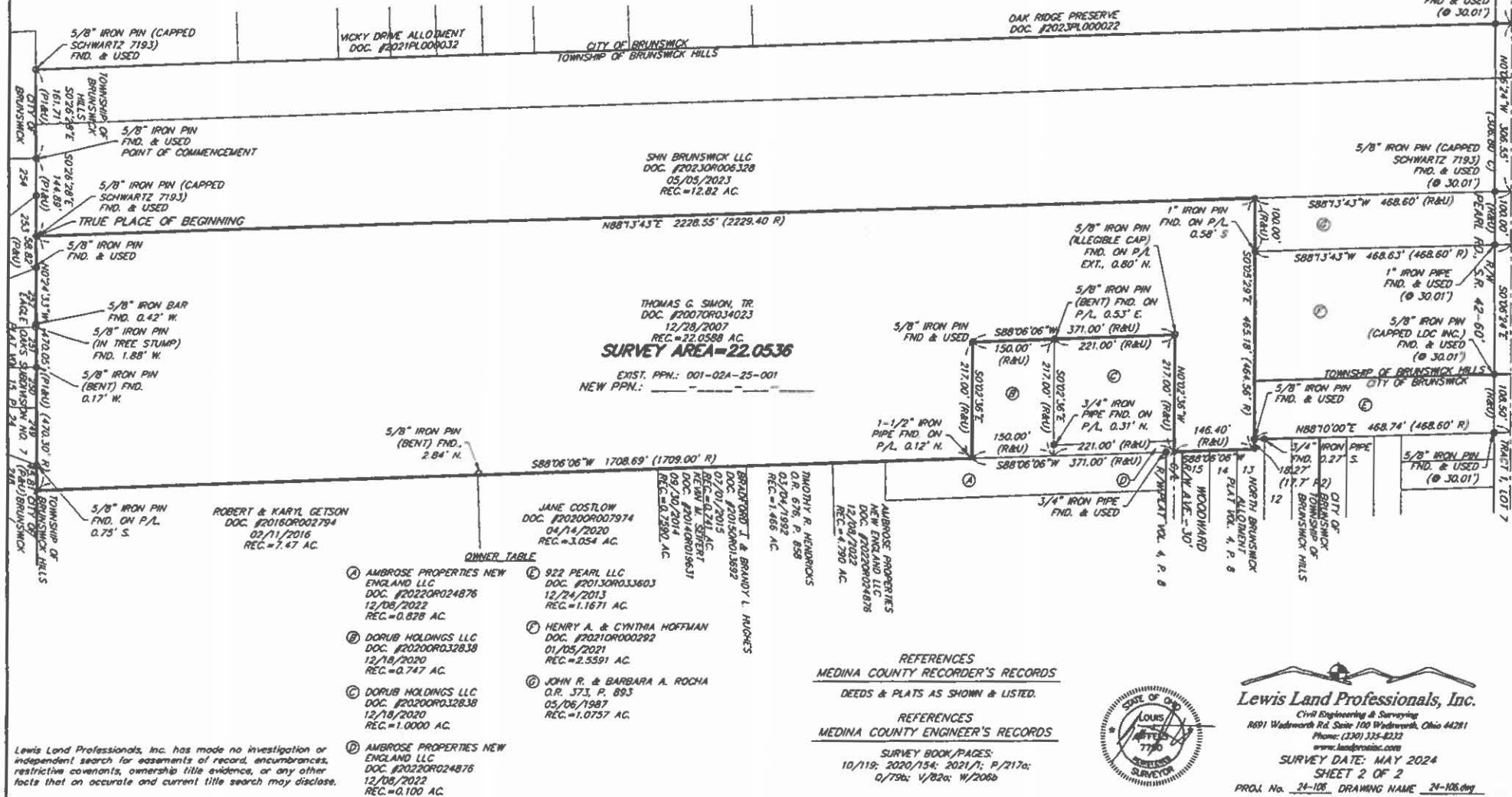
SURVEY LEGEND

- - 5/8" x 30" Iron Pin Set w/cap Lewis Land Professionals
- ▲ - Mog Nail Set
- - Drill Hole Set
- - Monument Bar Found & Described
- - Iron Pin Found & Described
- - Iron Pipe Found & Described
- ☆ - Drill Hole Found & Described
- △ - Mog Nail Found & Described
- Fnd. (F) - Found
- Usd. (U) - Used
- Plat1 (P1) - Plat Vol. 15, P. 24
- Plat2 (P2) - Plat Vol. 4, P. 8
- Plat3 (P3) - Doc. #2023PL000022
- Rec. (R) - Record Deed
- Calc. (C) - Calculated
- R/W - Right of Way
- C/L - Centerline
- P/L - Property Line

GRAPHIC SCALE



The "Basis of Bearings" for this survey is Grid North of the NAD83 (2011), Ohio State Plane, North Zone as established by GPS Observation.



Lewis Land Professionals, Inc. has made no investigation or independent search for encumbrances of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

REFERENCES
MEDINA COUNTY RECORDER'S RECORDS
DEEDS & PLATS AS SHOWN & LISTED.

REFERENCES
MEDINA COUNTY ENGINEER'S RECORDS

SURVEY BOOK/PAGES:
10/119; 2020/134; 2021/1; P/2170;
Q/790; V/820; W/2060



Lewis Land Professionals, Inc.
Civil Engineering & Surveying
8691 Wadsworth Rd. Suite 100 Wadsworth, Ohio 44281
Phone: (330) 325-4232
www.lewislandpros.com
SURVEY DATE: MAY 2024
SHEET 2 OF 2
PROJ. No. 24-108 DRAWING NAME 24-108.dwg

Exhibit C
Property and Adjacent Tracts

Parcel Number	Name	Mailing Address
Annexation Parcel		
001-02A-25-001	Simon, Thomas G., Trustee	2 Berea Commons Suite 1 Berea, Ohio 44017
Properties Adjacent to Annexation Parcel		
001-02A-21-009	SHN Brunswick, LLC	10940 S Parker Rd #136 Parker, CO 80134
001-02A-25-002	Rocha, John R. & Barbara A.	989 Substation Rd. Brunswick, Ohio 44212
001-02A-25-047	Hoffman, Henry A. & Cynthia	7902 Salisbury Dr. Parma, Ohio 44129
003-18A-07-136	922 Pearl, LLC	P.O. Box 41187 Brecksville, Ohio 44141
001-02A-25-023	Ambrose Properties of New England, LLC	3660 Center Rd. #117 Brunswick, Ohio 44212
001-02A-25-024	Ambrose Properties of New England, LLC	3660 Center Rd. #117 Brunswick, Ohio 44212
001-02A-25-025	Ambrose Properties of New England, LLC	3660 Center Rd. #117 Brunswick, Ohio 44212
001-02A-25-006	Ambrose Properties of New England, LLC	Dorob Holdings, LLC 2211 Medina Rd. Suite 100 Medina, Ohio 44256
001-02A-25-007	Ambrose Properties of New England, LLC	Dorob Holdings, LLC 2211 Medina Rd. Suite 100 Medina, Ohio 44256
001-02A-25-008	Ambrose Properties of New England, LLC	3660 Center Rd. #117 Brunswick, Ohio 44212
001-02A-25-009	Ambrose Properties of New England, LLC	3660 Center Rd. #117 Brunswick, Ohio 44212
001-02A-25-010	Ambrose Properties of New England, LLC	3660 Center Rd. #117 Brunswick, Ohio 44212
001-02A-25-011	Hendricks, Timothy R.	4451 Homestead Dr. Brunswick, Ohio 44212
001-02A-25-012	Hughes, Bradford J. & Brandy L.	4463 Homestead Dr. Brunswick, Ohio 44212
001-02A-25-013	Seifert, Kevin M.	4471 Homestead Dr. Brunswick, Ohio 44212
001-02A-25-014	Costlow, Jane	4479 Homestead Dr. Brunswick, Ohio 44212

Parcel Number	Name	Mailing Address
001-02A-24-001	Getson, Robert & Karyl & Rosa (life est.)	4535 Homestead Dr. Brunswick, Ohio 44212
003-18A-06-106	Linhart, Richard C. & Vee T.	4602 Boxwood Dr. Brunswick, Ohio 44212
003-18A-06-107	Bowers, Christopher E.	4600 Boxwood Dr. Brunswick, Ohio 44212
003-18A-06-108	Hopkins, Miriam	4598 Boxwood Dr. Brunswick, Ohio 44212
003-18A-06-109	Wonder, Gregory L & Kelly R.	4597 Redwood Dr. Brunswick, Ohio 44212
003-18A-06-110	Woolsey, Ruth A.	4599 Redwood Dr. Brunswick, Ohio 44212
003-18A-06-111	Birr, Paula J.	4601 Redwood Dr. Brunswick, Ohio 44212

4868-0354-6809, v. 1

PLAT OF REGULAR ANNEXATION OF 22.0536 ACRES
FROM THE TOWNSHIP OF BRUNSWICK HILLS TO THE CITY OF BRUNSWICK

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio,
and known as being part of Lot 7, Tract 1 of Original Brunswick Township

LEWIS LAND PROFESSIONALS, INC. CIVIL ENGINEERS, SURVEYORS

MEDINA CO COMMISSIO
JUN 25 '24 PM3:22

ACCEPTANCE

PER OHIO REVISED CODE 709.02

I, Thomas G. Simon, Trustee of the Thomas G. Simon 2005 Trust U/A/D/ May 26, 2005, owner of the land embraced within this annexation plat, hereby acknowledge this plat and annexation to be my free act and deed. I certify that there are no delinquent taxes or assessments against the lands embraced within this plat.

Thomas G. Simon
Thomas G. Simon, Trustee

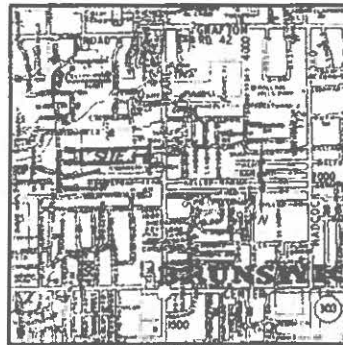
STATE OF OHIO
MEDINA COUNTY

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED THOMAS G. SIMON AND ACKNOWLEDGED THE MAKING OF THE FOREGOING INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE THEIR FREE ACT AND DEED, IN TESTIMONY WHEREOF I HAVE HEREON SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MEDINA, OHIO THIS 17 DAY OF JULY, 2024.

Patricia S Eck
NOTARY PUBLIC



Patricia S Eck
Notary Public, State of Ohio
My Commission Expires
October 24, 2028



LOCATION MAP

TOTAL AREA TO
BE ANNEXED
=22.0536 ACRES

APPROVALS

This Annexation Plat was duly accepted by the Brunswick City Council at its regular meeting held on the ____ day of _____, 2024 by Ordinance No. _____.

President _____

Deputy Clerk of Council _____

Approved this ____ day of _____, 2024, by the
Medina County Commissioners.

Commissioner _____

Commissioner _____

Commissioner _____

Approved for transfer this ____ day of _____, 2024, by the

Medina County Tax Map Office.
Tax Map Draftsman: _____

Received for transfer this ____ day of _____, 2024, by the

Medina County Auditor's Office.
County Auditor: _____

Received and Recorded this ____ day of _____, 2024, by the Medina
County Recorder's Office and is recorded by Plat Document No. _____

Recorder: _____

SURVEYOR'S CERTIFICATION

I hereby certify that I have surveyed the land on this plat, that the plat is a correct representation of the land surveyed, that the survey balances and closes, that all dimensional and geodetic details are correct, and that the monuments shown thereon exist or shall be set at all lot corners and radius returns.

Louis J Giffels
Louis J Giffels

Date: 05/29/2024

Reg. Ohio Surveyor No. PS-77790



Lewis Land Professionals, Inc.
Civil Engineering & Surveying
8841 Wadsworth Rd., Suite 100 Wadsworth, Ohio 44281
Phone: (330) 515-8252
www.lewislandpros.com

SHEET 1 OF 2

PROJ. No. 24-106 DRAWING NAME 24-106.dwg

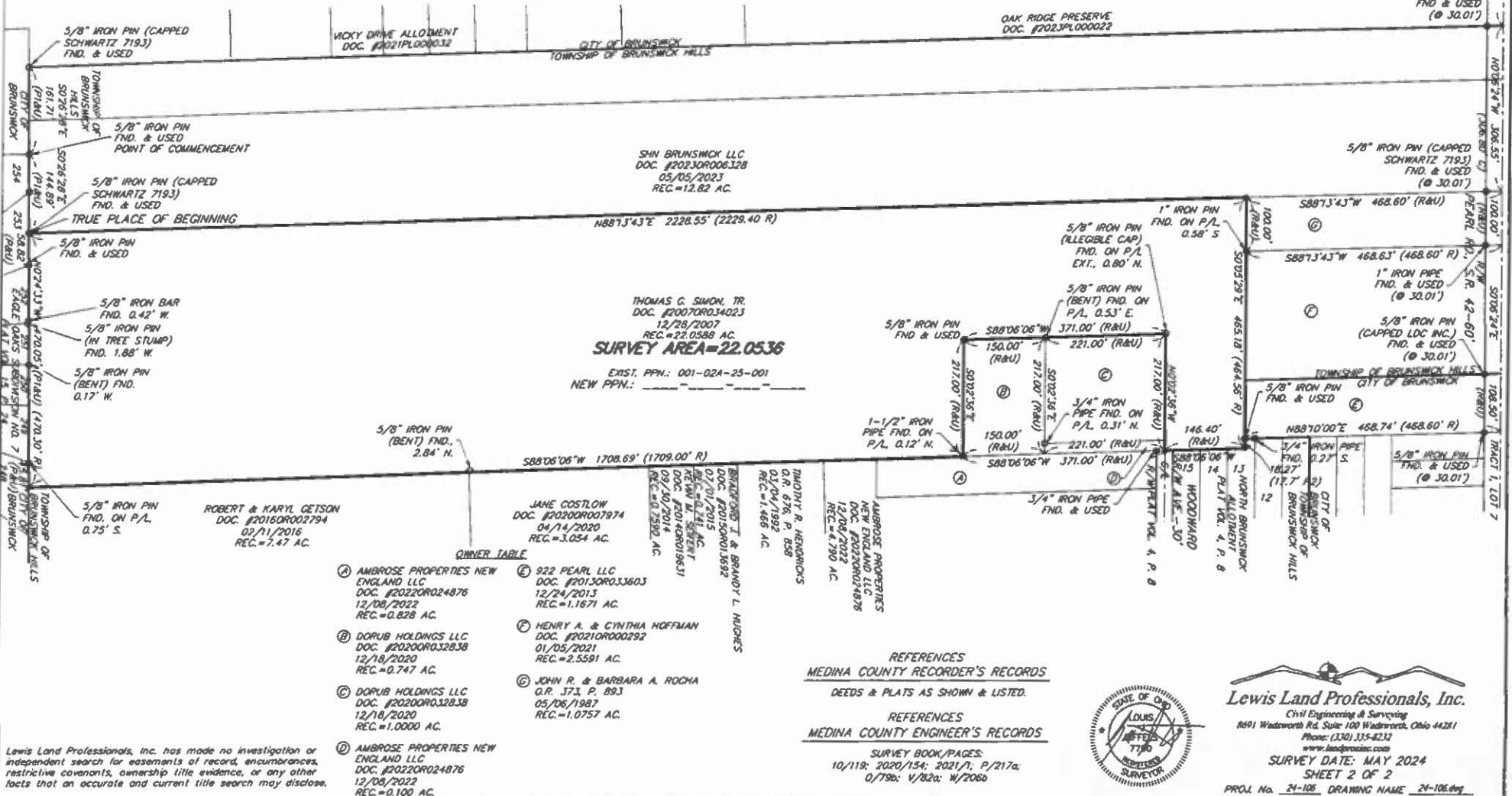
SURVEY LEGEND

- - 5/8" x 30" Iron Pin Set w/cap Lewis Land Professionals
- ▲ - Mag Nail Set
- - Drill Hole Set
- - Monument Box Found & Described
- - Iron Pin Found & Described
- - Iron Pipe Found & Described
- ◇ - Drill Hole Found & Described
- △ - Mag Nail Found & Described
- Fnd. (F) - Found
- Usd. (U) - Used
- Plot1 (P1) - Plot Vol. 15, P. 24
- Plot2 (P2) - Plot Vol. 4, P. 8
- Plot3 (P3) - Doc. #2023PL000022
- Rec. (R) - Record Deed
- Calc. (C) - Calculated
- R/W - Right of Way
- C/L - Centerline
- P/L - Property Line

GRAPHIC SCALE



The "Basis of Bearings" for this survey is Grid North of the NAD83 (2011), Ohio State Plane, North Zone as established by GPS Observation.



CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 63-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 22.0536± ACRE PROPERTY (PPN 001-02A-25-001) LOCATED ON WOODWARD AVENUE.

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 that a parcel of real property located on Woodward Avenue 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 22.0536± acres of property located on Woodward Avenue (PPN 001-02A-25-001), 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 August 27, 2024 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 _____

Rules Suspended: _____

AYES _____ NAYS _____

ADOPTED: _____

AYES _____ NAYS _____

ATTEST: _____
Assistant Clerk of Council

Irene Jayapandian

PROPOSED LEGISLATION



DATE: 7/15/2024

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. 64-2024** - An emergency resolution amending Resolution No. 59-2024 by increasing the not to exceed amount of Guaranteed Maximum Price Amendment No. 1 with RFC Contracting, LLC for specified sitework, concrete, asphalt, pre-purchased equipment and fire hydrant/waterline assembly for the new fire station headquarters project by \$48,167.76 from \$2,345,908.00 to \$2,394,075.76. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: The CM has submitted proposed Guaranteed Maximum Price No. 1 relative to sitework, concrete, asphalt, pre-purchased equipment and fire hydrant/waterline assembly for the Project in an amount not to exceed \$2,542,503.26. Pursuant to Resolution No. 59-2024, Guaranteed Maximum Price No. 1 was approved in the amount not to exceed \$2,345,908.00, which accounted for CM Fees to be paid thereunder pursuant to Resolution No. 92-2023 and the CM PO in the amount of \$196,595.26.

PURPOSE AND EXPLANATION: It has been determined that the sum of \$48,167.76 (representing a 2.0% CM Contingency) was incorrectly allocated to the CR Fees instead of being allocated to Guaranteed Maximum Price No. 1. Resolution No. 59-2024 must be amended to increase the Guaranteed Maximum Price Amendment No. 1 with RFC Contracting, LLC for specified sitework, concrete, asphalt, pre-purchased equipment and fire hydrant/waterline assembly for the Project by \$48,167.76 from \$2,345,908.00 to an amount not to exceed \$2,394,075.76.

IMPLEMENTATION SCHEDULE: Immediately.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Upon City Council approval, existing PO#202459367 would be increased by 48,167.76 to a revised total of \$2,394,075.76. These applicable costs will be charged to acct#359-0437-56881.

RECOMMENDED ACTION:

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

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

Immediate passage is necessary to meet the design and construction timeline for the Project.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 64-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AMENDING RESOLUTION NO. 59-2024 BY INCREASING THE NOT TO EXCEED AMOUNT OF GUARANTEED MAXIMUM PRICE AMENDMENT NO. 1 WITH RFC CONTRACTING, LLC FOR SPECIFIED SITEWORK, CONCRETE, ASPHALT, PRE-PURCHASED EQUIPMENT AND FIRE HYDRANT/WATERLINE ASSEMBLY FOR THE NEW FIRE STATION HEADQUARTERS PROJECT BY \$48,167.76 FROM \$2,345,908.00 TO \$2,394,075.76.

WHEREAS: On or about October 23, 2023, City Council adopted Resolution No. 92-2023 authorizing the City Manager to enter into an Agreement with RFC Contracting, LLC as Construction Manager (the “CM”) for the provisions of Construction Manager At Risk services (“CMR Services”) for the new Fire Station Headquarters Project (the “Project”) in an amount not to exceed \$800,000.00.

WHEREAS: Pursuant to the authority granted under Resolution No. 92-2023, on or about October 23, 2023, the City of Brunswick and the CM entered into AIA Document A133-2019, Standard Form of Agreement Between Owner and Construction Manager for the Project.

WHEREAS: Pursuant to the authority granted under Resolution No. 92-2023, the total amount of \$800,000.00 has been encumbered for CM Services (the “CM Fees”) per certified Purchase Order No. 202358335 (the “CM PO”), of which \$26,400.00 has been accounted for to date.

WHEREAS: The CM has submitted proposed Guaranteed Maximum Price No. 1 relative to sitework, concrete, asphalt, pre-purchased equipment and fire hydrant/waterline assembly for the Project in an amount not to exceed \$2,542,503.26.

WHEREAS: Pursuant to Resolution No. 59-2024, Guaranteed Maximum Price No. 1 was approved in the amount not to exceed \$2,345,908.00, which accounted for CM Fees to be paid thereunder pursuant to Resolution No. 92-2023 and the CM PO in the amount of \$196,595.26.

WHEREAS: It has been determined that the sum of \$48,167.76 (representing a 2.0% CM Contingency) was incorrectly allocated to the CR Fees instead of being allocated to Guaranteed Maximum Price No. 1.

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

SECTION 1: That Resolution No. 59-2024 is hereby amended by increasing the Guaranteed Maximum Price Amendment No. 1 with RFC Contracting, LLC for specified sitework, concrete, asphalt, pre-purchased equipment and fire hydrant/waterline assembly for the Project by \$48,167.76 from \$2,345,908.00 to an amount not to

exceed \$2,394,075.76.

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 meet the design and construction timeline for the Project. 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: _____

Assistant Clerk of Council
Irene Jayapandian

PROPOSED LEGISLATION



DATE: 7/15/2024

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. 65-2024** - An emergency resolution authorizing the City Manager and Finance Director to enter into Guaranteed Maximum Price Amendment No. 2 with RFC Contracting, LLC for specified site furnishings, landscaping, fencing & gates, masonry, steel, rough and finish carpentry, roofing, siding, openings, drywall/ceilings, flooring, painting, specialties, fire suppression, plumbing, HVAC, electrical/technology, and selected alternates for the new fire station headquarters project in an amount not to exceed \$8,534,527.95. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: Pursuant to the authority granted under Resolution No. 92-2023, the total amount of \$800,000.00 has been encumbered for CM Services (the "CM Fees") per certified Purchase Order No. 202358335 (the "CM PO"), of which \$174,827.50 has been accounted for to date. The CM has submitted proposed Guaranteed Maximum Price No. 2 relative to specified site furnishings, landscaping, fencing & gates, masonry, steel, rough and finish carpentry, roofing, siding, openings, drywall/ceilings, flooring, painting, specialties, fire suppression, plumbing, HVAC, electrical/technology and selected alternates for the Project in an amount of \$9,119,762.06, which amount includes CM Fees to be paid pursuant to the CM PO in the amount of \$585,234.11.

PURPOSE AND EXPLANATION: To authorize the City Manager and Finance Director, with the approval of the Law Director, to enter into Guaranteed Maximum Price Amendment No. 2 with RFC Contracting, LLC for specified site furnishings, landscaping, fencing & gates, masonry, steel, rough and finish carpentry, roofing, siding, openings, drywall/ceilings, flooring, painting, specialties, fire suppression, plumbing, HVAC, electrical/technology and selected alternates for the Project in an amount not to exceed \$8,534,527.95.

IMPLEMENTATION SCHEDULE: Immediately.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Upon City Council approval, the GMP #002 total of \$8,534,527.95 will be charged to the Fire Station Construction Fund #359 - acct#359-0437-56881.

Please also note that the CMAR related service costs **not included** in the \$8,534,527.95 above will be charged to PO#202358335 as previously approved by City Council Res#92-2023.

**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?

Immediate passage is necessary to meet the design and construction timeline for the Project.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 65-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO ENTER INTO GUARANTEED MAXIMUM PRICE AMENDMENT NO. 2 WITH RFC CONTRACTING, LLC FOR SPECIFIED SITE FURNISHINGS, LANDSCAPING, FENCING & GATES, MASONRY, STEEL, ROUGH AND FINISH CARPENTRY, ROOFING, SIDING, OPENINGS, DRYWALL/CEILINGS, FLOORING, PAINTING, SPECIALITIES, FIRE SUPPRESSION, PLUMBING, HVAC, ELECTRICAL/TECHNOLOGY AND SELECTED ALTERNATES FOR THE NEW FIRE STATION HEADQUARTERS PROJECT IN AN AMOUNT NOT TO EXCEED \$8,534,527.95.

WHEREAS: On or about October 23, 2023, City Council adopted Resolution No. 92-2023 authorizing the City Manager to enter into an Agreement with RFC Contracting, LLC as Construction Manager (the “CM”) for the provisions of Construction Manager At Risk services (“CMR Services”) for the new Fire Station Headquarters Project (the “Project”) in an amount not to exceed \$800,000.00.

WHEREAS: Pursuant to the authority granted under Resolution No. 92-2023, on or about October 23, 2023, the City of Brunswick and the CM entered into AIA Document A133-2019, Standard Form of Agreement Between Owner and Construction Manager for the Project.

WHEREAS: Pursuant to the authority granted under Resolution No. 92-2023, the total amount of \$800,000.00 has been encumbered for CM Services (the “CM Fees”) per certified Purchase Order No. 202358335 (the “CM PO”), of which \$174,827.50 has been accounted for to date.

WHEREAS: The CM has submitted proposed Guaranteed Maximum Price No. 2 relative to specified site furnishings, landscaping, fencing & gates, masonry, steel, rough and finish carpentry, roofing, siding, openings, drywall/ceilings, flooring, painting, specialties, fire suppression, plumbing, HVAC, electrical/technology and selected alternates for the Project in an amount of \$9,119,762.06, which amount includes CM Fees to be paid pursuant to the CM PO in the amount of \$585,234.11.

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

SECTION 1: That the City Manager and Finance Director, with the approval of the Law Director, is hereby authorized to enter into Guaranteed Maximum Price Amendment No. 2 with RFC Contracting, LLC for specified site furnishings, landscaping, fencing & gates, masonry, steel, rough and finish carpentry, roofing, siding, openings, drywall/ceilings, flooring, painting, specialties, fire suppression, plumbing, HVAC, electrical/technology and selected alternates for the Project in an amount not to exceed \$8,534,527.95.

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 meet the design and construction timeline for the Project. 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: _____
Assistant Clerk of Council
Irene Jayapandian