



BRUNSWICK CITY COUNCIL AGENDA

Brandon Lambert Ward 3	Kristy Piper At-Large	Tim Smith At-Large	Dennis Nevar Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Laura Timura Clerk of Council	Nicholas Hanek Ward 2	Michael Abella Jr. Ward 1	Joseph Delsanter At-Large	Keith Kuczma Ward 4
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Administration Representatives

SEPTEMBER 9, 2024

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes dated July 22, 2024.
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the months ending July 2024 and August 2024 will be posted on the website and added to the minutes for the record.
 - (b) Mayor's recommendation to reappoint Nicholas Solar, Julie Murawski, and Stephen Hanudel to the Civil Service Commission.
 - (c) Mayor's recommendation to reappoint Millie Manning and James Pastor to the Income Tax Board of Review.
 - (d) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:
 - Economic Development Committee.....Mr. Lambert
 - Services, Utilities, Technology & Cable Committee.....Mr. Smith
 - Services, Utilities, Technology & Cable Committee Minutes dated July 22, 2024
 - Finance Committee.....Mr. Hanek
 - Finance Committee Minutes dated July 22, 2024
 - Safety & Environment Committee.....Mr. Kuczma
 - Planning & Zoning Committee.....Mr. Delsanter
 - Planning & Zoning Committee dated July 18, 2024
 - Parks, Recreation & Community Committee.....Mrs. Piper
 - Building & Building Code Committee.....Mr. Abella

8. Other Committees, Boards and Commissions
 - (a) Committee-of-the-Whole Minutes dated July 22, 2024
9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:
 - a. 3rd Reading(s)
 - b. 2nd Reading(s)
 - c. 1st Reading(s)

RES. NO. 69-2024 - An emergency resolution accepting the petition for annexation of an 18.9780± acre property (consisting of PPNS 001-02A-21-008 AND 001-02A-21-009) located on Pearl Road known as being part of Brunswick Hills Township to the City of Brunswick, Media County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

ORD. NO. 70-2024 - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for specified uses in all zoning and Special Planning Districts of the City and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 71-2024 - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for establishments that intend to engage in retail sales and/or distribution of tobacco products, vapor products, alternative nicotine products and/or electronic smoking devices in all zoning districts of the City and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 72-2024 - An ordinance amending Section 222.01 (a) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

RES. NO. 73-2024 - An emergency resolution authorizing the City Manager to enter into an agreement with Geo-Sci Laboratory, Inc. to provide emergency testing services for the New Fire Station Headquarters Project in an amount not to exceed \$60,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

RES. NO. 74-2024 - An emergency resolution authorizing the City Manager to enter into an agreement with Stryker Medical for the simultaneous sale of obsolete municipal equipment under the supervision of the Division of Fire and purchase of new

equipment needed by the Division of Fire in an amount not to exceed \$13,441.32 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)

RES. NO. 75-2024 - A resolution authorizing the City Manager to enter into an agreement with Cargill Salt for the purchase of Clearlane enhanced road salt for the Service Department in an amount not to exceed \$79.99 per ton.- **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

RES. NO. 76-2024 - A resolution in support of the Brunswick City School District Renewal Operating Levy.- **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Joseph Delsanter*)

RES. NO. 77-2024 - A resolution authorizing the City Manager to enter into a non-exclusive lease agreement with Brunswick Youth Baseball, d/b/a Brunswick Youth Baseball and Softball Association, for the operation of youth baseball/softball programs on City owned fields. - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/Taylor Petkovsek*)

RES. NO. 78-2024 - A resolution officially adopting the Brunswick City logo as the symbol for the Brunswick City Flag. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Kristy Piper*)

11. City Manager's Report
12. Open Forum
13. Unfinished Business
14. New Business
 - (a) Liquor permit requests from Anjaneya 108 LLC, at 108 W. 130th Street, Brunswick, Ohio 44212 and Samurai Revolving Shushi Inc. at 1439 Town Center Boulevard, Brunswick, Ohio 44212 were submitted on August 8, 2024, to the Ohio Division of Liquor Control.
 - (b) Liquor permit request from GetGo Operating LLC at 3351 Center Road, Brunswick, Ohio 44212 was submitted on August 13, 2024, to the Ohio Division of Liquor Control.
15. Adjournment

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

July 22, 2024

IN ATTENDANCE: Chairman Tim Smith, Committee Member Kristy Piper, Brandon Lambert, Joseph Delsanter, Keith Kuczma, Nicholas Hanek, City Manager/Safety Director Carl DeForest, City Engineer Matt Jones, Community & Economic Development Director Grant Aungst, Clerk of Council Laura Timura

The meeting convened at 6:24 p.m.

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

DISCUSSION ITEMS:

- a) **RES. NO. 66-2024** - An emergency resolution authorizing the City Manager and City Engineer to submit a grant and loan application to the Ohio Public Works Commission Issue 1 Program for the Laurel-Maxwell Intersection Improvements Project. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

Mr. Jones explained that the annual Ohio Public Works Commission application required Council legislation authorization. He continued that the Laurel-Maxwell improvements will complete the reconstruction project (connecting Maxwell Boulevard from Pinewood Drive to Coventry Drive) as well as the addition of a single-lane roundabout in that same location.

Mr. Jones reported that the location does not qualify for a traffic signal, which had been previously requested, and that the addition of a traffic signal would make the situation worse. He advised that the recommended roundabout is an alternate solution that would function as a better level of service in all directions.

Mrs. Piper moved Resolution Number 66-2024 to tonight's Council Agenda of July 22, 2024, as an emergency with suspension of the rules. Vote – 2 Ayes, 0 Nays.

- b) **RES. NO. 67-2024** – An emergency resolution granting consent to the Ohio Department of Transportation to perform pavement repairs and fine graded polymer asphalt concrete overlay (smoothseal) on Interstate 71. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

Mr. Jones disclosed that this is consent legislation for ODOT that included pavement repairs and asphalt overlay on Interstate 71 from the county line to Route 18. He clarified that due to a portion of that repair work falling into the City of Brunswick, Council authorization is required. He noted that there is no cost to the City for this resolution.

Mrs. Piper moved Resolution Number 67-2024 to tonight's Council Agenda of July 22, 2024, as an emergency with suspension of the rules. Vote – 2 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Fischer noted that the June reports are out.

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn at 6:27 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Nicholas Hanek
Chairman

FINANCE COMMITTEE

July 22, 2024

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Brandon Lambert, Joseph Delsanter, Kristy Piper, Keith Kuczma, City Manager/Safety Director Carl DeForest, City Engineer Matt Jones, Community & Economic Development Director Grant Aungst, Finance Director Todd Fischer, Director of the Department of Public Utilities Martin J. Keane, Clerk of Council Laura Timura

The meeting convened at 5:55 p.m.

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

DISCUSSION ITEMS:

- a) **ORD. NO. 68-2024** - An emergency ordinance amending Ordinances #98-2023, #16-2024 and #38-2024 to include amendments to the Appropriation Budget for the year ending December 31, 2024, as incorporated in Exhibit “A” attached hereto. – **1st Reading** (to be brought from Finance Committee, *Administration/Todd Fischer*)

Mr. Fischer explained that this ordinance is the third budget amendments for the year with a net decrease of \$794,000.

Mr. Fischer revealed that the City is closing out the North Carpenter Road and OPWC Skyview Drive Road Improvement Projects and increasing contingency for Pearl Road and various storm water repairs on Center Road, due to recent water main breaks.

Mr. Fischer added that, through June 30, 2024, \$183,000 in interest was collected from the fire station bonds and will be appropriated to the fire station fund.

Mr. Fischer anticipates \$64,000 in additional funds from the Opioid Legal Settlements and \$65,000 for anticipated planned review costs for the fire station and high school.

Mr. Lambert inquired whether Mr. Fischer required 3 readings or an emergency with suspension of the rules.

Mr. Fischer stated that an emergency with suspension of the rules was needed to begin work on the water main breaks and start the plan review process for the fire station.

Mr. Lambert moved Ordinance Number 68-2024 to tonight’s Council Agenda of July 22, 2024, as an emergency with suspension of the rules. Vote – 2 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Fischer noted that the June financial reports are out, and that any questions can be directed to the Assistant Finance Director Lynette Ozanich or Finance Director Todd Fischer.

ADJOURNMENT:

Being no further business, Mr. Lambert moved to adjourn at 5:57 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Nicholas Hanek
Chairman

PLANNING & ZONING COMMITTEE

July 18, 2024

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Keith Kuczma, Community & Economic Development Director Grant Aungst, Division of Planning Pam Plavecski, Animal Control Officer Mike Kellums, Assistant Council Clerk Irene Jayapandian, Information & Public Communications Manager Tom Keppler, Planning & Zoning Coordinator Jennie Lods, News Media, Brunswick Residents.

The meeting convened at 6:00 p.m.

Mr. Kuczma moved to excuse Mr. Lambert for just cause. Vote – 2 Ayes, 0 Nays.

DISCUSSION ITEMS:

a) Report on the current practice of raising chickens and fowl within City limits

Mr. Delsanter assured that Council would not be prohibiting the practice of raising chickens. He continued that this meeting is to address a noise complaint from Ward 1, which prompted Councilman Abella to ask for a review of the city's code regarding raising chickens.

Mr. Delsanter acknowledged that the Planning & Zoning Code regarding the residential raising of chickens and fowl has not been reviewed for five years. He agreed that it is an issue that requires revisiting. He recalled that, approximately eight years ago, the Building Committee required a half-acre of land in order to own a single chicken.

Mr. Delsanter disclosed that on multiple occasions he encountered chickens on the tree lawn or blocking a driveway on a busy street. This can be dangerous and responsible homeowners do not want chickens harmed by cars or animals. He mentioned that if any changes to the Planning & Zoning Code are required, the City will review and consider them. However, if something needs to be done regarding ownership and management of the flock, the Safety Committee would then review it. Either way, the City would seek public comment and work towards something agreeable.

Mr. Aungst assured the attendees that the Administration is following the direction of the code and City Council. He continued to explain that per the code, a resident is permitted a single structure in their backyard that is up to 850 square feet (i.e.: shed, garage). The City requires that the structure be 15 feet from the foundation of the house, ten feet from the rear and side property lines for a larger shed, and five feet for a small shed.

Kristin Girard (3456 Abington Court) requested verification on the number of structures permitted on a property. Mr. Aungst reiterated that a single structure is permitted in the backyard, located 15 feet from the foundation of the home at a maximum size of 850 square feet.

Ms. Girard inquired about a neighbor who had two backyard structures.

Mr. Aungst explained the neighbor may have received a variance from the City.

Ms. Girard confirmed that a shed and a chicken coop would be considered two structures.

Mr. Aungst agreed. He advised that residents who desire to have chicken coops ensure that the structure is contiguous to the current shed or garage.

Mr. Delsanter added that the coop should be attached to the structure.

Mr. Aungst stated that a chicken or fowl complaint must be investigated by the Building Department as well as Animal Control. He also commented on the importance of a fence to contain the animals.

Mr. Delsanter introduced Officer Kellums from Animal Control.

Officer Kellums assured residents that Animal Control only responds when complaints are received. He disclosed that the top complaint he receives is in regard to noisy roosters. He reminded of the Noise Ordinance 634.04 Specific Revisions (a). He instructed those he responds to regarding this matter to follow CQC (Clean, Quiet, Contained). He advised that if someone finds themselves with an unexpected rooster, to remove the rooster from the flock.

Officer Kellums continued to discuss cohabitation of ducks and chickens as well as free range chickens. He related that Animal Control has no opinion on whether or not ducks and chickens are kept together and noted that within Brunswick, no animals are permitted to roam free. Animals must be contained on the owner's property at all times, falling under the Animal-at-Large Ordinance. There are no restrictions regarding the number of chickens on a property.

Responding to a question his office received regarding a nuisance condition (primarily smell) Office Kellums referenced the Animal Ordinance that requires the property owner to pick up after animals and keep them clean and quiet. He added that the Ordinances are enforced with discretion.

Regarding the sale of eggs on property using the honor system, Officer Kellums admitted that he does not know if the practice is prohibited.

Rachelle Getto (4176 Laurel Road) contributed that even fenced-in chickens can get loose.

Mr. Delsanter commended residents for their caretaking of their chickens. He reminded that the Committee objective is to discern whether or not there is missing information in the language of the code and to address what should be included in regards to residential neighborhoods.

In response to Officer Kellums comments regarding roosters, Ms. Girard stated that the sound of neighborhood dogs barking is more common than the sound of roosters, stating that geese are more of a nuisance than roosters. She declared that she is against banning roosters in the City of

Brunswick. Ms. Girard remarked that she is vehemently against banning roosters as they keep predators away and protect the flock.

Mr. Delsanter affirmed that there are no plans to ban roosters. He noted that flock containment, so it is not a danger to the general public, is the owner's responsibility.

Mike Lytle (1178 Pearl Road) readdressed the issue of roadside egg sales to clarify the rules.

Mr. Aungst reported that although the City does not prohibit chickens, an HOA has the power to decline the ownerships of chickens due to it being a civil matter between the resident and the HOA.

Mr. Aungst informed that the selling of wares from a residence falls under a home occupation that requires permission from the Planning Commission.

Mr. Aungst cited a situation regarding a 14-year-old resident who raised bugs in her basement and sold them on the internet. She presented her business at a Planning Commission meeting where her entrepreneurial endeavors were approved by the City.

Mr. Aungst clarified that commerce cannot be conducted in a residential area without approval.

Mr. Aungst stated that a home office is permitted but the City discourages the notion of people approaching a private residence to purchase eggs. He suggested the seller take the eggs to the client.

Mr. Aungst continued that there will be a comprehensive plan update to the Planning & Zoning Code that will include seasonal temporary permission of minor curbside sales of eggs, vegetables, etc.

Mr. Aungst repeated that if a resident makes a complaint, the Building Department must respond, and if a City code has been broken, the Building Department is required to discuss the matter and possibly issue a citation.

Mr. Aungst reminded that a resident that desires a Home Occupation License (i.e.: selling eggs on their property) must follow proper channels beginning with presenting to the Planning Commission.

Mr. Delsanter questioned Mr. Aungst in regards to the necessity of modification to the Planning Code to better serve the public in these matters.

Mr. Aungst offered a reevaluation of the subject in the Spring of 2025.

Mr. Delsanter assured that Council, and possibly the Safety and Building Code Committees, would revisit chicken keeping after the first of the year.

Mr. Delsanter recapped that he has not witnessed any resident doing anything they shouldn't be doing in regards to chicken keeping within the City.

Ms. Girard asked for verification on whether or not a Home Occupation License is currently required.

Mr. Aungst advised that there is a Home Occupation License (an activity at your home not including your home office) requirement to sell eggs or wares from your home. This includes not having workers come to your home (family being the exception), the sale of goods on websites such as Etsy, and ensuring you are conducting business while adhering to noise ordinances.

Mr. Aungst referenced a resident who repaired small engines from his home. After presenting to Planning Commission, the resident's business was approved with conditions (working within normal business hours) and he had to pick up the engines, take them to his home for repair, and deliver the repaired engine back to the owner.

Mr. Aungst informed Ms. Girard that obtaining a Home Occupation License to sell eggs is the best scenario.

Mr. Delsanter suggested the Committee consider tabling the discussion of home chicken raising until after the first of the year.

Mr. Kuczma moved to table the discussion until after the first of the year. Vote – 2 Ayes, 0 Nays.

Mr. Kuczma encouraged residents with concerns to reach out to Council members via email or phone, all available on the official City website. He advised to take in information gleaned from social media with caution.

Mr. Delsanter agreed with Mr. Kuczma's sentiments regarding social media and confirmed that Council members are available via email or phone.

Ms. Girard requested verification that as of January 1st, the City has banned the keeping of chickens in front yards and will enforce the requirements of the Home Occupation License.

Mr. Delsanter verified that chicken or fowl are not to be kept in the front yard and advised that chicken husbandry codes will be revisited in the new year.

Jake Getto (4176 Laurel Road) stated that the majority of chicken issues are occurring in Brunswick Hills.

Mr. Delsanter acknowledged Mr. Getto's concerns. He clarified that there were only two concerns brought to the council's attention for incidents within the City. He felt that a containment clause related to flock management was missing from the current code.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Kuczma moved to adjourn at 7:00 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joseph Delsanter".

Joseph Delsanter
Chairman



COMMITTEE OF THE WHOLE

July 22, 2024

IN ATTENDANCE: Nicholas Hanek, Joseph Delsanter, Keith Kuczma, Tim Smith, Kristy Piper, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Community & Economic Development Director Grant Aungst, City Engineer Matt Jones, Clerk of Council Laura Timura, Assistant Clerk of Council Kristin Gambaccini, Frontier Communications Vice President of External Affairs Michael O'Keefe, Cleveland Division of Water Department of Public Utilities Director Martin J. Keane, News Media.

The meeting convened at 5:57 p.m.

Mr. Lambert moved to excuse Councilman Abella for just cause. Vote – 5 Ayes, 0 Nays.

Mr. Smith arrived at 6:01 p.m.

DISCUSSION ITEMS:

a) Water Main Breaks – Cleveland Division of Water

Mr. Keane revealed that he is aware of the breaks on Center Road, but does not know the details.

Mr. Keane discussed the Suburban Water Main Replacement Program. Municipalities that Cleveland Water serves are able to submit program streets for analysis through their Engineering Department. The analysis is based on criteria, such as break rate, age, lead service connections, etc.

Mr. Keane encouraged the Council and the Administration to move forward with the Suburban Water Main Replacement Program since the break rate has significantly escalated in the last three weeks. He added that a section of the water main on Center Road would most likely be eligible for funding through the program this year.

Mr. Keane acknowledged that the disruptions due to main breaks have been challenging and he hoped that the response by Cleveland Water had been satisfactory.

Mr. Keane requested patience from the community as the Cleveland Division of Water coordinates with the Police and Fire Departments, and Public Service Director to get the work done expeditiously. He affirmed the importance of a single lane on a busy street like Center Road.

Mr. Keane disclosed that if the response from Cleveland Water has been lacking, he will relay the message to them directly.

Mr. Keane assured that the most appropriate course of action is to look at the Water Main Replacement Program to begin an analysis of the criteria to determine which sections are eligible.

Mr. Hanek requested clarification regarding the City Administration working with Cleveland Water on serious water main replacements.

Mr. Keane concurred that Cleveland Water, the City Manager, and the Administration are beginning the work together this week.

Mr. Hanek inquired whether a larger-scale analysis of the main break situation will be occurring.

Mr. Keane confirmed that an analysis is being conducted on the water tower. He disclosed that although it is common for water main pipes to break, the City's pipes are relatively new. He continued that the science behind figuring out the cause of the break is to look at the break rate, the pipe's age, and the proximity of the breaks to one another.

Mr. Keane continued that the elevation of the tower, and the amount of analysis that goes into the pressure of the tower, is a shock absorber to the system. He explained that the tower does not store the water entering the home but serves as a shock absorber.

Mr. Keane explained that the analysis will include the main, the breaks, how the breaks correlate with the tower, and the suburban water main replacement analysis. This will allow them to determine why the main is breaking and how to fix it.

Mr. Delsanter stated that he served on the Council in 2005 when the second tower was constructed. He pointed out that the tower was important to the southwest communities because it pressurized the water distribution. Additionally, he noted he believed the wrong logo colors were used on the tower.

Mr. Delsanter remarked that, although Cleveland Water admitted that the towers are one of the mitigating issues and that the system is aged, there have been three breaks within a quarter of a mile of one another in a month and a half. He cited that the breaks are an annual reoccurrence.

Mr. Keane affirmed there are several potential reasons for the cyclical main breaks. He added that the problem is not always water pressure.

Mr. Keane requested that Council wait for the Commissioner and his team of engineers to complete the analysis. Following the completion, Cleveland Water will have the full presentation report to the City.

Mr. Delsanter clarified that the Suburban Water Main Replacement Plan had already finished its annual assessment.

Mr. Keane concurred that the submission deadline for the eligible communities had passed. Still, Cleveland Water will accept Brunswick's submission for the Center Road break, due to the break occurring before the closing of submissions.

Mr. Delsanter reiterated that there would be actionable answers once the analysis was finished.

Mr. Lambert questioned if there were any more leaks Cleveland Water was aware of.

Mr. Keane explained that there have been drops in elevation since repairs have been made and Cleveland Water is drilling exploratory test holes.

Mr. Lambert questioned if this would be a regular occurrence in Brunswick over the next few weeks and months.

Mr. Keane replied that the hope is that it would not be a regular occurrence. He continued that the pipe section that failed three times in four weeks had been fully removed and replaced. He remarked that there is no way to know if the weakest parts of the pipe have been repaired until there is another break.

Mr. Lambert inquired on behalf of the residents whether the water was safe.

Mr. Keane related that the water is one hundred percent safe. Because of the location of the towers and the maintained pressure, no bacterial tests are needed. He stated there has been no indication, back-flow, or reason to notify the EPA. He concluded that the water is regularly tested and flushed.

Mr. Smith shared that he has served on the Council on and off for the past twenty years. He remarked that he believed Cleveland Water to be reactive, not proactive. He stated his desire for change and for the issues to be fixed.

Mr. Kuczma requested an expanded explanation of the application submission timeframe.

Mr. Keane stated that once the analysis is completed, Cleveland Water will immediately communicate with the City regarding where the application stands in the community submissions by way of scoring. He reiterated that Cleveland Water will be in contact within the month.

Mr. Kuczma questioned who was responsible for the repairs.

Mr. Keane responded that restoration of the main break rests with the municipality. A full main replacement falls to Cleveland Water. He reasoned that part of the analysis is a point system that dictates with whom the responsibility falls. Any community that submits under an existing program gets points for restoring the roadway.

Mr. Kuczma inquired if Cleveland Water owned the rights to the pipes of any other communities.

Mr. Keane answered that they own the rights to over half of their service area.

Mr. Kuczma referenced inflation since the original agreement in 2005. He asked if there was a possibility to compare and reevaluate the increase in the price of goods.

Mr. Keane informed that costs and inflation are hot topics through the Suburban Council of Governance and an annual Service Director's Meeting.

Mrs. Piper questioned whether the three breaks were related.

Mr. Keane disclosed that there is not enough information to answer the question at this point.

Mrs. Piper followed up on the analysis, questioning if the entire city was being looked at or only the main break areas and cited concerns of "band-aid fixing."

Mr. Keane replied that the Suburban Water Main Replacement Program exists to be fully open and transparent to the communities that submit to it.

Mrs. Piper reiterated that the analysis will be only for Route 303.

Mr. Keane stated that the analysis is only for the location the City submits to the program.

Mr. Hanek clarified that what Mrs. Piper was asking was the scope of the analysis being done right now and whether it was limited to the areas of the breaks or a broader context.

Mr. Keane confirmed that what the Commissioners and engineers were hoping to do for the City was to repair the breaks. He added that the Suburban Water Replacement Program was one possible solution should the break be eligible.

Mr. Hanek reiterated that Cleveland Water is committed to working with the City Manager and Administration to work through the necessary steps to repair the break issues.

Mr. Hanek declared the frustration of the Council and the City regarding the breaks.

Mr. Delsanter pointed out that the system is still fairly new for the breakages. He noted that the breaks are a constant on Route 303 and that the Administration told him, Cleveland Water stated that "it was cheaper to fix than replace."

Mr. Keane confirmed that part of the analysis will include any infrastructure that appears to be impacted by the cause of the breaks. He claimed that the issues that could be fixed are city-wide and system-wide and include the pipe's age, the pipe, the dimension of the pipe, the number of connections, and the number of breaks.

Mr. Keane explained that the process begins with the City Manager contacting the Commissioner, getting engineers involved, filing paperwork, and the analysis. He continued that the application process runs parallel to why the breaks are happening, comparing the breaks to the elevation of the tower, and keeping the residents and customers of Brunswick informed.

Mr. Keane stated that he would ensure the Commissioner held to both parallel paths.

Mr. Smith inquired about the next steps.

Mr. Keane contributed that the analysis of the recent breaks will be completed within a week and shared by the Commissioner to the City Manager. He continued that the parallel path is the Suburban Water Replacement Program in which the Commissioner will speak to the City Manager the following day regarding adding the submission to the queue and beginning the scoring.

Mr. Keane noted that Cleveland Water has nothing to hide.

Mr. Hanek thanked Mr. Keane for attending the Committee Meeting and allowing the Council to ask the questions brought to them by the community.

RECESS & RECONVENING:

Mr. Delsanter made a motion to recess from Committee-of-the-Whole. Vote – 6 Ayes, 0 Nays.

The Committee-of-the-Whole recessed at 6:24 pm.

The Committee-of-the-Whole reconvened at 6:27 p.m.

DISCUSSION ITEMS (cont.)

b) Fiber to the Home Network – Frontier Communications

Mr. Hanek stated that there was a positive meeting between Frontier Communications and the City Administration.

Mr. O'Keefe stated that Frontier Communications had been marketing and placing the Fiber Optic product for the past year.

Mr. O'Keefe explained that the Fiber Optic Network is built with Frontier funds; not subsidies. He further stated that the copper network is overdue for replacement due to continual breakage and all the copper will be replaced with Fiber.

Mr. O'Keefe informed that the plan is to build the fiber network throughout the Greater Metropolitan Area, including approximately 16,000 customer locations by the end of 2025. This consists of the City of Brunswick and surrounding areas.

Mr. O'Keefe disclosed that the speed was 500 Mbps and up to 5 Gbps. He pointed out that just last year the lowest speed was 2 Gbps.

Mr. O'Keefe added that the 5 G cellular bullet in the presentation packet stands for 5th generation; which is not the same as 5 Gbps, which is 128 Meg.

Mr. O'Keefe cited that fiber optics can provide additional future services such as telehealth, and remote learning.

Mr. O'Keefe explained that this product is not TV but data and voice over IP as an alternative to CATV.

Mr. O'Keefe mentioned that the URL frontier.com/fiberconstruction will be printed on the door hangers. The site walks the customer through what they can expect during construction.

Mr. O'Keefe reassured that not only does fiber offer super fast speeds, but also better reliability. He further claimed that water and lightning would not affect the Fiber network.

Mr. O'Keefe pronounced that the speed advertised is the speed delivered. There will be no bottle-necking.

Mr. O'Keefe remarked that the equipment is smaller and more discreet. The pedestals measure approximately 14 inches high replacing the big metal pedestals used previously, and the boxes are much smaller as well.

Mr. O'Keefe clarified that the fiber will not replace the copper network unless the customer requests to be migrated off the copper and into fiber. Until the customer abandons the copper, Frontier will be regulated to provide the facilities for the copper network.

Mr. O'Keefe continued that the technology for fiber is different than that for copper. The battery is backed up in the central office; not powered by the home. This means it is less expensive for Frontier.

Mr. Kuczma questioned whether the fiber also goes out if the power goes out.

Mr. O'Keefe replied that with a fiber network, the ONT (Optical Network Terminal) is powered by the home's AC. However, a DC Bank backup unit will be available for purchase through Frontier, providing the ability to use a phone without power.

Mr. Hanek explained that this was an informational presentation for Council and requested that any further questions be saved at the end.

Mr. O'Keefe noted that the benefit of being high-level is that the Central Office, manhole systems, and pole lines are already in place. He stated that getting the cable to customers is easier for Frontier than a company that does not have pre-existing architecture in place.

Mr. O'Keefe informed that the electronics are installed in the Central Office, and the conduits run to the neighborhood hub that connects to the fiber terminal and is sent to the customer's location.

Mr. O'Keefe assured that the plan would follow the existing architecture. He stated that each Neighborhood Hub location will be decided alongside the City to ensure they are placed discreetly and safely. Each Hub can serve 330 customers in a geographical area.

Mr. O'Keefe noted that the installation also included a fast wireless modem that allows the customer to plug in ethernet.

Mr. O'Keefe informed that Frontier construction workers will place yard signs in neighborhoods on the path of construction and hang new door hangers with a QR code, URL, and a local number that connects the resident to a Frontier internal contact team.

Mr. O'Keefe assured that all issues called into the local number are monitored, followed up, and tracked until resolved.

Mr. O'Keefe acknowledged that Frontier will provide the City's request for a monthly list of complaint reports and their status. He contributed that the process would also benefit Frontier and allow them to keep track of the crews in the neighborhood.

Mr. O'Keefe reassured that the door hangers would help minimize calls or complaints to the City.

Mr. O'Keefe described pictures in the Frontier presentation of the smaller, new Hub box compared to the existing one.

Mr. O'Keefe explained that Frontier will follow the direction of boring when burying the terminal. This method is accurate and less intrusive to the customer and their lawn and beneficial in avoiding other utilities and limiting damages.

Mr. O'Keefe continued that aerial terminals are easy to place. Frontier will be overlashing the existing aerial cable except for traffic control.

Mr. O'Keefe assured that Frontier is aware of issues regarding its aerial cables. He cited the low-hanging cables, broken lashing wire, leaning poles, and broken poles as areas of concern that will be addressed as the new Fiber Optic cables are placed.

Mr. O'Keefe described the picture of the Optical Network Terminal. He stated the small box will be placed on the side of the house (can be installed inside or outside depending upon the customer's request) and must be within 20 feet of electricity to prevent an electrical hazard.

Mr. Delsanter explained that his home is the last with a pole on the street. He inquired about the two poles in his front yard (one new, one old). He requested Frontier install the fiber on the new pole and remove the old pole with the copper cables.

Mr. O'Keefe replied that the Frontier Optic Fiber installation depends upon individual situations. He added that Frontier owns their cable poles in certain instances. If they do not own the poles they will be utilizing, Frontier should receive a request from the power company stating a new pole has been constructed and a transfer of facilities is required.

Mr. O'Keefe remarked that Frontier may have missed the request or that it was unanswered.

Mr. Delsanter related that he had been told that all the utility companies must agree to use the new poles before removing the old ones.

Mr. O'Keefe disclosed that there are pending pole transfers.

Mr. Hanek thanked Mr. O'Keefe for presenting.

MOTION ITEMS:

- a) Motion authorizing the City Manager to advertise for public bids for the Richie Drive Storm Sewer project.

Mr. Jones explained that this is a small project occurring immediately south of Grafton Road. The scope of work will be removing and replacing a failed storm sewer crossover pipe that crosses Richie Drive. A new storm sewer will be installed on the east side of Richie Drive to Grafton Road. The storm sewer will divert some flow away from backyards on Richie Drive.

Mr. Lambert moved to authorize the City to advertise for public bids for the Richie Drive Storm Sewer project. Vote – 6 Ayes, 0 Nays.

- b) Motion authorizing a change order to Set in Stone Contracting, LLC in an amount not to exceed \$236,458.78 for the Magnolia Drive Phase 2 project.

Mr. Jones mentioned that, as the City got deeper into this project, the design and the number of repairs that were needed were somewhat out of order due to the timing of how this job was contracted. As a result, the Engineering Department had to add many additional repairs to the work. The change order still keeps the project within the original budget. Some pavement deteriorated after the milling process, and the Administration decided to add some additional sidewalk replacement work near Sunflower Drive, which increased the cost.

Mr. Kuczma moved to authorize a change order to Set in Stone Contracting, LLC in an amount not to exceed \$236,458.78 for the Magnolia Drive Phase 2 project. Vote – 6 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mrs. Timura introduced the new Assistant Clerk of Council Kristin Gambaccini.

EXECUTIVE SESSION:

Mr. Delsanter moved to go into Executive Session to discuss the subject of pending or imminent court action, seconded by Mr. Kuczma. Roll Call - Ayes – 6, Mr. Hanek, Mrs. Piper, Mr. Delsanter, Mr. Lambert, Mr. Smith, Mr. Kuczma. Nays – 0

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

The Committee-of-the-Whole reconvened.

ADJOURNMENT:

Being no further business, Mr. Kuczma moved to adjourn the Committee-of-the-Whole Meeting at 7:00 p.m. Vote – 6 Ayes, 0 Nays.

Submitted Respectfully,

A handwritten signature in dark ink, appearing to read 'Kristin Gambaccini', written in a cursive style.

Kristin Gambaccini
Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 9/9/2024

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. 69-2024** - An emergency resolution accepting the petition for annexation of an 18.9780± acre property (consisting of PPNS 001-02A-21-008 AND 001-02A-21-009) located on Pearl Road known as being part of Brunswick Hills Township to the City of Brunswick, Media County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: On May 28, 2024, the Medina County Commissioners adopted Resolution No. 24-0421 approving the petition for the regular annexation of 18.9780 acres of land known as being part of Brunswick Hills Township to the City of Brunswick. The City of Brunswick must accept or reject the petition for annexation at the next regular session after the expiration of sixty (60) days of the date of filing the certified transcript of all orders of the Board of County Commissioners with the clerk of the municipal corporation, which occurred on July 1, 2024.

PURPOSE AND EXPLANATION: This legislation is to accept 18.9780 acres of land from Brunswick Hills Township into the City of Brunswick. Resolution No. 30-2024 was adopted on April 8, 2024, declaring the City's intention to provide municipal services.

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

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No

Emergency	Yes
Suspension of Rules	Yes

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

Recommendation to adopt as an emergency with suspension of the rules so that it will be effective immediately.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 69-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF AN 18.9780± ACRE PROPERTY (CONSISTING OF PPNS 001-02A-21-008 AND 001-02A-21-009) LOCATED ON PEARL ROAD KNOWN AS BEING PART OF BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO.

WHEREAS: On May 28, 2024, the Medina County Commissioners adopted Resolution No. 24-0421, as attached hereto as Exhibit “A”, approving the Petition for Regular Annexation on Application of Owner of 18.9780± acres of land (001-02A-21-008 and 001-02A-21-009) known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio;

WHEREAS: Pursuant to Ohio Revised Code Section 709.04, the legislative authority of the City of Brunswick must accept or reject the petition for annexation at the next regular session after the expiration of sixty (60) days of the date of filing the certified transcript of all orders of the board of county commissioners, the petition, map and all other papers on file relating to the annexation proceedings with the clerk of the municipal corporation, which occurred on July 1, 2024; and

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

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

SECTION 1: That the Petition for Regular Annexation on Application of Owner of 18.9780± acres of land (001-02A-21-008 and 001-02A-21-009) known as being part of Brunswick Hills Township is hereby accepted.

SECTION 2: That the Clerk is hereby authorized and ordered to make three (3) copies containing the petition, the map or plat accompanying the petition, a transcript of the proceedings of the board of county commissioners, and all resolutions and ordinances in relation to the annexation, with a certificate to each copy that it is correct. Each certificate shall be signed by the Clerk in her official capacity and shall be authenticated by the seal of the municipal corporation, if applicable.

SECTION 3: That the Clerk is hereby authorized and ordered to forthwith deliver one such copy of this Resolution to the Medina County Auditor, one such copy to the Medina County Recorder, and one such copy to the Ohio Secretary of State.

SECTION 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to comply with the time requirements of Ohio Revised Code Section 709.04. Therefore, the same shall be in full force and effect from



Medina County Board of Commissioners

Stephen D. Hambley

Aaron M. Harrison

Colleen M. Swedyk

May 28, 2024

VIA HAND DELIVERY

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

RE: Regular Annexation Petition
18.9780 Acres - Brunswick Hills Township and the City of Brunswick

Dear Ms. Timura;

Enclosed please find Commissioners' Resolution 24-0421 approving the petition for annexation of 18.9780 acres of land known as being part of Brunswick Hills Township to the City of Brunswick Medina County approved on May 28, 2024 as well as a copy of documents contained in our original file. The original plat which has been signed by the commissioners is also being provided to you along with these documents for further consideration and processing by the City of Brunswick.

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

Thank you.

A handwritten signature in blue ink that reads "Rhonda Beck".

Rhonda Beck
Clerk, Board of County Commissioners

Enc.

I received the annexation file and plat for the above-referenced annexation this 1st day of July, 2024.

A handwritten signature in black ink that reads "Laura Timura".
Council Clerk

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

REGULAR MEETING – TUESDAY, MAY 28, 2024

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

Aaron M. Harrison

Colleen M. Swedyk

Stephen D. Hambley

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

RESOLUTION NO. 24-0421

**APPROVING THE PETITION FOR THE REGULAR ANNEXATION OF 18.9780 ACRES
OF LAND KNOWN AS BEING PART OF BRUNSWICK HILLS TOWNSHIP TO
THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO**

WHEREAS, a petition for annexation of 18.9780 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio was filed with the Clerk of the Board of Medina County Commissioners on March 12, 2024 in accordance with Ohio Revised Code Section 709.02, and

WHEREAS, the day and hour and has come for the rendering of a decision by the Board of County Commissioners on said petition for annexation, and

WHEREAS, the State of Ohio has provided landowners a number of legal methods for annexations of property to municipal corporations to occur that balance the desires, needs and benefits of the petitioners, municipality and townships, and

WHEREAS, proper procedures were followed and notices given, and a public hearing commenced on May 21, 2024 in accordance with Section 709.032 of the Ohio Revised Code, and

WHEREAS, the Board of County Commissioners now finds that based on the preponderance of the substantial, reliable, and probative evidence on the entire record that said petition meets the following requirements and conditions:

1. The petition meets all of the requirements set forth in, and was filed in the manner provided in Section 709.02 of the Ohio Revised Code:
 - a. the territory proposed to be annexed is contiguous to the City of Brunswick;
 - b. the petition was signed by a majority of the authorized owners of real estate within the territory to be annexed;
 - c. each petition's signature includes the date it was obtained and no signature was obtained more than 180 days before the date of filing;
 - d. the petition contains an accurate legal description of the perimeter and an accurate map/plot of the territory to be annexed;
 - e. the petition states the person who would act as agent for the petitioner; and
 - f. the agent filed with the petition a list of all tract, lots or parcels within and adjacent to the territory to be annexed, including names, addresses of owners, and permanent parcel numbers.
2. The petition meets the following requirements set forth in Section 709.03 of the Ohio Revised Code:
 - a. The Clerk of the Board of County Commissioners notified the agent of the date, time, and place of the hearing;
 - b. the agent provided proof of the required notices to: (1) the clerk of the municipality; (2) the fiscal officer of the township involved; and (3) the clerk of the board of commissioners;
 - c. the agent provided the required notices to: (1) all property owners within the territory proposed for annexation, and (2) adjacent property owners;
 - d. the agent has provided proof of the required notice published in a newspaper of general circulation;
 - e. the legislative authority of the municipality has adopted a statement by ordinance/resolution relative to services the municipality will provide with an approximate date by which it will provide said services upon annexation; and
 - f. the municipality filed its statement of municipal services with the board of county commissioners at least 20 days before the date of the annexation hearing.

REGULAR MEETING – TUESDAY, MAY 28, 2024
RESOLUTION NO. 24-0421 (CONT'D.)

3. The petition meets all of the requirements set forth in Section 709.033 of the Ohio Revised Code:
- the petition meets all of the requires set forth in and was filed in the manner provided in Section 709.02 of the Ohio Revised Code;
 - the persons signing the petition are owners of real estate located in the territory proposed to be annexed and at the time the petition was filed, the number of valid signatures on the petition constitutes a majority of the owners of the real estate in that territory;
 - the municipal corporation to which the territory is proposed to be annexed has complied with Division (D) of Section 709.03 of the Ohio Revised Code;
 - the territory proposed to be annexed is not unreasonably large;
 - on balance, the general good the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted; and
 - no street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem.

The Board of Medina County Commissioners, upon review of substantive, reliable and probative evidence, finds that:

- The annexation involves 18.9780 acres in Brunswick Hills Township, identified as PPN(s) 001-02A-21-008 and 001-02A-21-009 owned by SHN Brunswick, LLC located at 866 and 880 Pearl Road, Brunswick, Ohio 44212. It is not unreasonably large and is adjacent and contiguous to the land of the municipal corporation of the City of Brunswick;
- One entity owns the property and the owner's agent signed the petition; therefore, the petition contains signatures of the majority (51%) of owners;
- The City of Brunswick Resolution No. 30-2024 adopted April 8, 2024 declared intention by the City of Brunswick to provide municipal services to the subject property; the landowner is in agreement the annexed territory would receive adequate services sufficient to establish the general good of the territory being annexed;
- The petitioner has proven that the land after annexation will enjoy a level of services comparable or adequate to that enjoyed prior to the annexation;
- No street or highway will be divided or segmented by the boundary line between a township and the municipality as to create a road maintenance problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Medina County, Ohio that having found that the conditions of the Ohio Revised Code have been met, the Petition to Annex 18.9780 acres of land from Brunswick Hills Township to the City of Brunswick, Medina County, Ohio, attached as Exhibit A, is hereby approved and granted in accordance with the law.

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

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

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

Adopted: May 28, 2024

Prepared by: Commissioners' Office

**The Clerk of the Board of County Commissioners
of Medina County, Ohio does hereby certify
that the foregoing is a true and correct copy
of the resolution adopted by said board**

on 5/28/24
Rhonda J. Beck

**PETITION FOR ANNEXATION
TO THE CITY OF BRUNSWICK
OF 18.9780 ACRES, MORE OF LESS
IN THE TOWNSHIP OF BRUNSWICK HILLS
(Regular Petition O.R.C. 709.02)**

MEDINA CO COMMISSIO
MAR 12 '24 AM 10:35

**TO THE BOARD OF COUNTY COMMISSIONERS
OF MEDINA COUNTY, OHIO**

Dated: March 7, 2024

The undersigned Petitioner, being the sole owner of the real estate hereinafter known as Medina County Permanent Parcel Numbers 001-02A-21-008 and 001-02A-21-009, which parcels consist of 18.9780 acres more or less, as more fully described in Exhibit A attached hereto and made 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. A legal description of the perimeter of the 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 is the sole owner, as defined in ORC709.02(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, 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. The undersigned Petitioner hereby designates Mark P. McGrievy, Esq. of L'Hommedieu & McGrievy, LLC, 100 North Main Street, Suite 350, Chagrin Falls, Ohio 44022, as its Agent as required by Section 709.02 of the Ohio Revised Code, with full power to amend, increase or decrease the area, to do any and all things essential hereto, and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the Petitioner. Mr. McGrievy's email address is mark@lmlegalgroup.com and his phone number is 216-635-0016.

Petitioner;

SHN BRUNSWICK, LLC,
an Ohio limited liability company

Dated: MAR 8 2024

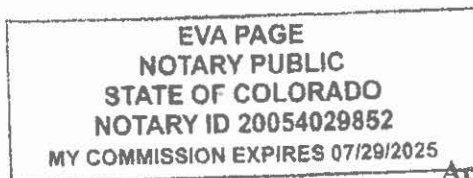
By: [Signature]

Frank P. Biller, its Manager

STATE OF COLORADO)
).SS:
COUNTY OF DOUGLAS)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Frank P. Biller as the Manager of SHN Brunswick, LLC, an Ohio limited liability company, who acknowledged that he did sign the foregoing instrument in such capacity for and on behalf of such limited liability company and the same is his free act and deed in such capacity on behalf of SHN Brunswick, LLC. This is an acknowledgment clause. No oath or affirmation was administered to the signer.

IN TESTIMONY WHEREOF, I have set my hand and official seal Parker.
Colorado this 8 day of MAR, 2024.



[Signature]
Notary Public

Acceptance of Appointment

The undersigned, name therein agent for Petitioner, hereby acknowledges and accepts the appointment of agent for said Petitioner.

[Signature]
Mark P. McGrievy

EXHIBIT A

LEGAL DESCRIPTION

(See Attached)



18.9708 Acre Annexation from Brunswick Hills Township
To the City of Brunswick

Situated in Township of Brunswick Hills, County of Medina, State of Ohio, and known as being part of Original Brunswick Township Lot 7, Tract No. 1 and further being known as all of the lands conveyed to SHN Brunswick, LLC by deed of record in Document Number 2023OR006328 dated 5/5/2023 as recorded in the Medina County Recorder's Office, and being more particularly described as follows:

COMMENCING at a 1" iron pipe found inside a monument box at the centerline intersection of Pearl Road (60' Wide) and Grafton Road (60' Wide);

Thence along the centerline of Pearl Road, South 00°16'21" East a distance of 3275.69 feet to a mag nail set at the northeasterly corner of Parcel 1 of said SHN Brunswick, LLC tract and the southeasterly corner of Block 'B' of Oak Ridge Preserve as recorded in Document Number 2023PL000022, said point being the POINT OF BEGINNING;

Thence continuing along said centerline and the easterly line of said SHN Brunswick, LLC tract, South 00°16'21" East a distance of 306.45 feet to a mag nail set at the southeasterly corner of Parcel 2 of said SHN Brunswick, LLC tract and the northeasterly corner of the lands conveyed to John R. and Barbara A. Rocha as recorded in Deed Volume 373, Page 893 dated 5/6/1987;

Thence leaving said centerline, along the southerly line of said SHN Brunswick, LLC tract and the northerly line of said Rocha tract, South 88°13'39" West, passing an iron pin found capped "Schwartz S-7193" at 29.95 feet, a total distance of 2696.70 feet to an iron pin found capped "Schwartz S-7193" at the southwesterly corner of Parcel 2 of said SHN Brunswick, LLC tract, said point also being the northwesterly corner of the lands conveyed to Thomas G. Simon, Trustee as recorded in Document Number 2007OR034023 dated 12/28/2007 and said point being along the easterly line of Eagle Oaks Subdivision No. 7 as recorded in Plat Volume 15, Page 24;

Thence along the westerly line of said SHN Brunswick, LLC tract and the easterly line of said Eagle Oaks Subdivision, North 00°27'07" West, passing a 5/8" iron pin found at 76.49 feet, a total distance of 306.51 feet to an iron pin found capped "Schwartz S-7193" at the northwesterly corner of Parcel 1 of said Sanctuary Health tract, said point also being the southwesterly corner of Block 'A' of Vicky Drive Allotment as recorded in Document Number 2021PL000032;

TECHNICAL SKILL.

Thence along the northerly line of said Sanctuary Health tract and the southerly line of said Vicky Drive Allotment, **North 88°13'46" East**, passing a 1/2" iron pin found at 2668.56 feet, a total distance of **2697.66 feet** to the POINT OF BEGINNING, containing 18.9708 acres, more or less.

This description as surveyed by Nicholas J. Del Valle, P.S. 8822, of The Mannik & Smith Group, Inc. dated 7/31/2023.

Subject to all legal rights-of-way and/or easement, if any, of record.

Bearings used herein are based on the centerline of Pearl Road being South 00°16'21" East as referenced to the Ohio State Plane Coordinate System, North Zone, NAD83, NSRS 2011 Adjustment.



Nicholas J. Del Valle
Professional Surveyor No. 8822



2.29.24

Date

EXHIBIT B

ANNEXATION PLAT

See Attached.



BASIS OF BEARINGS
THE BEARINGS UPON THIS PLAT ARE BASED ON THE CENTERLINE OF PEARL ROAD BEING SOUTH 00°16'21" EAST BEING REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM OHIO NORTH ZONE NAD83 (NHS 701 ADJ.)

REGULAR ANNEXATION PLAT FOR 18.9708 ACRES FROM BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK

SITUATED IN THE TOWNSHIP OF BRUNSWICK HILLS,
COUNTY OF MEDINA AND STATE OF OHIO, BEING PART
OF THE ORIGINAL LOT 7, TRACT 1 OF SAID TOWNSHIP

LEGEND

- CITY OF BRUNSWICK
- BRUNSWICK HILLS TOWNSHIP
- MONUMENT BOX FOUND
- IRON PIN/PIPE FOUND
SIZE & TYPE AS NOTED
- MAG NAIL SET
- PRESENTLY ROAD OCCUPIED

POINT OF COMMENCEMENT
1" IRON PIN FOUND & USED IN
MONUMENT BOX

GRAFTON ROAD

POINT OF BEGINNING
1/2" IRON PIN
FOUND & USED @ 2668.56'
BLOCK 'B'

OAK RIDGE PRESERVE
DOC NO. 2023PL000022

VICKY DRIVE ALLOTMENT
DOC NO. 2021PL000032

IRON PIN FOUND & USED
CAPPED 'SCHWARTZ S-7193'
BLOCK 'A'

18.9708 ACRES
INCLUDING 0.2108 ACRES P.R.O.

SHIN BRUNSWICK, L.L.C.
DOC NO. 2023OR006328
RECORDED 5/5/2023

THOMAS G. SIMON, TRUSTEE
PPN 001-02A-25-001
DOC NO. 2007OR034023
RECORDED 12/28/2007

PARCEL 1
PPN 001-02A-21-008
6.19 ACRES (D)(M)

PARCEL 2
PPN 001-02A-21-009
12.82 ACRES (D)
12.78 ACRES (M)

886 PEARL ROAD

880 PEARL ROAD

IRON PIN FOUND @ 29.95'
CAPPED 'SCHWARTZ S-7193'

JOHN R. & BARBARA A. ROCHA
PPN 001-02A-25-002
VOL. 373, PAGE 893
RECORDED 5/6/1987

MAG NAIL IN 1.5" IRON
PIPE FOUND & USED
@ 30.00'

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 BY THE MEDINA COUNTY BOARD OF COMMISSIONERS THIS
DAY OF ____ 2024

COMMISSIONER

COMMISSIONER

COMMISSIONER

APPROVED FOR TRANSFER THIS ____ DAY OF ____ 2024

TAX MAP DRAFTSMAN

RECEIVED FOR TRANSFER THIS ____ DAY OF ____ 2024

MEDINA COUNTY AUDITOR

RECEIVED AND RECORDED THIS ____ DAY OF ____ 2024
BY THE MEDINA COUNTY RECORDER'S OFFICE

RECORDED IN PLAT DOCUMENT NO. ____

MEDINA COUNTY RECORDER

WE, THE UNDERSIGNED REPRESENTATIVE OF THE OWNERS OF THE
LAND EMBRACED WITHIN THIS ANNEXATION PLAT, HEREBY
ACKNOWLEDGE THIS PLAT AND ANNEXATION TO BE OUR FREE ACT
AND DEED. WE CERTIFY THAT THERE ARE NO DELINQUENT TAXES OR
ASSESSMENTS AGAINST THE LANDS EMBRACED WITHIN THIS PLAT.

SHIN BRUNSWICK, L.L.C. - OWNER REPRESENTATIVE

PRINT NAME

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 HEREUNTO SET MY
HAND AND AFFIXED MY OFFICIAL SEAL AT ____ THIS ____ DAY
OF ____ 2024

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT I HAVE SURVEYED THE
LAND SHOWN ON THIS PLAT IN ACCORDANCE WITH
THE PROVISIONS OF CHAPTER 4733.37 OF THE OHIO
ADMINISTRATIVE CODE, THAT THIS MAP IS A
CORRECT REPRESENTATION OF THE LAND SURVEYED
AND THAT I HAVE FOUND OR SET THE PINS AND
MONUMENTS SHOWN ON THIS MAP. MAP IS BASED ON
A FIELD SURVEY COMPLETED ON JULY 31, 2023

NICHOLAS J. DEL VALLE
LICENSED PROFESSIONAL SURVEYOR
OHIO LICENSE NO. 8822
DATE: 7-31-23

EVA PAGE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054029852
MY COMMISSION EXPIRES 07/29/2025

EXHIBIT C

ANNEXATION PARCELS AND ADJACENT PROPERTIES

PROPERTIES SUBJECT TO PETITION (PARCELS TO BE ANNEXED)

<u>Petitioner Name</u>	<u>Address of Property</u>	<u>Tax Mailing Address</u>	<u>Parcel Number</u>
SHN Brunswick, LLC	866 Pearl Road Brunswick, OH 44212	10940 S. Parker Road, Suite 136 Parker, CO 80134	001-02A-21-008
SHN Brunswick, LLC	880 Pearl Road Brunswick, OH 44212	10940 S. Parker Road, Suite 136 Parker, CO 80134	001-02A-21-009

PROPERTIES ADJACENT TO ANNEXATION PROPERTIES

<u>Owner Name</u>	<u>Address of Property</u>	<u>Tax Mailing Address</u>	<u>Parcel Number</u>
Thomas G. Simon, Trustee of the Thomas G. Simon 2005 Trust U/A/D May 26, 2005	Woodward Ave. Brunswick, OH 44212	2 Berea Commons, STE 1 Berea, OH 44017	001-02A-25-001
John R. and Barbara A. Rocha	894 Pearl Road Brunswick, OH 44212	989 Substation Rd. Brunswick, OH 44212	001-02A-25-002

[CONTINUED ON FOLLOWING PAGE]

Ray Hemeyer, Trustee	859 Pearl Road Brunswick, OH 44212	4120 Canterbury Dr. Brunswick, OH 44212	003-18B-24-007
Eagle Oakes Property Owners Association Inc.	Pepperwood Dr. Brunswick, OH 44212	PO Box 622 Brunswick, OH 44212	003-18A-03-083
Geraldine Szaraz	4605 Redwood Drive Brunswick, OH 44212	4605 Redwood Drive Brunswick, OH 44212	003-18A-06-112
Paula J. Birr	4601 Redwood Drive Brunswick, OH 44212	4601 Redwood Drive Brunswick, OH 44212	003-18A-06-111
Thomas Zabor	891 Pearl Road Brunswick, OH 44212	5680 Pearl Road Parma, OH 44129	003-18B-24-006
Oak Ridge Preserve LLC	Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-243
Oak Ridge Preserve LLC	4376 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-234
Oak Ridge Preserve LLC	4382 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-233
Oak Ridge Preserve LLC	4386 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-232

Oak Ridge Preserve LLC	4390 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-231
Oak Ridge Preserve LLC	4394 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-230
Oak Ridge Preserve LLC	4398 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-229
Oak Ridge Preserve LLC	4402 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-228
Oak Ridge Preserve LLC	4406 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-227
Oak Ridge Preserve LLC	4412 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-226
Oak Ridge Preserve LLC	4428 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-225
Oak Ridge Preserve LLC	Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-242
Overlook Pointe Homeowners Association	Vicky Dr 003 - Brunswick City (Brunswick City SD)	Overlook Pointe Homeowners 22700 Royalton Rd Strongsville, OH 44149	003-18A-04-207

David S. & Doreen J. Leuenberger, Trustee	4504 Vicky Dr Brunswick, OH 44212	David Leuenberger, 4504 Vicky Dr Brunswick, OH 44212	003-18A-04-199
Edward J. & Justine M. Seifert	4508 Vicky Dr Brunswick, OH 44212	Edward & Justine Seifert 4508 Vicky Dr Brunswick, OH 44212	003-18A-04-200
Thomas M. & Maria L. Kahle	4514 Vicky Dr Brunswick, OH 44212	Thomas & Maria Kahle 14751 Greystone Dr Brookpark, OH 44142	003-18A-04-201
Robert A. & Stacie L. Lieb	4522 Vicky Dr Brunswick, OH 44212	Robert & Stacie Lieb 4522 Vicky Dr Brunswick, OH 44212	003-18A-04-202
Scott Stanton	4530 Vicky Dr Brunswick, OH 44212	Scott Stanton 4530 Vicky Dr Brunswick, OH 44212	003-18A-04-203
Eric M. & Kristin M. Girard	4536 Vicky Dr Brunswick, OH 44212	Eric & Kristin Girard 4536 Vicky Dr Brunswick, OH 44212	003-18A-03-196
Overlook Pointe Homeowners Association	Vicky Dr 003 - Brunswick City (Brunswick City SD)	Overlook Pointe Homeowners 22700 Royalton Rd Strongsville, OH 44149	003-18A-03-200

18.9780 acres – Brunswick Hills Township to the City of Brunswick

Commissioner Stephen D. Hambley called the meeting to order at 11:00 a.m. with Aaron M. Harrison and Colleen M. Swedyk present. The hearing was for the consideration of a regular annexation of 18.9780 acres of land from Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. The petition was filed with the Commissioners' office on March 12, 2024 in accordance with Ohio Revised Code Section 709.02. A court reporter was present for the proceedings.

Mark McGrievy, Esq., Agent for Petitioner, was sworn in prior to providing testimony. Mr. McGrievy testified that they are petitioning for a regular annexation of the 18.9780 acres from the township of Brunswick Hills to the City of Brunswick. The main issue is water services on the property that are readily available. The opportunity makes sense for both Brunswick Hills Township and the City of Brunswick. They believe they have provided everything that is necessary to the commissioners for the petition, and the City of Brunswick has an emergency resolution in place regarding this property. In answer to a question by Commissioner Swedyk, Mr. McGrievy explained that this was filed as a regular annexation based on the recommendation of the law director of the City of Brunswick.

Mr. Hambley confirmed with the Clerk of the Board that there have been no challenges to the validity of petition signatures, the petition contains signatures of the majority of owners, no signature were obtained more than 180 days before filing of the petition with the Clerk, an accurate legal description of the perimeter and accurate plat of the territory proposed for annexation were filed, and the agent was listed in the petition and a list of adjacent property owners was attached. The Clerk of the Board confirmed all required procedures were followed, and no objections were received. Note was made that the Brunswick Hills Township Trustees had previously made a request for verification of signatures and the petitioner satisfactorily provided a response.

Mr. McGrievy thanked the commissioners for their consideration.

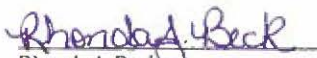
There was no one else in attendance wishing to provide testimony.

Commissioner Swedyk noted that the frontage of this property is very small. Commissioner Hambley stated that he understands that water quality within that general area is an issue. You can get sufficient water quality for a home but because of the strata, any kind of commercial structure development within that, even if it remained in the township, would not have been able to get a permit.

Mr. Harrison moved to adjourn the hearing; Mrs. Swedyk seconded the motion. Mr. Hambley stated that the board will enter its decision on the journal within thirty (30) days of this hearing. There was no further discussion. Roll call showed all commissioners voting AYE. The hearing adjourned at 11:07 a.m.

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this twenty-first day of May, 2024.

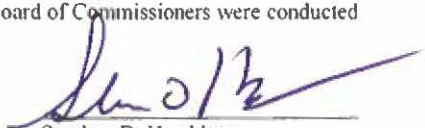
Respectfully submitted,

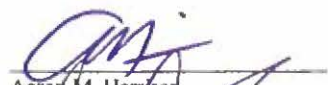

Rhonda J. Beck
Clerk to the Commissioners

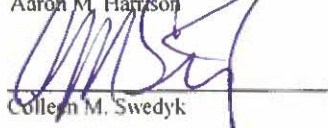
COMMISSIONERS

OF

MEDINA COUNTY


Stephen D. Hambley


Aaron M. Harrison


Colleen M. Swedyk



MEDINA COUNTY ENGINEER

Andrew J. Conrad, P.E., P.S.

ENGINEERING DEPARTMENT

P.O. BOX 825
791 W. SMITH RD.
MEDINA, OH 44258

PHONE (330) 723-9561
FAX (330) 723-9661

MEMORANDUM

TO: Rhonda Beck, Clerk

FROM: Michael Martin, Tax Maps

RE: Regular Annexation Petition and Plat Review – to annex 18.9708 acres from the Township of Brunswick Hills to the City of Brunswick.

DATE: March 12, 2024

I reviewed the Annexation Plat and Legal Description (from the surveyor) and found that both are accurate and correct for transfer.

I have also received a copy of the petition. We will need a deed prepared with a legal description that is the same as the legal on the petition except in the first line saying "Situated in the City of Brunswick...". Will need to signed and dated with the surveyor's stamp on it.

All other things are correct.

Thank you,

A handwritten signature in cursive script that reads "Michael A. Martin".

Michael A Martin



Medina County Board of Commissioners

Stephen D. Hambley

Aaron M. Harrison

Colleen M. Swedyk

March 12, 2024

Via Email and Regular U.S. Mail

Mark P. McGrievy, Esq.
L'Hommedieu & McGrievy, LLC
100 North Main Street, Ste. 350
Chagrin Falls, OH 44022

RE: Petition for Regular Annexation – 18.9780 acres
Brunswick Hills Township to the City of Brunswick

Dear Mr. McGrievy,

The Medina County Board of Commissioners is in receipt of the regular petition for annexation received from your office on this date. I have enclosed a time-stamped copy of the petition for your records. Please advise if you wish for future correspondence to be sent via email, or is regular mail is your preferred method. My email address is rbeck@ohmedinaco.org.

The Board of Medina County Commissioners will conduct a hearing on the above-referenced petition for annexation submitted by your office today after their regular meeting on **Tuesday, May 21, 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.

I have also included a copy of the Memorandum received from the Medina County Engineer – Tax Maps Department, which indicates notes regarding the preparation of a deed and requirements that will need to be met. You may contact Michael Martin at 330-723-9561 with any questions regarding the memo.

Sincerely,

A handwritten signature in cursive script that reads "Rhonda Beck".

Rhonda Beck
Clerk of the Board of County Commissioners



L | M Legal Group

L'Hommedieu & McGrievy, LLC

mark@lmlegalgroup.com

March 26, 2024

MEDINA CO COMMISSIO
MAR 27 '24 12:17

Rhonda J. Beck
Clerk of the Board
Medina County Board of Commissioners
144 N. Broadway St.
Medina, Ohio 44256

**RE: Regular Annexation Petition 18.9780 Acres
Parcel Nos. 001-02A-21-008 and 001-02A-21-009
Brunswick Hills Township to the City of Brunswick**

Dear Ms. Beck:

Enclosed please find one certified mail return receipt and one US Postal Service Notice of Delivery for Proof of Service of notification of the Petition for Annexation that was filed by my office on March 12, 2024 for the above reference property. Please note that our notification of this filing was received by the City of Brunswick Clerk of Council on March 20, 2024 and by the Trustees of Brunswick Hills Township on March 26, 2024.

Should you require anything further, please contact this office.

Very truly yours,

L'HOMMEDIEU & MCGRIEVY, LLC


Mark P. McGrievy, Esq.

Enclosures

100 N. Main Street, Suite 350, Chagrin Falls, Ohio 44022
Phone: 216-635-0002 / Fax: 216-635-0012
www.lmlegalgroup.com

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

City of Brunswick
495 Center Road
Brunswick, OH 44212



9590 9402 1297 5285 6798 41

Article Number (Transfer from service label)

7020 1290 0000 0662 0645

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Carol Dickens

☐ Agent☐ Addressee

B. Received by (Printed Name)

Carol Dickens

C. Date of Delivery

3-20

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Registered Mail☐ Registered Mail Restricted Delivery

or \$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

CERTIFIED MAIL® RECEIPT
Domestic Mail OnlyFor delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$4.40

Postage \$1.87

Total Package and Fees \$6.27

0708

30

Postmark

Here

03/18/2024

City of Brunswick
495 Center Road
Brunswick, OH 44212

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

5490 2980 0000 0621 0202

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail OnlyFor delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$4.40

Postage \$1.87

0708

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Postmark

Here

03/18/2024

City of Brunswick
495 Center Road
Brunswick, OH 44212

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

2590 2980 0000 0621 0202

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Latest Update

Your item was delivered to an individual at the address at 1:06 pm on March 26, 2024 in
BRUNSWICK, OH 44212.

Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

Delivered

Delivered, Left with Individual

BRUNSWICK, OH 44212

March 26, 2024, 1:06 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean?](#)

Text & Email Updates

USPS Tracking Plus®

Product Information

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 30-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO AN 18.9780± ACRE PROPERTY (CONSISTING OF PPNs 001-02A-21-008 AND 001-02A-21-009) LOCATED ON PEARL ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting two (2) parcels of property located on Pearl Road 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 18.9780± acres of property located on Pearl Road (consisting of PPNs 001-02A-21-008 and 001-02A-21-009), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owners, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.

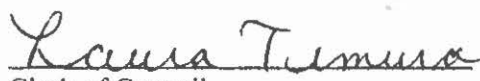
SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the May 21, 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 April 8, 2024

Rules Suspended: AYES 6 NAYS 0

ADOPTED: April 8, 2024 AYES 6 NAYS 0

ATTEST:


Clerk of Council
Laura E. Timura, CMC

April 25, 2024

Sent via email to

rbeck@ohmedinaco.org

Medina County Board of Commissioners
144 North Broadway Street, Room 201
Medina, Ohio 44256

Sent via email to

mark@lmlegalgroup.com

SHN Brunswick LLC
c/o Mark P. McGrievy
L'Hommedieu & McGrievy, LLC
100 North Main Street, Suite 350
Chagrin Falls, Ohio 44022
Agent for Petitioner

**Re: Petition for Annexation to the City of Brunswick of
18.4780 acres, more or less in the Township of Brunswick Hills
Regular Petition ORC 709.02
Request for Verification of Certain Signatures**

Medina County Board of Commissioners/SHN Brunswick, LLC:

The Brunswick Hills Township Board of Trustees, pursuant to Ohio Revised Code Section 709.031(C) respectfully requests that reasonable proof be presented of the authority of the person who signed the annexation petition, as that person signed on behalf of any person other than a natural being, the state, or political subdivision of the state. The annexation petition was filed on behalf of SHN Brunswick, LLC, an Ohio Limited Liability Company, by Frank P. Biller, who describes himself as its manager.

Pursuant to ORC 709.031(C) this request is made in writing and has been filed at least fifteen (15) days prior to the hearing on the annexation by the Brunswick Hills Township Board of Trustees.

Respectfully,



Patrica Murphy, Trustee
Brunswick Hills Township



Christina Kusnerak, Trustee
Brunswick Hills Township



Ryan Nixon, Trustee
Brunswick Hills Township

From: Jan Isakoff
To: dkusnerak@brunswickhillstwp.org; tmurphy@brunswickhillstwp.org; mnixon@brunswickhillstwp.org
Cc: Rhonda Beck; Mark McGrievy
Subject: Evidence of SHN Manager Brunswick Hills Annexation+
Date: Monday, May 6, 2024 3:40:20 PM
Attachments: [image002.png](#)
[image004.png](#)
[Recorded Affidavit of Facts \(Biller\).pdf](#)
[SHN Brunswick Operating Agreement \(Executed\).pdf](#)

Good Afternoon,

Reference is made to a letter from your office dated April 25, 2024 requesting confirmation that Frank Biller is in fact the Manager of SHN Brunswick, LLC. We have attached a fully executed Operating Agreement for SHN Brunswick, LLC and a recorded Affidavit of Fact showing Mr. Biller as the Manager of SHN Brunswick, LLC. We trust that the two documents are sufficient evidence of Mr. Biller's Manager's position.

Best Regards, Jan Isakoff



JANICE ISAKOFF

Senior Counsel

100 N. Main Street, Suite 350

Chagrin Falls, Ohio 44022

Phone: (216) 635-0013

Fax: (216) 635-0012

E-mail : jan@lmlegalgroup.com

This transmission: (i) is subject to attorney-client privilege, (ii) contains attorney work product, and/or (iii) is otherwise confidential. If you are not the intended recipient, use and disclosure of this message is prohibited. If you have received this in error, please (i) do not print, forward or copy this e-mail, (ii) notify us of the error by a reply to this e-mail, and (iii) completely delete the message and any attachments from your computer.

2023OR006329

LINDA HOFFMANN
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
05/05/2023 09:55 AM

REC FEE: 50.00
PAGES: 4
DOC TYPE: AFFID

**AFFIDAVIT OF FACTS
CONCERNING REAL ESTATE**
(pursuant to O.R.C. 5301.252)

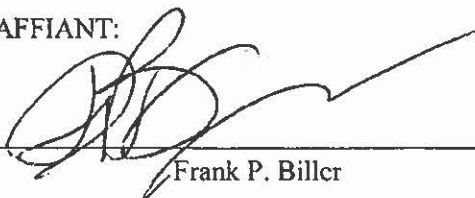
STATE OF CO)
) ss:
COUNTY OF Douglas)

I, Frank P. Biller ("Affiant"), being first duly cautioned and sworn, and having personal knowledge of the facts and being competent to testify as to these matters, depose and say as follows:

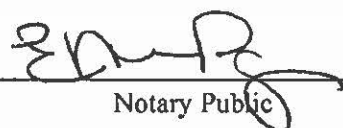
1. I am the manager of both Sanctuary Health Network, LLC and SHN Brunswick, LLC.
2. Sanctuary Health Network, LLC, owns certain real properties located at 886 Pearl Road, Brunswick, Ohio 44212 and 880 Pearl Road, Brunswick, Ohio 44212, as more fully described in Exhibit A, attached hereto (the "Properties").
3. Sanctuary Health Network, LLC received ownership of the Property pursuant to the Prior Instrument filed on November 3, 2020, as Document Number 2020OR027960 in the records of the Medina County, Ohio Recorder's Office.
4. Sanctuary Health Network, LLC desires to transfer the Properties via quit-claim deed to SHN Brunswick, LLC for business purposes.
5. Sanctuary Health Network, LLC is the sole member of SHN Brunswick, LLC.
6. The real property conveyance from Sanctuary Health Network, LLC to SHN Brunswick, LLC is exempt from conveyance fees under exemption letter (m) of the DTE100ex, as no money or other valuable and tangible consideration is to be paid for the Property and the transaction is not a gift.
7. I declare under penalties of perjury that this statement has been examined by me and to the best of my knowledge and belief is a true, correct, and complete statement.

FURTHER AFFIANT SAYETH NAUGHT.

AFFIANT:


Frank P. Biller

Sworn to before me and subscribed in my presence this 2 day of May, 2023.


Notary Public

This Instrument Prepared by:
L'HOMMEDIEU & MCGRIEVEY, LLC
100 N. Main Street, Suite 350
Chagrin Falls, Ohio 44022
Joseph McHugh, Esq.
(216) 635-0002

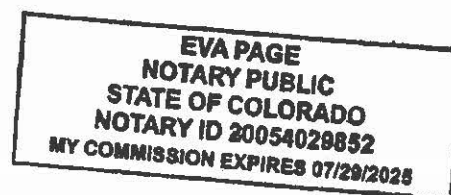


EXHIBIT "A"

LEGAL DESCRIPTION

Parcel 1:

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio:
And known as being part of Original Brunswick Township Lot No. 7, Tract No. 1, and bounded and described as follows: Beginning on the center line of Pearl Road (60 feet wide) at a point distant South 1° 55' 00" West measured along the said center line, 3277.00 feet from its intersection with the center line of Grafton Road; Thence North 89° 51' 00" West along the Southerly line of land conveyed to Archie A. and Rose M. Leitell by deed dated May 19, 1954 and recorded in Deed Volume 216, Page 147 of Medina County Records, 2700.67 feet to a point on the Westerly line of Original Lot 7; Thence South 1° 35' 00" West along the said Westerly line of Original Lot 7, 100 feet to a point; Thence South 89° 51' 00" East and parallel with the said Southerly line of land so conveyed to Archie A. and Rose M. Leitell, 2699.80 feet to a point on the center line of Pearl Road; Thence North 1° 55' 00" East along the said center line of Pearl Road, 100 feet to the place of beginning, be the same more or less. Containing 6.19 acres.

Tax Parcel No: 001-02A-21-008

AKA 866 Pearl Road, Brunswick, Ohio 44212

Parcel 2:

Situated in the Township of Brunswick Hills, County of Medina, and State of Ohio, and known as being a part of Lot 7, Tract 1 of Original Brunswick Township, bounded and described as follows: Beginning at a point in the center of State Highway #25, 3277.0 feet South 1 deg. 55 min. West along the center of S.H. 25 from the point of intersection of the centerlines of S.H. 25 and C.H. 42 and extending South 1 deg. 55 min. West along the center of S.H. 25, 306.8 feet to a point; Thence North 89 deg. 51 min. West 2698.0 feet to an iron pin in the West line of Lot 7; Thence North 1 deg. 35 min. East along the West line of Lot 7, 306.8 feet to an iron pin; Thence South 89 deg. 51 min. East along the South line of land now owned by Rose M. and Jane Mary Leitch 2700.67 feet to a point in the center of S.H. 25 and the place of beginning, containing within said boundaries 19.01 acres of land, be the same more or less, as surveyed April 14, 1949, by Wayne Anderson and A.W. Nettleton, Registered Surveyors, 599 and 1577.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE:

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio, and known as being part of Original Brunswick Township Lot No. 7, Tract 1 and bounded and described as follows: Beginning on the centerline of Pearl Road (60 feet wide) at a point distant, South 1° 55' 00" West measured along the said centerline, 3277.00 feet from the intersection with the centerline of Grafton Road; Thence North 89° 51' 00" West along the Southerly line of land conveyed to Rose M. and Jane Mary Leitch, 2700.67 feet to a point on the Westerly line of said Original Lot 7; Thence South 1° 35' 00" West along the said Westerly line of Original Lot 7, 100.00 feet to a point; Thence South 89° 51' 00" East and parallel with the said Southerly line of

land so conveyed to Rose M. and Jane Mary Leitch, 2699.80 feet to a point on the centerline of Pearl Road; Thence North $1^{\circ} 55' 00''$ East along the said centerline of Pearl Road, 100.00 feet to the place of beginning be the same more or less, containing 6.19 acres.

Leaving, after exception, 12.82 acres, more or less.

Tax Parcel No: 001-02A-21-009

AKA 880 Pearl Road, Brunswick, Ohio 44212

OPERATING AGREEMENT
OF
SHN BRUSNWICK, LLC

THIS OPERATING AGREEMENT (the "Agreement") of SHN BRUSNWICK, LLC, an Ohio limited liability company (the "Company"), is made effective as of January 25, 2023 ("Effective Date"), by its sole member, Sanctuary Health Network, LLC, an Ohio limited liability company (the "Member"), pursuant to the provisions of the 1706.01 *et. Seq.*, of the Ohio Revised Code (the "LLC Law") on the following terms and conditions:

1. **Formation of Company and Company Information.** The Company was formed upon the filing of the Company's Articles of Organization with the Ohio Secretary of State on or about January 25, 2023. The Ohio Entity Number for the Company is 4988993. The Tax Identification Number of the Company is 92-3066975.
2. **Sole Member.** The Member is the sole member of the Company.
3. **Purpose.** The purposes of the Company will be to engage in any other operations, businesses or activities permitted under the LLC Law and any other applicable law or regulation. The Company is empowered to do any and all acts and things necessary, appropriate, proper, advisable, incidental to or convenient for the furtherance and accomplishment of the purposes and business described herein and for the protection and benefit of the Company.
4. **Principal Place of Business.** The principal place of business of the Company will be located at 10940 South Parker Road, Suite 136, Parker, Colorado 80134, or other place as the Manager may determine from time to time. The Company will maintain, at its principal office, all records pertaining to the Company as required by the LLC Law.
5. **Term.** The term of the Company will commence on the Effective Date and will continue until dissolved in accordance with the provisions of this Agreement.
6. **Filings.**
 - (a) The Manager will take any and all actions as may be reasonably necessary to perfect and maintain the status of the Company as a limited liability company or similar type of entity under the laws of any states or jurisdictions other than Ohio in which the Company engages in business.
 - (b) Upon the dissolution of the Company, the Manager will cause to be executed and filed a certificate of cancellation in accordance with the LLC Law and the law of any other states or jurisdictions in which the Company has qualified to conduct business.
7. **Profits, Losses and Distributions.** The profits, losses and distributions of the Company are allocated and shall be made 100% to the Member.
8. **Management.** The initial Manager of the Company shall be Frank P. Biller. The Manager may be removed and replaced at any time, and from time to time, at the sole discretion

of the Member. The management of the Company shall be vested in the Manager. The Manager is authorized to undertake and perform all acts on behalf of the Company, whether or not undertaken or performed for apparently carrying on in the usual way the business and affairs of the Company, and without limiting the generality of the foregoing, the Manager shall have the power and authority to borrow money, to sell, exchange, lease, transfer and encumber all or any part of the assets, whether real or personal, of the Company, as security for any obligation of the Company or others, to guarantee the obligations of others, to secure any such guarantee, to obtain insurance and bonding, and to perform each and every other act and deed of any kind whatsoever, all in the sole and absolute discretion of the Manager to carryout the purposes of the Company as set forth in this Agreement.

9. **Officers.** The Manager may designate one or more individuals to be an officer of the Company (an "Officer") and any Officer so designated shall have such title, authority, and duties as the Manager may delegate to him or her. Any Officer may be removed with or without cause by the Manager. The Manager and the Officers shall not be responsible to the Company or the Member for any loss, liability, damage, claim, judgment, cost, obligation or expense sustained, incurred or resulting directly or indirectly from the acts or omissions of the Manager or the Officer to the extent that the Manager or Officer reasonably and in good faith believed such act or omission to be within the express or implied scope of the authority and responsibility vested in the Manager or Officer.

10. **Indemnification.** The Company shall indemnify each Manager and officer of the Company to the fullest extent permitted under the LLC Law.

11. **Reliance on Acts of Manager.** No financial institution or any other person, firm or corporation dealing with the Manager will be required to ascertain whether the Manager is acting in accordance with this Agreement, but such financial institution or such other person, firm or corporation will be protected in relying solely upon the deed, transfer, or assurance of, and the execution of such instrument or instruments by the Manager.

12. **Books and Records.** The Company will keep adequate books and records at its principal place of business, setting forth a true and accurate account of all transactions and other matters arising out of and in connection with the conduct of the Company's business, which books and records will be otherwise kept in accordance with the provisions of the LLC Law. The Member or his designated representative will have the right, at any reasonable time, to have access to and to inspect and copy the contents of such books or records.

13. **Fiscal Year.** The accounting period and fiscal year of the Company will end on December 31 of each year.

14. **Dissolution Events.** The Company will dissolve and commence winding up and liquidation upon the first to occur of any of the following (each, a "Dissolution Event"):

- (a) The decision of the Member to dissolve, wind up, and liquidate the Company; or

(b) The happening of any other event that makes it unlawful, impossible, or impractical to carry on the business of the Company.

15. **Winding Up.** Upon the occurrence of a Dissolution Event, the Company will continue solely for the purposes of winding up its affairs in an orderly manner, liquidating its assets, and satisfying the claims of its creditors and the Member. The Company's assets will be liquidated as promptly as is consistent with obtaining the fair value thereof, and the proceeds therefrom, to the extent sufficient therefor, will be applied and distributed in the following order:

(a) First, to the payment and discharge of all of the Company's debts and liabilities to creditors other than the Member;

(b) Second, to the payment and discharge of all of the Company's debts and liabilities to the Member; and

(c) The balance, if any, to the Member.

Any distribution to the Member pursuant to clauses 15(b) or (c) above will be net of any amounts owed to the Company by such Member. The Member will not receive any additional compensation for any services performed pursuant to this Section 15.

16. **Authority to Amend.** Amendments to this Agreement will require the approval of the Member.

17. **Governing Law.** The laws of the State of Ohio, without regard to its laws of conflicts, will govern the validity of this Agreement, the construction of its terms, and the interpretation of the rights and duties of the Member.

[Signature Page Follows]

IN WITNESS WHEREOF the Member and the Company, through its Manager, effective as of the date first set forth above, have executed this Agreement.

SHN BRUSNWICK, LLC,
an Ohio limited liability company

By: 
Frank P. Biller, its Manager

SOLE MEMBER

Sanctuary Health Network, LLC,
an Ohio limited liability company

By: 
Frank P. Biller, its Manager



Petition for Annexation From Brunswick Hills Township to City of Brunswick

Hearing Date:	May 21, 2024	Twp. Zoning:	C-2 Community Commercial District
Petitioner(s):	SHN Brunswick LLC		R-3 Residential District
No. of Parcels:	2	Utilities:	Central Water & Sewer
Site Area:	18.9780 acres	School District:	Brunswick City Schools
Parcel Number(s):	001-02A-21-008, -009	Reviewer:	Denise Testa

EXECUTIVE SUMMARY

The parcels are located on the west side of Pearl Road including residential structures and deciduous forest that are adjacent to the City of Brunswick on three parcel lines. Both parcels include the C-2 Community Commercial District and the R-3 Residential District based on the Township Zoning Map.

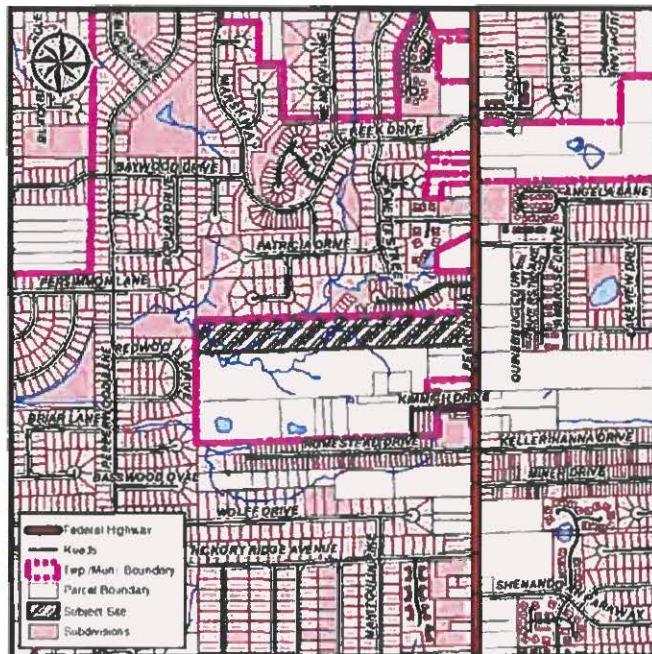
ADJACENT ZONING/LAND USE

Direction	Zoning	Land Use
North	SPD-7 Special Planning District R-L Low Density Residential	Residential (Brunswick)
South	C-2 Community Commercial District R-3 Residential District	Residential (Brunswick Hills)
West	R-L Low Density Residential	Residential (Brunswick)
East	C-G General Commercial	Residential/Deciduous Forest (Brunswick)

Background

Pursuant to Ohio Revised Code (ORC) Chapter 709, Mark McGrievy, Esq., agent for the parcels included in the attached legal description, applied to the Medina County Board of Commissioners in a petition received March 12, 2024, to annex property currently located in Brunswick Hills Township and contiguous to the City of Brunswick.

The Medina County Commissioners reviewed the checklist of submission requirements and determined the application and attachments are complete. Under the annexation law, this application is a "Regular Annexation."



Access

The parcels currently have access to Pearl Road.

Site Conditions

The parcels consist of residences fronting Pearl Road and deciduous forest on the western portions.

Brunswick Hills Township Zoning Resolution

According to the Township Zoning Resolution (Resolution), the purpose of the C-2 Commercial District is to, "...provide an environment for a wide range of business enterprises and promote a mix of commercial uses that will provide goods and services for the larger community area. Establishments within this district are encouraged to be part of planned and integrated groupings of stores which adequately address traffic impacts. This district must be located in areas which have access to public water and sanitary sewer services and to major roadways."

The Resolution indicates the purpose of the R-3 Residential District is to, "...provide for a variety of housing opportunities at moderate to higher densities in strategic locations within the Township. It is intended that this district will be adequately served by public water and sanitary sewer services and will have access on major roadways. Clustering of dwellings and preservation of natural areas is encouraged to minimize impacts and to maintain the established character and rural vistas."

City of Brunswick Zoning Districts

The Brunswick Zoning Code provides descriptions of the R-L Low Density Residential District, SPD Special Planning District, and C-G General Commercial District.

The R-L Low Density Residential District is established to encourage the development of low density single family residential neighborhoods. Densities up to 2.2 families per acre are available with the use of the special single family cluster provisions in Chapter 1284. It is intended that the development permitted in the R-L district be serviced with public sewer and water facilities and accommodate residential structures of the type and character that presently exist in the District.

The purposes of the SPD Special Planning District are as follows:

- (a) to regulate the development and use of property in areas throughout the City that contain sensitive or unique environmental, historic, architectural, or other features which require additional protections and flexibility not provided through the application of the Zoning Code;
- (b) to promote creative and sensitive site planning;
- (c) to provide for a greater range or mixture of compatible uses than would be allowable in the standard zoning districts of this Code, while also requiring features that protect against negative impacts of incompatible land uses or harm to the environment;

- (d) to provide an effective method for the City to guide the development of such areas so as to preserve unique characteristics or to provide for the greater range or mixture of land uses when appropriate; and
- (e) to create a regulatory structure which will allow more flexible and creative design of the built environment, within the limits of the approved conceptual development plan, than is possible with the lot-by-lot design approach of a conventional zoning district.

The C-G General Commercial District is established to provide for needs for both convenience goods and the more common and often recurring shopping goods, personal services and household services. The C-G District also provides locations for multifamily development which do not detract from the commercial potential of frontage property on Pearl Road (U.S. 42) and Center Road (S.R. 303).

Revenue

Brunswick Hills Township has 2.60 inside mills (1.40 general fund & 1.20 road and bridge.) There are a total of 13.95 outside voted mills, which breaks down to 6.2 mills for Fire/EMS & 7.75 mills for Police. The tax bill based on a \$100,000 value for a residential property is \$970.91 per half year and for commercial property is \$1,118.84 per half year.

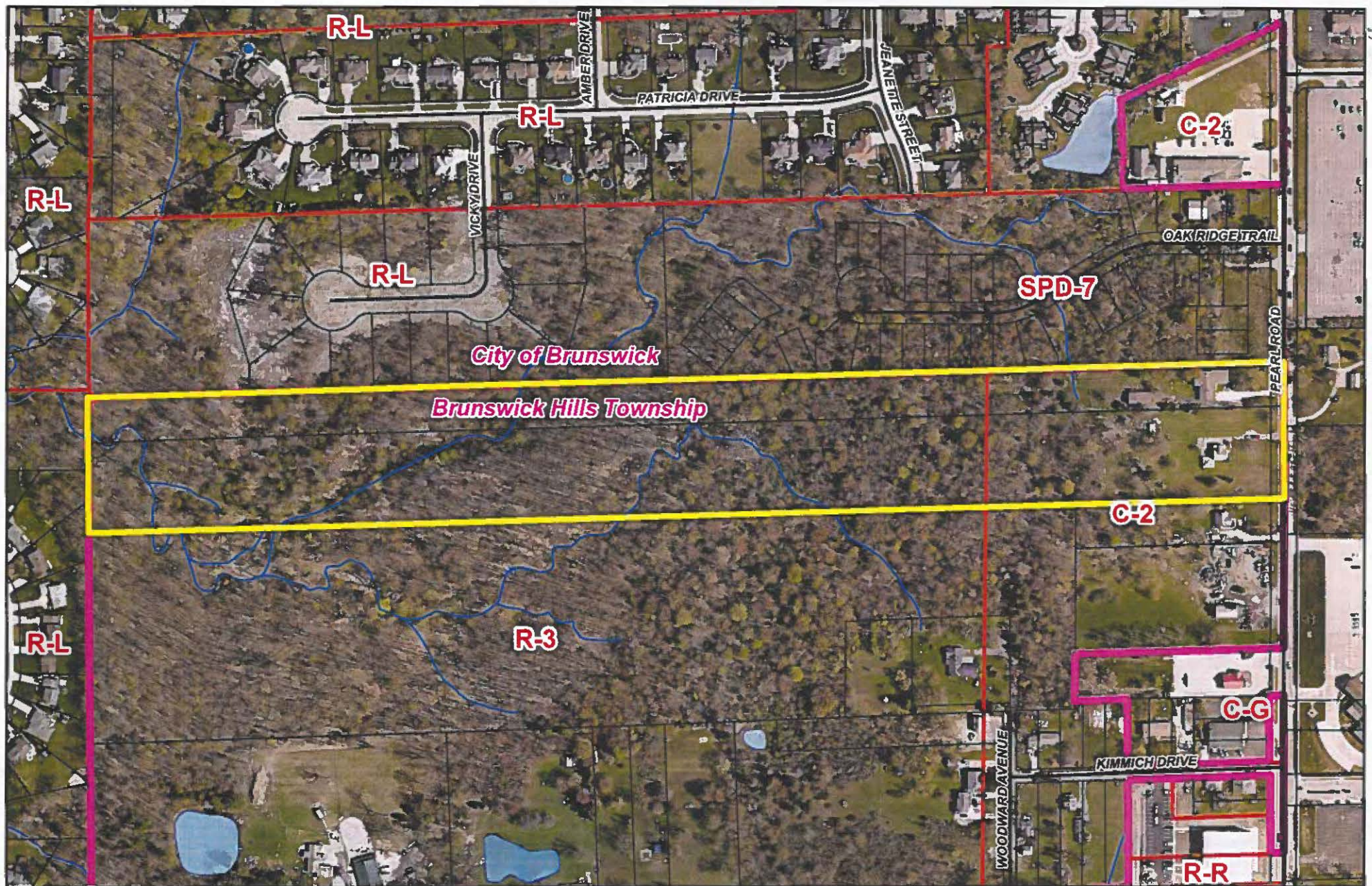
Brunswick City has 2.60 inside mills (2.30 general fund & .30 police pension.) There are a total of 2.02 outside voted mills, which breaks down to 1.2 mills for Road & Bridge & 0.82 mills for new Fire Station Building. The tax bill based on a \$100,000 value for a residential property is \$846.24 per half year and for commercial property is \$952.28 per half year.

The Brunswick City narrative has recently changed because they have a new levy being collected. Both of these taxing districts are part of the Medina County Park District and Medina County Library; therefore, no revenue changes for either of those entities will occur once the annexation is in place.

Expenditures

Public Services Provision Statement: On April 8, 2024, Brunswick City Council voted to approve Resolution 30-2024 as seen below.

“The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 18.9780± acres of property located on Pearl Road (consisting of PPNs 001-02A-21-008 and 001-02A-21-009), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.”



Medina
County
Ohio

Visit us on the web at www.planning.co.medina.oh.us



SHN Brunswick LLC Properties
Regular Annexation
Brunswick Hills Township to City
of Brunswick

Hearing Date: 5/21/2024
Utilities: Central Sewer & Water
School Dist: Brunswick City
Area: 18.9780 acres



CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 30-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO AN 18.9780± ACRE PROPERTY (CONSISTING OF PPNS 001-02A-21-008 AND 001-02A-21-009) LOCATED ON PEARL ROAD.

- WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting two (2) parcels of property located on Pearl Road 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 18.9780± acres of property located on Pearl Road (consisting of PPNS 001-02A-21-008 and 001-02A-21-009), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.
- SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owners, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.
- SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the May 21, 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 April 8, 2024

Rules Suspended:

AYES 6

NAYS 0

ADOPTED: April 8, 2024

AYES 6

NAYS 0

ATTEST:


Clerk of Council
Laura E. Timura, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 4/8/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 30-2024** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to an 18.9780± acre property (consisting of PPNs 001-02A-21-008 and 001-02A-21-009) located on Pearl Road. - **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 a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick.

PURPOSE AND EXPLANATION: Should the Medina County Commissioners grant the annexation of 18.9780± acres of property located on Pearl Road (consisting of PPNs 001-02A-21-008 and 001-02A-21-009), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick.

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

FINANCIAL INFO:

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 by May 1, 2024.

**PETITION FOR ANNEXATION
TO THE CITY OF BRUNSWICK
OF 18.9780 ACRES, MORE OF LESS
IN THE TOWNSHIP OF BRUNSWICK HILLS
(Regular Petition O.R.C. 709.02)**

MEDINA CO COMMISSIONERS
MAR 12 24 AM 10:35

**TO THE BOARD OF COUNTY COMMISSIONERS
OF MEDINA COUNTY, OHIO**

Dated: March 7, 2024

The undersigned Petitioner, being the sole owner of the real estate hereinafter known as Medina County Permanent Parcel Numbers 001-02A-21-008 and 001-02A-21-009, which parcels consist of 18.9780 acres more or less, as more fully described in Exhibit A attached hereto and made 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.

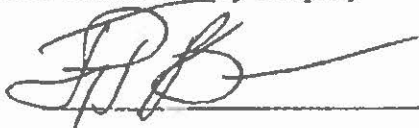
In support of its petition Petitioner states as follows:

1. A legal description of the perimeter of the 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 is the sole owner, as defined in ORC709.02(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, 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. The undersigned Petitioner hereby designates Mark P. McGrievy, Esq. of L'Hommedieu & McGrievy, LLC, 100 North Main Street, Suite 350, Chagrin Falls, Ohio 44022, as its Agent as required by Section 709.02 of the Ohio Revised Code, with full power to amend, increase or decrease the area, to do any and all things essential hereto, and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the Petitioner. Mr. McGrievy's email address is mark@lmlegalgroup.com and his phone number is 216-635-0016.

Petitioner;

SHN BRUNSWICK, LLC,
an Ohio limited liability company

Dated: MAR 8 2024

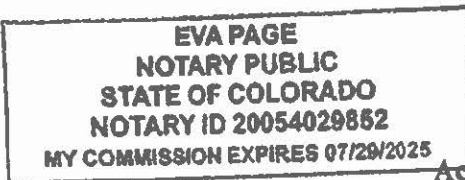
By: 

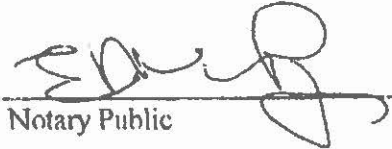
Frank P. Biller, its Manager

STATE OF COLORADO)
).SS:
COUNTY OF DOUGLAS)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Frank P. Biller as the Manager of SHN Brunswick, LLC, an Ohio limited liability company, who acknowledged that he did sign the foregoing instrument in such capacity for and on behalf of such limited liability company and the same is his free act and deed in such capacity on behalf of SHN Brunswick, LLC. This is an acknowledgment clause. No oath or affirmation was administered to the signer.

IN TESTIMONY WHEREOF, I have set my hand and official seal Parker,
Colorado this 8 day of MAR, 2024.




Notary Public

Acceptance of Appointment

The undersigned, name therein agent for Petitioner, hereby acknowledges and accepts the appointment of agent for said Petitioner.


Mark P. McGrievy

EXHIBIT A

LEGAL DESCRIPTION
(See Attached)

**18.9708 Acre Annexation from Brunswick Hills Township
To the City of Brunswick**

Situated in Township of Brunswick Hills, County of Medina, State of Ohio, and known as being part of Original Brunswick Township Lot 7, Tract No. 1 and further being known as all of the lands conveyed to SHN Brunswick, LLC by deed of record in Document Number 2023OR006328 dated 5/5/2023 as recorded in the Medina County Recorder's Office, and being more particularly described as follows:

COMMENCING at a 1" iron pipe found inside a monument box at the centerline intersection of Pearl Road (60' Wide) and Grafton Road (60' Wide);

Thence along the centerline of Pearl Road, South 00°16'21" East a distance of 3275.69 feet to a mag nail set at the northeasterly corner of Parcel 1 of said SHN Brunswick, LLC tract and the southeasterly corner of Block 'B' of Oak Ridge Preserve as recorded in Document Number 2023PL000022, said point being the POINT OF BEGINNING;

Thence continuing along said centerline and the easterly line of said SHN Brunswick, LLC tract, South 00°16'21" East a distance of 306.45 feet to a mag nail set at the southeasterly corner of Parcel 2 of said SHN Brunswick, LLC tract and the northeasterly corner of the lands conveyed to John R. and Barbara A. Rocha as recorded in Deed Volume 373, Page 893 dated 5/6/1987;

Thence leaving said centerline, along the southerly line of said SHN Brunswick, LLC tract and the northerly line of said Rocha tract, South 88°13'39" West, passing an iron pin found capped "Schwartz S-7193" at 29.95 feet, a total distance of 2696.70 feet to an iron pin found capped "Schwartz S-7193" at the southwesterly corner of Parcel 2 of said SHN Brunswick, LLC tract, said point also being the northwesterly corner of the lands conveyed to Thomas G. Simon, Trustee as recorded in Document Number 2007OR034023 dated 12/28/2007 and said point being along the easterly line of Eagle Oaks Subdivision No. 7 as recorded in Plat Volume 15, Page 24;

Thence along the westerly line of said SHN Brunswick, LLC tract and the easterly line of said Eagle Oaks Subdivision, North 00°27'07" West, passing a 5/8" iron pin found at 76.49 feet, a total distance of 306.51 feet to an iron pin found capped "Schwartz S-7193" at the northwesterly corner of Parcel 1 of said Sanctuary Health tract, said point also being the southwesterly corner of Block 'A' of Vicky Drive Allotment as recorded in Document Number 2021PL000032;

Thence along the northerly line of said Sanctuary Health tract and the southerly line of said Vicky Drive Allotment, **North 88°13'46" East**, passing a 1/2" iron pin found at 2668.56 feet, a total distance of **2697.66 feet** to the POINT OF BEGINNING, containing 18.9708 acres, more or less.

This description as surveyed by Nicholas J. Del Valle, P.S. 8822, of The Mannik & Smith Group, Inc. dated 7/31/2023.

Subject to all legal rights-of-way and/or easement, if any, of record.

Bearings used herein are based on the centerline of Pearl Road being South 00°16'21" East as referenced to the Ohio State Plane Coordinate System, North Zone, NAD83, NSRS 2011 Adjustment.



Nicholas J. Del Valle
Professional Surveyor No. 8822



2.29.24
Date

EXHIBIT B
ANNEXATION PLAT

See Attached.



BASIS OF BEARINGS

THE BEARINGS UPON THIS PLAT ARE BASED ON THE CENTERLINE OF PEARL ROAD BEING SOUTH 88°16'21" EAST BEING REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM, OHIO NORTH ZONE, NAD83 (GRS 2011 ADJ.)



REGULAR ANNEXATION PLAT FOR 18.9708 ACRES FROM BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK

SITUATED IN THE TOWNSHIP OF BRUNSWICK HILLS,
COUNTY OF MEDINA AND STATE OF OHIO, BEING PART
OF THE ORIGINAL LOT 7, TRACT 1 OF SAID TOWNSHIP

LEGEND

CITY OF BRUNSWICK

BRUNSWICK HILLS TOWNSHIP

MONUMENT BOX FOUND

IRON PIPE/PIPE FOUND
SIZE & TYPE AS NOTED

②) M. & S. MAG NAIL SET

P.R.O. PRESENTLY ROAD OCCUPIED

POINT OF COMMENCEMENT
1" IRON PIN FOUND & USED IN
MONUMENT BOX

GRAFTON ROAD

POINT OF BEGINNING

1/2" IRON PIN
FOUND & USED @ 2668.56'
BLOCK 'B'

OAK RIDGE PRESERVE
DOC. NO. 2023PL000022

PARCEL 1
PPN 001-02A-21-008
6.19 ACRES (D/M)

PARCEL 2
PPN 001-02A-21-009
12.82 ACRES (D)
12.78 ACRES (M)

880 PEARL ROAD

IRON PIN FOUND @ 29.95'
CAPPED 'SCHWARTZ S-7193'

JOHN R. & BARBARA A. ROCHA
PPN 001-02A-25-002
VOL. 373, PAGE 883
RECORDED 5/6/1987

MAG NAIL IN 1 1/2" IRON
PIPE FOUND & USED
@ 38.00'

VICKY CRIVE ALLOTMENT
DOC. NO. 2021FL000032

IRON PIN FOUND & USED
CAPPED 'SCHWARTZ S-7193'

18.9708 ACRES
INCLUDING 0.2108 ACRES P.R.O.

SHIN BRUNSWICK, LLC
DOC. NO. 2023OR006328
RECORDED 5/5/2023

THOMAS G. SIMON, TRUSTEE
PPN 001-02A-25-001
DOC. NO. 2007OR034023
RECORDED 12/28/2007

IRON PIN FOUND & USED
CAPPED 'SCHWARTZ S-7193'

WEST LINE OF ORIGINAL
BRUNSWICK TOWNSHIP LOT 7

THIS ANNEXATION PLAT WAS DULY ACCEPTED BY THE BRUNSWICK CITY
COUNCIL AT ITS REGULAR MEETING HELD ON THE ____ DAY OF
____, 2024 BY ORDINANCE NO. _____

APPROVED FOR TRANSFER THIS ____ DAY OF _____, 2024.

TAX MAP DRAFTSMAN

RECEIVED FOR TRANSFER THIS ____ DAY OF _____, 2024.

MEDINA COUNTY AUDITOR

RECEIVED AND RECORDED THIS ____ DAY OF _____, 2024
BY THE MEDINA COUNTY RECORDER'S OFFICE

RECORDED IN PLAT DOCUMENT NO. _____

MEDINA COUNTY RECORDER

WE, THE UNDERSIGNED REPRESENTATIVE OF THE OWNERS OF THE
LAND EMBRACED WITHIN THIS ANNEXATION PLAT, HEREBY
ACKNOWLEDGE THIS PLAT AND ANNEXATION TO BE OUR FREE ACT
AND DEED. WE CERTIFY THAT THERE ARE NO DELINQUENT TAXES OR
ASSASSINATIONS AGAINST THE LANDS EMBRACED WITHIN THIS PLAT.

SHIN BRUNSWICK, LLC - OWNER REPRESENTATIVE

PRINT NAME

STATE OF OHIO
COUNTY OF MEDINA

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED THE ABOVE NAMED _____
WHO ACKNOWLEDGED THE MAKING OF THIS PLAT TO BE THEIR FREE ACT
AND DEED, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY
HAND AND AFFIXED MY OFFICIAL SEAL AT _____ THIS ____ DAY
OF _____, 2024.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT I HAVE SURVEYED THE
LAND SHOWN ON THIS PLAT IN ACCORDANCE WITH
THE PROVISIONS OF CHAPTER 4733-37 OF THE OHIO
ADMINISTRATIVE CODE, THAT THIS MAP IS A
CORRECT REPRESENTATION OF THE LAND SURVEYED
AND THAT I HAVE FOUND OR SET THE PINS AND
MONUMENTS SHOWN ON THIS MAP. MAP IS BASED ON
A FIELD SURVEY COMPLETED ON JULY 1, 2023.

NOTARIES J. DEL VALLE
LICENSED PROFESSIONAL SURVEYOR
OHIO LICENSE NO. _____
DATE: _____

EVA PAGE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054029852
MY COMMISSION EXPIRES 07/20/2025

EXHIBIT C

ANNEXATION PARCELS AND ADJACENT PROPERTIES

PROPERTIES SUBJECT TO PETITION (PARCELS TO BE ANNEXED)

<u>Petitioner Name</u>	<u>Address of Property</u>	<u>Tax Mailing Address</u>	<u>Parcel Number</u>
SHN Brunswick, LLC	866 Pearl Road Brunswick, OH 44212	10940 S. Parker Road, Suite 136 Parker, CO 80134	001-02A-21-008
SHN Brunswick, LLC	880 Pearl Road Brunswick, OH 44212	10940 S. Parker Road, Suite 136 Parker, CO 80134	001-02A-21-009

PROPERTIES ADJACENT TO ANNEXATION PROPERTIES

<u>Owner Name</u>	<u>Address of Property</u>	<u>Tax Mailing Address</u>	<u>Parcel Number</u>
Thomas G. Simon, Trustee of the Thomas G. Simon 2005 Trust U/A/D May 26, 2005	Woodward Ave. Brunswick, OH 44212	2 Berea Commons, STE 1 Berea, OH 44017	001-02A-25-001
John R. and Barbara A. Rocha	894 Pearl Road Brunswick, OH 44212	989 Substation Rd. Brunswick, OH 44212	001-02A-25-002

[CONTINUED ON FOLLOWING PAGE]

Ray Hemeyer, Trustee	859 Pearl Road Brunswick, OH 44212	4120 Canterbury Dr. Brunswick, OH 44212	003-18B-24-007
Eagle Oakes Property Owners Association Inc.	Pepperwood Dr. Brunswick, OH 44212	PO Box 622 Brunswick, OH 44212	003-18A-03-083
Geraldine Szaraz	4605 Redwood Drive Brunswick, OH 44212	4605 Redwood Drive Brunswick, OH 44212	003-18A-06-112
Paula J. Birr	4601 Redwood Drive Brunswick, OH 44212	4601 Redwood Drive Brunswick, OH 44212	003-18A-06-111
Thomas Zabor	891 Pearl Road Brunswick, OH 44212	5680 Pearl Road Parma, OH 44129	003-18B-24-006
Oak Ridge Preserve LLC	Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-243
Oak Ridge Preserve LLC	4376 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-234
Oak Ridge Preserve LLC	4382 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-233
Oak Ridge Preserve LLC	4386 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-232

Oak Ridge Preserve LLC	4390 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-231
Oak Ridge Preserve LLC	4394 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-230
Oak Ridge Preserve LLC	4398 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-229
Oak Ridge Preserve LLC	4402 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-228
Oak Ridge Preserve LLC	4406 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-227
Oak Ridge Preserve LLC	4412 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-226
Oak Ridge Preserve LLC	4428 Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-225
Oak Ridge Preserve LLC	Oak Ridge Trail 003 - Brunswick City (Brunswick City SD)	Oak Ridge Preserve LLC 2927 Nationwide Pkwy Brunswick, OH 44212	003-18A-04-242
Overlook Pointe Homeowners Association	Vicky Dr 003 - Brunswick City (Brunswick City SD)	Overlook Pointe Homeowners 22700 Royalton Rd Strongsville, OH 44149	003-18A-04-207

David S. & Doreen J. Leuenberger, Trustee	4504 Vicky Dr Brunswick, OH 44212	David Leuenberger, 4504 Vicky Dr Brunswick, OH 44212	003-18A-04-199
Edward J. & Justine M. Seifert	4508 Vicky Dr Brunswick, OH 44212	Edward & Justine Seifert 4508 Vicky Dr Brunswick, OH 44212	003-18A-04-200
Thomas M. & Maria L. Kahle	4514 Vicky Dr Brunswick, OH 44212	Thomas & Maria Kahle 14751 Greystone Dr Brookpark, OH 44142	003-18A-04-201
Robert A. & Stacie L. Lieb	4522 Vicky Dr Brunswick, OH 44212	Robert & Stacie Lieb 4522 Vicky Dr Brunswick, OH 44212	003-18A-04-202
Scott Stanton	4530 Vicky Dr Brunswick, OH 44212	Scott Stanton 4530 Vicky Dr Brunswick, OH 44212	003-18A-04-203
Eric M. & Kristin M. Girard	4536 Vicky Dr Brunswick, OH 44212	Eric & Kristin Girard 4536 Vicky Dr Brunswick, OH 44212	003-18A-03-196
Overlook Pointe Homeowners Association	Vicky Dr 003 - Brunswick City (Brunswick City SD)	Overlook Pointe Homeowners 22700 Royalton Rd Strongsville, OH 44149	003-18A-03-200

PROPOSED LEGISLATION



DATE: 9/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 70-2024** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for specified uses in all zoning and Special Planning Districts of the City and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: On April 8, 2024, City Council adopted Ordinance No. 36-2024 establishing a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for automobile filling stations, automotive repair, automobile washes, temporary retail sales, hotels/motels, massage establishments, payday lenders and/or small box discount stores in all Zoning and Special Planning Districts of the City, and on the issuance of such approvals, which will expire on October 8, 2024. The six (6) month temporary moratorium established by Ordinance No. 36-2024 shall be extended until such time as City Council adopts the Zoning Code Update by duly authorized legislation, during which time the City shall not accept or process any applications for the above uses in all Zoning and Special Planning Districts of the City, and shall not issue any such approvals during said period.

PURPOSE AND EXPLANATION: City Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for automobile filling stations, automotive repair, automobile washes, temporary retail sales, hotels/motels, massage establishments, payday lenders and/or small box discount stores in all Zoning and Special Planning Districts of the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a comprehensive review of the Brunswick Planning & Zoning Code for possible amendments.

IMPLEMENTATION SCHEDULE: September 9, 2024.

FINANCIAL INFORMATION:

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to complete the Zoning Code Update.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 70-2024

BY: Mr. Delsanter, Mr. Kuczma, Mr. Lambert

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY
MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF
APPLICATIONS FOR ZONING, OCCUPANCY, CONDITIONAL
USE AND/OR BUILDING PERMIT APPROVALS FOR SPECIFIED
USES IN ALL ZONING AND SPECIAL PLANNING DISTRICTS OF
THE CITY AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate land use in the City.

WHEREAS: On April 8, 2024, City Council adopted Ordinance No. 36-2024 establishing a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for automobile filling stations, automotive repair, automobile washes, temporary retail sales, hotels/motels, massage establishments, payday lenders and/or small box discount stores in all Zoning and Special Planning Districts of the City, and on the issuance of such approvals.

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for automobile filling stations, automotive repair, automobile washes, temporary retail sales, hotels/motels, massage establishments, payday lenders and/or small box discount stores in all Zoning and Special Planning Districts of the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a comprehensive review of the Brunswick Planning & Zoning Code for possible amendment thereof.

WHEREAS: On May 13, 2024, City Council adopted Resolution No. 50-2024 authorizing the City Manager to enter into a Strategic Consulting Services Agreement with Roetzel Consulting Solutions for the review and update of the Planning & Zoning Code to include, without limitation: (a) streamline application, review and approval processes; (b) make the Code easy to navigate; (c) align with updated zoning practices; (d) enhance residential neighborhoods; (e) encourage quality development consistent with best zoning practices; (f) improve community services; and (g) build upon the vision established in the 2020 Comprehensive Plan (collectively the “Zoning Code Update”).

WHEREAS: The Zoning Code Update is presently scheduled to be completed by April 30, 2025.

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

SECTION 1: The six (6) month temporary moratorium established by Ordinance No. 36-2024 shall be extended until such time as City Council adopts the Zoning Code Update by duly authorized legislation, during which time the City shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for automobile filling stations, automotive repair, automobile washes, temporary retail sales, hotels/motels, massage establishments, payday lenders and/or small box discount stores in all Zoning and Special Planning Districts of the City, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to complete the Zoning Code Update. 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, CMC

PROPOSED LEGISLATION



DATE: 9/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 71-2024** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for establishments that intend to engage in retail sales and/or distribution of tobacco products, vapor products, alternative nicotine products and/or electronic smoking devices in all zoning districts of the City and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: On March 11, 2024, City Council adopted Ordinance No. 9-2024 extending the six (6) month temporary moratorium established by Ordinance No. 79-2023 for an additional six (6) months up to and including September 25, 2024, which will now be extended until the later of the following will occur: (a) City Council adopts the Zoning Code Update by duly authorized legislation; or (b) the Litigation is completed through the issuance of a non-appealable Court Order.

PURPOSE AND EXPLANATION: City Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for establishments that intend to engage in retail sales and/or distribution of tobacco products, vapor products, alternative nicotine products and/or electronic smoking devices in all Zoning Districts of the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City to undertake the Zoning Code Update and allow for further legal guidance as to the Home Rule rights of municipalities in the Litigation.

IMPLEMENTATION SCHEDULE: September 9, 2024.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City to undertake the Zoning Code Update and allow for further legal guidance as to the Home Rule rights of municipalities in the Litigation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 71-2024

BY: Mr. Delsanter, Mr. Kuczma, Mr. Lambert

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY
MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF
APPLICATIONS FOR ZONING, OCCUPANCY AND/OR BUILDING
PERMIT APPROVALS FOR ESTABLISHMENTS THAT INTEND TO
ENGAGE IN RETAIL SALES AND/OR DISTRIBUTION OF
TOBACCO PRODUCTS, VAPOR PRODUCTS, ALTERNATIVE
NICOTINE PRODUCTS AND/OR ELECTRONIC SMOKING
DEVICES IN ALL ZONING DISTRICTS OF THE CITY AND THE
ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of establishments that intend to engage in retail sales and/or distribution of tobacco products, vapor products, alternative nicotine products and/or electronic smoking devices in the City, as defined in Codified Ordinance Section 636.19.

WHEREAS: On September 25, 2023, City Council adopted Ordinance No. 79-2023 establishing a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for establishments that intend to engage in retail sales and/or distribution of tobacco products, vapor products, alternative nicotine products and/or electronic smoking devices in all Zoning Districts of the City.

WHEREAS: On March 11, 2024, City Council adopted Ordinance No. 9-2024 extending the six (6) month temporary moratorium established by Ordinance No. 79-2023 for an additional six (6) months up to and including September 25, 2024.

WHEREAS: On May 13, 2024, City Council adopted Resolution No. 50-2024 authorizing the City Manager to enter into a Strategic Consulting Services Agreement with Roetzel Consulting Solutions for the review and update of the Planning & Zoning Code to include, without limitation: (a) streamline application, review and approval processes; (b) make the Code easy to navigate; (c) align with updated zoning practices; (d) enhance residential neighborhoods; (e) encourage quality development consistent with best zoning practices; (f) improve community services; and (g) build upon the vision established in the 2020 Comprehensive Plan (collectively the “Zoning Code Update”).

WHEREAS: The Zoning Code Update is presently scheduled to be completed by April 30, 2025.

WHEREAS: On or about May 23, 2024, the Franklin County Court of Common Pleas issued an Order in Case No. 24CV2865 (the “Litigation”) declaring Ohio Revised Code

Section 9.681 (prohibiting municipalities from enacting, adopting, renewing, maintaining, enforcing or continuing in existence any charter provision, ordinance, resolution, rule or other measure that conflicts with or preempts any policy of the State regarding regulation of tobacco products or alternative nicotine products) an unconstitutional infringement on the rights of municipalities to exercise their right to Home Rule pursuant to Article VIII, Section 3 of the Ohio Constitution.

WHEREAS: The State of Ohio appealed the decision of the Franklin County Court of Common Pleas in the Litigation to the Tenth District Court of Appeals, which remains pending.

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for establishments that intent to engage in retail sales and/or distribution of tobacco products, vapor products, alternative nicotine products and/or electronic smoking devices in all Zoning Districts of the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City to undertake the Zoning Code Update and allow for further legal guidance as to the Home Rule rights of municipalities in the Litigation.

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

SECTION 1: The six (6) month temporary moratorium established by Ordinance No. 79-2023 and as extended by Ordinance No. 9-2024 through September 25, 2024, is hereby further extended until the later of the following to occur: (a) City Council adopts the Zoning Code Update by duly authorized legislation; or (b) the Litigation is completed through the issuance of a non-appealable Court Order. During such time, the City shall not accept or process any applications for zoning, occupancy and/or building permit approvals for establishments that intend to engage in retail sales and/or distribution of tobacco products, vapor products, alternative nicotine products and/or electronic smoking devices in all Zoning Districts of the City, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City to undertake the Zoning Code Update and allow for further legal guidance as to the Home Rule rights of municipalities in the Litigation. 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, CMC

PROPOSED LEGISLATION



DATE: 9/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 72-2024** - An ordinance amending Section 222.01 (a) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: Charter Section 3.15(d) provides that all ordinances and resolutions shall be posted in the Brunswick City Library, Brunswick City Hall, the City's Official Website and any other location designated by Council.

In addition to those locations identified in Charter Section 3.15(d), Codified Ordinance Section 221.01(a) provides that all ordinances and resolutions shall also be posted at Brunswick Area Television, Brunswick Division of Police and Brunswick Recreation Center.

PURPOSE AND EXPLANATION: This ordinance is necessary to amend Section 222.01 (a). The amendment would only require posting as defined in Charter Section 3.15(d).

IMPLEMENTATION SCHEDULE: Three readings.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NUMER 72-2024

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTION 222.01 (a) OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES.

WHEREAS: Charter Section 3.15(d) provides that all ordinances and resolutions shall be posted in the Brunswick City Library, Brunswick City Hall, the City's Official Website, and any other location designated by Council.

WHEREAS: In addition to those locations identified in Charter Section 3.15(d), Codified Ordinance Section 221.01(a) provides that all ordinances and resolutions shall also be posted at Brunswick Area Television, Brunswick Division of Police and Brunswick Recreation Center.

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

SECTION 1: That Section 221.01(a) of the Codified Ordinances is hereby amended to read as follows:

“(a) Ordinances, resolutions, statements, orders, proclamations, notices, and reports by law to be published ~~pursuant to Ohio R.C. 731.25~~ shall be published as directed by Charter Section 3.15(d), as same may be amended from time to time by posting the same upon bulletin boards provided for such purpose at the following places:

~~The Municipal Complex, 4095 Center Road;~~
~~Brunswick Area Television, 4274 Manhattan Avenue;~~
~~Brunswick Division of Police, 4095 Center Road;~~
~~Brunswick Library, 3649 Center Road;~~
~~Brunswick Recreation Center, 3637 Center Road;~~

~~which five places are declared to be five of the most public places with the City.”~~

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____
2nd Reading _____
3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 9/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Greg Glauner

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 73-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Geo-Sci Laboratory, Inc. to provide emergency testing services for the New Fire Station Headquarters Project in an amount not to exceed \$60,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: The City of Brunswick is in the process of construction of a new fire station at 1094 Hadcock Road. Certain necessary additional expenditures have been brought to the Administration's attention with the requirement of various scientific testing, the first of which is specific soil testing. This testing must occur before proceeding with construction, and delay of approval would result in a delay of the project until after the September Council meeting when Council would be presented with the legislation to approve the expenditure. Charter Section 7.09b1 states "Emergency expenditures may be made without Council's prior approval when obtaining Council's prior approval would be impracticable and provided that such emergency expenditures are promptly thereafter presented to Council for its approval." As such, the City Manager has authorized this work to be done, so as not to delay the construction timeline, with the intent to present the legislation to City Council at the next scheduled meeting for ratification.

PURPOSE AND EXPLANATION: The purpose of this legislation is to approve an emergency expenditure to Geo-Sci Laboratory, Inc., in a not to exceed amount of \$60,000, for scientific testing necessary for the fire station construction project, that was authorized by the City Manager, per Charter section, with the intent to have legislation presented to City Council at the next scheduled meeting.

IMPLEMENTATION SCHEDULE: It is requested that this legislation be approved as an emergency measure with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This expenditure is necessary for the construction of the new fire station and is an eligible expenditure from the City's bond proceeds. This expenditure will be posted to the Fire Station Construction Fund #359 - account#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?
To ensure compliance with Charter requirements for emergency expenditures and, therefore, not delay the construction process timeline of the fire station.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 73-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GEO-SCI LABORATORY, INC. TO PROVIDE EMERGENCY TESTING SERVICES FOR THE NEW FIRE STATION HEADQUARTERS PROJECT IN AN AMOUNT NOT TO EXCEED \$60,000.00.

- 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 provision 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, which CMR Services exclude, without limitation, third-party testing and inspection fees.
- WHEREAS: The CM obtained three (3) separate proposals for the provision of necessary third-party testing services, including, without limitation, concrete testing, soil compaction testing, laboratory soil analysis, foundation bearing inspection, subgrade proof roll analysis and engineering support (collectively the “Testing Services”).
- WHEREAS: The proposal received from Geo-Sci Laboratory, Inc., with an estimated cost of \$52,771.40, was determined to be lowest and/or best bid.
- WHEREAS: This Resolution authorizes expenditures to Geo-Sci Laboratory, Inc. in an amount not to exceed \$60,000.00 to address, without delaying the Project to obtain additional approvals, unknown conditions, fluctuations in the variable costs and/or the scope of the Testing Services that may arise.
- WHEREAS: Certain aspects of the Testing Services must be completed prior to proceeding with the construction of the Project and delay of the approval thereof would result in a delay of the Project until after Council reconvenes from August recess.
- WHEREAS: Pursuant to Charter Section 7.09(b)(1), emergency expenditures may be made without prior Council approval when obtaining Council’s prior approval would be impracticable, provided that such emergency expenditures are promptly thereafter presented to Council for approval.
- 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 Geo-Sci Laboratory, Inc., the lowest and/or best bidder, to provide emergency Testing Services for the Project in an amount not to exceed \$60,000.00.

SECTION 2: That the actions of the City Manager to enter into an Agreement with Geo-Sci Laboratory, Inc. to provide emergency Testing Services for the Project, as authorized by Charter Section 7.09(b)(1), are hereby ratified by this Council.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to ratify the emergency expenditures necessary to proceed with 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: _____
Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 9/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Greg Glauner

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 74-2024** - An emergency resolution authorizing the City Manager to enter into an agreement with Stryker Medical for the simultaneous sale of obsolete municipal equipment under the supervision of the Division of Fire and purchase of new equipment needed by the Division of Fire in an amount not to exceed \$13,441.32 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)

BACKGROUND: The Brunswick Division of Fire maintains Lucas life-saving chest compression devices in the apparatus responding to emergency calls for saving lives. One such device is no longer operational, and due to its age, replacement parts are no longer available. Stryker Medical is the sole-source provider for the Lucas 3 Chest Compression System. The Division is requesting to purchase a new Lucas 3.1 system to replace this non-operating device. Stryker Medical has offered a trade-in value of \$5,000 for the Stryker Lucas 2 device, with the purchase of a new Lucas 3.1 system. The Division has received a quote for \$18,213.65 for a Lucas 3, v3.1 Chest Compression System. Given the \$5,000 trade-in of the Lucas 2 device, the unit would be available, with shipping costs, at a not to exceed amount of \$13,441.32.

PURPOSE AND EXPLANATION: The Division of Fire is currently operating with one less Lucas life-saving chest compression device due to its age. With authorization of a trade-in of the aged Lucas 2 device, the City will incur a \$5,000 savings towards the purchase of a new Lucas 3.1 system, enabling the Division to once again equip an emergency vehicle with this life-saving device.

IMPLEMENTATION SCHEDULE: As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The cost of this item would be charged to the Fire Fund #115, capital subfund account #952-0510-56252.

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?

Given the critical importance of this equipment in saving lives, emergency legislation will allow us to replace the non-working device as soon as possible.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 74-2024

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH STRYKER MEDICAL FOR THE SIMULTANEOUS SALE OF OBSOLETE MUNICIPAL EQUIPMENT UNDER THE SUPERVISION OF THE DIVISION OF FIRE AND PURCHASE OF NEW EQUIPMENT NEEDED BY THE DIVISION OF FIRE IN AN AMOUNT NOT TO EXCEED \$13,441.32.

WHEREAS: Pursuant to Ohio Revised Code Section 721.15(B), the legislative authority of a municipal corporation may, by resolution, authorize the simultaneous sale of municipal equipment that is obsolete, not needed or unfit for public use, and the purchase of necessary equipment of the same type with the lowest and best bidder and have the sale price of the obsolete municipal equipment credited against the purchase price of the new equipment;

WHEREAS: The City has equipment under the supervision of the Division of Fire which is obsolete, not needed and unfit for public use and no longer operational, to wit: a Lucas 2 Chest Compression System (the “Obsolete System”);

WHEREAS: The Division of Fire is in need of other equipment of the same type, to wit: a Lucas 3.1 Chest Compression System (the “New System”);

WHEREAS: It is in the best interest of the City that the sale of the Obsolete System be made simultaneously with the purchase of the New System and have such sale price credited against the purchase price of the New System;

WHEREAS: Stryker Medical has offered to purchase the Obsolete System for the total amount of \$5,000.00;

WHEREAS: Stryker Medical has offered to sell the New System to the City for the total amount of \$13,441.32 which includes the \$5,000.00 credit for the purchase of the Obsolete System; and

WHEREAS: Stryker Medical is the sole-source provider of the New System.

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 to enter into an agreement with Stryker Medical wherein the Obsolete System under the supervision of the Division of Fire is sold to Stryker Medical for \$5,000.00 and New System is simultaneously purchased from Stryker Medical in amount not to exceed \$13,441.32.

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 the Division of Fire is in need of the New System for the performance of its duties. 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
 Laure E. Timura, CMC

PROPOSED LEGISLATION



DATE: 9/9/2024

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. 75-2024** - A resolution authorizing the City Manager to enter into an agreement with Cargill Salt for the purchase of Clearlane enhanced road salt for the Service Department in an amount not to exceed \$79.99 per ton.- **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

BACKGROUND: When temperatures lower to 18 degrees Fahrenheit or lower, standard rock salt becomes less effective. During these times, an enhanced road salt is used with a much lower useful temperature. The enhanced road salt that Brunswick uses is called Clearlane and it is a proprietary product that is offered through the Sourcewell Purchasing Program that Brunswick is a member of. The Sourcewell price is \$87.06 per ton. We are being offered this product for a reduced price of \$79.99 per ton.

PURPOSE AND EXPLANATION: This agreement would allow the City to purchase enhanced sodium chloride(road salt) directly through Cargill Salt. The City of Brunswick has participated in this program in the past years with cost benefits.

IMPLEMENTATION SCHEDULE: Order as needed during 2024 and 2025 winter months.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: 1,000 tons at \$79.99 a ton = \$79,900 Salt & Cinders - 117-0420-55300

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 75-2024

BY: Mr. Smith, Mr. Abella, and Mrs. Piper

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CARGILL FOR THE PURCHASE OF CLEARLANE ENHANCED ROAD SALT FOR THE SERVICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$79.99 PER TON.

WHEREAS: The City of Brunswick is a member of the Sourcewell purchasing program as authorized by this Council and Ohio Revised Code Section 9.48;

WHEREAS: Ohio Revised Code Section 9.48(D) permits the City to purchase supplies or services from another party without competitive bidding and outside the purchasing programs authorized by Ohio Revised Code Section 9.48 if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through such authorized purchasing programs; and

WHEREAS: The proposed purchase of Clearlane enhanced road salt for the Service Department from Cargill in an amount not to exceed \$79.99 per ton, is upon equivalent terms, conditions and specifications and at a lower price than through purchasing programs authorized by Ohio Revised Code Section 9.48.

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 Cargill for the purchase of Clearlane enhanced road salt for the Service Department in an amount not to exceed \$79.99 per ton.

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, CMC

PROPOSED LEGISLATION



DATE: 9/9/2024

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. 76-2024** - A resolution in support of the Brunswick City School District Renewal Operating Levy.- **1st Reading** (To be brought from Committee-of-the-Whole, Council/Joseph Delsanter)

BACKGROUND: The original \$3,200,000.00 fixed amount Operating Levy was approved by the electorate in 1994, which finances the School District's day-to-day educational operations, including, without limitation, curriculum, student services, utilities, and staff salaries. If approved, the Renewal Operating Levy will collect a fixed amount of exactly \$3,200,000.00 (no more, no less) per year for the next ten (10) years, which represents approximately 4% of the School District's annual budget.

If approved, the fixed amount Renewal Operating Levy will not increase current property taxes (even if property values increase) and may potentially result in the reduction of property taxes as residential/commercial properties are developed within the Taxing District and the \$3,200,000.00 annual fixed amount is accordingly spread out over more properties. The funds received from the Renewal Operating Levy would not be utilized for construction.

PURPOSE AND EXPLANATION: Council declares its support of the annual \$3,200,000.00 fixed amount Renewal Operating Levy for the Brunswick City School District as taxpayers in the Taxing District would continue to benefit from a 12.5% tax credit authorized by Ohio law.

If the Renewal Operating Levy is not approved, the 12.5% tax credit will be lost and fall upon the taxpayers in the Taxing District.

IMPLEMENTATION SCHEDULE: 3 readings.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

**RECOMMENDED
ACTION:**

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 76-2024

BY: Committee-of-the-Whole

A RESOLUTION IN SUPPORT OF THE BRUNSWICK CITY SCHOOL DISTRICT
RENEWAL OPERATING LEVY.

- WHEREAS: The original \$3,200,000.00 fixed amount Operating Levy was approved by the electorate in 1994, which finances the School District's day-to-day educational operations, including, without limitation, curriculum, student services, utilities and staff salaries.
- WHEREAS: If approved, the Renewal Operating Levy will collect a fixed amount of exactly \$3,200,000.00 (no more, no less) per year for the next ten (10) years, which represents approximately 4% of the School District's annual budget.
- WHEREAS: If approved, the fixed amount Renewal Operating Levy will not result in an increase in current property taxes (even if property values increase) and may potentially result in the reduction of property taxes as residential/commercial properties are developed within the Taxing District and the \$3,200,000.00 annual fixed amount is accordingly spread out over more properties.
- WHEREAS: If approved, the funds received from the Renewal Operating Levy will not be utilized for construction.
- WHEREAS: If the Renewal Operating Levy is approved, taxpayers in the Taxing District will continue to benefit from a 12.5% tax credit authorized by Ohio law relative to levies passed prior to November of 2013 (including renewals thereof passed after November of 2013).
- WHEREAS: If the Renewal Operating Levy is not approved, the 12.5% tax credit will be lost and fall upon the taxpayers in the Taxing District.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:
- SECTION 1: This Council does hereby declare its support for the annual \$3,200,000.00 fixed amount Renewal Operating Levy for the Brunswick City School District, as further detailed in the Fact Sheet attached hereto as Exhibit "A" and incorporated herein by reference, to be considered by the electorate on November 5, 2024.
- 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, CMC

The Brunswick City School District **RENEWAL** Operating Levy

TOP – QUALITY EDUCATION

Award-winning, responsible financial stewardship



NO NEW TAXES

This levy renews a \$3.2 million operating levy originally approved by voters in 1994 without raising taxes.



DIRECTLY IMPACTS STUDENTS

This levy finances BCSD's ongoing educational operations, including curriculum, student services and staff salaries.



MAINTAINS FINANCIAL STABILITY

Renewing this levy will maintain the district's financial stability until the next expected operating renewal levy in 2028.



In April 2024, the BCSD Treasurer's Department earned the prestigious Auditor of State Award for the **fourth consecutive year**. Less than 6% of public entities earn this award.



In the latest state report card, BCSD earned a **4.5 star rating**, exceeding state standards.

Dedicated to **EXCELLENCE**. Prepared for the **FUTURE**.

FREQUENTLY ASKED QUESTIONS

How much will this Renewal Levy collect? The levy will collect \$3.2 million each year for ten years. This represents approximately 4% of our annual budget.

Will this levy raise taxes in our community? NO! This levy was originally passed in 1994 to help fund our school operations, and it can ONLY collect \$3.2 million each year, no more, no less. Also, if more new houses or businesses are built in our community, those new property owners will share in raising this amount. If this happens, taxes on individual properties will actually DECREASE because the \$3.2 million is spread between more homeowners and business owners.

Even with the recent property value increases, this renewal levy WILL NOT raise taxes for our residents, correct? CORRECT! Again, this levy can ONLY collect the flat amount of \$3.2 million each year, regardless of fluctuations in property values or the number of properties in our community.

What will this money be used for? This money will continue to pay for our day-to-day operations. This money will be used to pay for things like educational materials, student services, utilities, and employee salaries. Public schools provide a service to a community, much like police and fire departments. Approximately 85% of our budget goes to pay our employees as we are a service business.

Will this money be used for construction? No. It will only be used to support our day-to-day operations.

Why is it called an "Emergency" Levy? The state of Ohio calls it an Emergency Levy, which is another name for a limited operating levy. An Emergency Levy raises a specific dollar amount, NOT an estimated amount determined from a millage figure so our residents know the exact dollar amount that the school will receive.

What are the tax implications of renewing this levy? Any levy passed BEFORE November 2013 is eligible for a tax CREDIT from the state. Basically, the state gives homeowners a break by sharing in the responsibility of the levy. Since this levy was originally passed in 1994, renewing it ensures that homeowners keep that tax credit. Our community businesses and homeowners all pitch in to raise \$3.2 million per year, and the state covers about 12.5% of the homeowners' portion of that. Renewing this operating levy gives the residents of Brunswick and Brunswick Hills the opportunity to retain that tax credit but still raise the same amount of money for our district.

PROPOSED LEGISLATION



DATE: 9/9/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Taylor Petkovsek

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 77-2024** - A resolution authorizing the City Manager to enter into a non-exclusive lease agreement with Brunswick Youth Baseball, d/b/a Brunswick Youth Baseball and Softball Association, for the operation of youth baseball/softball programs on City owned fields. - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/Taylor Petkovsek*)

BACKGROUND: The City of Brunswick received proposals for the Non-Exclusive Lease for Operation of Youth Baseball/Softball program. After review the recommendation would be to enter into a non-exclusive lease agreement with BYBSA.

PURPOSE AND EXPLANATION: The purpose of this resolution is for the City of Brunswick to enter into a non-exclusive lease agreement with BYBSA to provide recreational t-ball, baseball, softball and travel programming for the Brunswick community.

IMPLEMENTATION SCHEDULE: The request is for 3 readings: 09/09, 09/23, 10/14 and 30 days (execute non-exclusive lease agreement on 11/14)

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Any associated receipts or costs for this lease will be accounted for in the City's Park Fund #127. Any costs to the City pertaining to this lease are expected to be minimal. These costs will be covered under the normal parks' operational budget and will not necessitate an increase to the appropriation budget as a result of this lease.

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 77-2024

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A NON-EXCLUSIVE LEASE AGREEMENT WITH BRUNSWICK YOUTH BASEBALL, D/B/A BRUNSWICK YOUTH BASEBALL AND SOFTBALL ASSOCIATION, FOR THE OPERATION OF YOUTH BASEBALL/SOFTBALL PROGRAMS ON CITY OWNED FIELDS.

WHEREAS: On or about July 10, 2024, the City of Brunswick issued a Request for Proposals to enter into a Non-Exclusive Lease Agreement for the operation of youth baseball/softball programs on City owned fields.

WHEREAS: Pursuant to the issued Request for Proposals, two (2) Proposals were received.

WHEREAS: The received Proposals were opened on August 15, 2024 and were reviewed and scored by the City Administration with the recommendation that a Non-Exclusive Lease Agreement be entered into with Brunswick Youth Baseball, d/b/a Brunswick Youth Baseball and Softball Association, an Ohio non-profit corporation and tax exempt organization pursuant to Internal Revenue Code Section 501(c)(3), for the operation of youth baseball/softball programs on City owned fields.

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 a Non-Exclusive Lease Agreement with Brunswick Youth Baseball, d/b/a Brunswick Youth Baseball and Softball Association, for the operation of youth baseball/softball programs on City owned fields.

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, CMC

1. Letter of Transmittal
2. Contact information (mailing address, phone number and email address) of the responding entity

Wednesday August 14th, 2024

City of Brunswick

Attn: Taylor Petkovsek & Carl DeForest

4095 Center Rd

Brunswick, OH 44212

By Dominic DePompei

On Behalf of Brunswick Youth Baseball DBA Brunswick Youth Baseball and Softball Association

4798 Baywood Dr.

Brunswick, OH 44212

brunswickbaseballsoftball@gmail.com

440.502.9159

Mrs. Petkovsek and Mr. DeForest, the following is a Proposal Submittal presented by Dominic DePompei on behalf of Brunswick Youth Baseball DBA Brunswick Youth Baseball and Softball Association in response to RFP# 2024-003 - Request for Proposals for Non-Exclusive Lease For Operation of Youth Baseball/Softball Programs. We are excited to offer our many years of expertise, experience and fresh new ideas to the City of Brunswick. Brunswick Youth Baseball is a tax-exempt organization under Internal Revenue Code Section 501(c)3. Please contact us directly at the phone number or email address provided above with any questions and we look forward to providing the City of Brunswick with best-in-class programs for baseball, softball and t-ball.

3. Organizational Chart and Leadership Chart

6. List of All Board Members, Officers and/or Directors, including summary of previous experience, and contact information for each such person identified (including title, mailing address, phone number and email address)

Proposed Organizational Chart and Leadership Chart with Contact Information

Board Members:

Dominic DePompei – President, 4798 Baywood Dr. Brunswick, OH 44212, 440.502.9159, domdepompei@gmail.com

- NCAA Athlete - Baseball
- 11+ years of multi-sport coaching experience from youth to college
- 5 years of experience running youth and adult baseball and football programs

Jim Kovi – Vice President, 3581 Center Rd. Brunswick, OH 44212, 440.667.2888, jkovi@bcsoh.org

- Current Brunswick High School Athletic Director
- Several years of experience as a multi-sport youth coach

Doug Meyers – Treasurer, 3498 Beaumont Dr. Brunswick, OH 44212, 440.227.7206, dmeyers07@jcu.edu

- Current high school football coach at Midview High School
- Several years of experience as a multi-sport youth coach
- NCAA Athlete - Football

Steve Krivos – Secretary, 2125 Creek Run Dr. Brunswick, OH 44212, 216.849.6182, krivos.1@gmail.com

- 7 years of experience as a multi-sport youth coach
- 10 year board member at St. Mark Lutheran Church including 8 years as Congressional President

Jim Lorincz – Operations & Compliance, 1127 Molland Dr. Brunswick, OH 44212, 216.906.9380, jimlorincz@gmail.com

- NCAA Athlete - Baseball
- Several years of youth coaching experience

OPEN POSITION - Hold for city rec department employee

Non-Board Leadership: (Determined annually/Volunteer):

Baseball Commissioner –

Softball Commissioner –

Tball Commssioner –

Travel Commissioner -

Field Management & Concessions –

Summary and Highlights:

- \$75 Registration fee for T-Ball
- \$95 Registration fee for all other rec groups
- \$5 of each registration fee to be donated to the City of Brunswick Parks Department
- League wide participation in annual community service/charity event, 2024 Medina County Trike and Bike
- City representation on Board of Directors (Parks and Rec Department employee)
- Minimum of 2 annual tournaments showcasing the City of Brunswick
- Estimated enrollment of 1000 kids
- Anticipated revenue \$200,000
- Anticipated first year expense \$172,000 (includes approximately \$50,000 in 1st year equipment expense)
- Anticipated annual recurring expenses \$135,000
- Anticipated net income first year \$30,000
- Anticipated annual recurring net income \$53,000
- Members will complete year end survey to document feedback

Goals

- 90% retention across all programs
- 10% annual enrollment growth
- Apply funding immediately to significant parking improvements at Mooney Park for the 2025 season
- Open indoor facility by October 2026 for use by BYBSA members and the community as a whole funded by league proceeds
- Generate \$5,000 or more annually to contribute to local charitable causes

7. Rules & Regulations applicable to all non-participant supervisor personnel.

All BYBSA coaches and supervisory personnel will be subject to background checks.

BYBSA coaches and supervisory personnel will be required to maintain compliance with federal, state, and local laws governing participation in the specific activities for which they are involved. Coaches and supervisory personnel may be subject to training at the discretion of the Board of Directors including concussion training, sexual abuse training, financial training etc.

BYBSA coaches and supervisory personnel will be required to attend BYBSA provided training as it relates to their specific activities.

Code of Conduct for Coaches and Supervisory Personnel

Working with youth athletes is a privilege. As an authorized volunteer for Brunswick Youth Baseball and Softball Association (BYBSA), coaches and supervisors are responsible for the well-being of our athletes. To help guide our coaches and supervisory personnel, BYBSA has implemented the following Code of Conduct.

Any coach found to be in violation of this Code of Conduct may be asked to leave the premises and may be subject to discipline at the discretion of BYBSA Board of Directors.

1. I will remember that children participate to have fun and that the game is for youth, not adults.
2. I will ensure that I am aware of all of the policies and procedures of BYBSA.
3. I will inform BYBSA of any event that may affect the safety of youth athletes or the safety of others.
4. I will learn and follow the rules of the game and the policies of the league.
5. I will be a positive role model for youth athletes and encourage sportsmanship by showing respect and courtesy, and by demonstrating positive support for all players, officials and spectators at every game, practice or other sporting event.
6. I will not engage in any kind of unsportsmanlike conduct with any official, player, or parent such as booing and taunting; refusing to shake hands; or using profane language
7. I will not encourage any behaviors or practices that would endanger the health and well-being of the youth athletes.
8. I will teach the youth athletes to play by the rules and to resolve conflicts without resorting to hostility or violence.
9. I will demand that the youth athletes treat other players, officials and spectators with respect regardless of race, creed, color, sex or ability.
10. I will teach the youth athletes that doing one's best is more important than winning, so that he/she will never feel defeated by the outcome of a game or his/her performance.
11. I will never ridicule or yell at the youth athletes or other participants in a degrading or unproductive manner.

7. Rules & Regulations applicable to all non-participant supervisor personnel.

12. I will emphasize skill development.

13. I will respect the officials and their authority during games.

14. I will ensure that the property of BYBSA is accounted for and respected.

15. I will respect the facilities of the City of Brunswick, BYBSA, and our partners.

16. I will demand a sports environment for my child that is free from drugs, tobacco, and alcohol and I will refrain from their use at all sports events.

8. Proposed league formats and season overview for recreation youth baseball/softball/t-ball/travel/tournaments.

See attachment 2 for league schedule of important dates.

Spring/Summer T-Ball

- **Format**
 - Ages 4 and under \$75 registration fee
 - Ages 6 and under \$75 registration fee
 - Recommended participation in annual community service event, 2024 Medina County Trike and Bike
- **Season Overview**
 - Ages 4 and under
 - 3-5 practices at coach discretion starting 3rd week of April
 - 8 games starting 3rd Saturday in May
 - 60 minute games
 - Saturday games (8 weeks) @ Huntington Elementary
 - Trophies for all participants
 - Uniforms (MLB Licensed Hat/Dri Fit Shirt/Pants) \$24
 - Ages 6 and under
 - Hybrid Coach Pitch/T-Ball
 - 3-5 practices at coach discretion starting 3rd week of April
 - 14 games starting 3rd week of May
 - 2 games per week Monday Wednesday Friday or Tuesday Thursday Friday
 - 60 minute games at 6pm and 7:15pm (sunset in May around 8:30pm)
 - All games @ Huntington Elementary
 - Trophies for all participants
 - Uniforms (MLB Licensed Hat/Dri Fit Shirt/Pants) \$24

Recreational Baseball/Softball

- **Format**
 - Ages 8 and under
 - Ages 10 and under
 - Ages 12 and under
 - Ages 14 and under
 - Ages 18 and under
 - \$95 registration fee for all ages
 - Recommended participation in annual community service event, 2024 Medina County Trike and Bike (for applicable ages)
- **Season Overview**
 - Ages 12/10/8 and under
 - Hybrid Coach Pitch/Kid Pitch for 8 and under
 - Kid Pitch for 12/10 and under
 - 3-5 practices starting 1st week of April, optional in-season practice

8. Proposed league formats and season overview for recreation youth baseball/softball/t-ball/travel/tournaments.

- Weekday games start 1st week of May
- Up to 20 games per team
- Games primarily at Mooney Park
- Uniforms (MLB Licensed Hat/Dri Fit Shirt/Pants) \$24
- Ages 18/14 and under
 - 3-5 practices starting 1st week of April, weekly in-season practice
 - Weekday games start 1st week of May
 - Up to 20 games per team
 - Games primarily at Corwon Field, Neura Park, and Boston Knoll Park
 - Uniforms (MLB Licensed Hat/Dri Fit Shirt/Pants) \$24

Travel Baseball/Softball

- Format
 - All ages broken down as follows:
 - 8u (baseball only)/9u (baseball only)/10u/11u/12u/13u/14u/18u
 - As many teams per age group as tryout participation allows
 - Vast majority of each team's season will be at coach discretion
 - Large travel baseball fundraiser in the off season
- Season Overview ("Year-Round")
 - Tryouts in July/August, Rosters finalized by end of August
 - Registration fees (variable) \$150 for returning players, \$250 for new players for 2025 season
 - Teams practice all year at their discretion
 - Teams are permitted to participate in whichever league they choose
 - Season ends in July
 - Recommended community service event, 2024 Medina County Trike and Bike

Tournaments

- Format *See Attachment 1- Tournament Schedule
 - BYBSA will host a minimum of 2 (1 Baseball and 1 Softball) tournaments annually between the months of April and July for community-based teams
 - No recreational baseball or softball will be held during tournament weekends
 - All BYBSA travel teams will be encouraged to participate based on age groups involved
 - 8-12 teams per age group/bracket
 - Recreation all-star teams will be encouraged to participate
 - Tournament will run Friday-Sunday unless participation dictates a longer time frame
 - BYBSA as tournament host provides umpires, game balls, and trophies
 - 3 game minimum
 - Volunteers handle all field labor and concessions

8. Proposed league formats and season overview for recreation youth baseball/softball/t-ball/travel/tournaments.

Clinics

- Demand based
- Hitting/Pitching/Baserunning/Strength, Speed, Agility
- \$100 per clinic, capped at 25 kids based on demand
- Single day and multi-day camp style events

9. Detailed Plans for practices, game days, tournaments, camps and clinics

See attachment 2 for league schedule of important dates

T-Ball

- Coaches meeting and training in March
- Practice
 - One hour long
 - Drills provided by league commissioner, used at coach discretion
- Game Day
 - BYBSA staff will unlock storage containers at field pregame
 - Coaches retrieve equipment and set up field
 - Coaches meet at plate to discuss the handling of the game (ground rules, etc.)
 - Game is played in accordance with league rules
 - At the conclusion of the game coaches dismiss players and send them off for their snacks!

Recreational Baseball/Softball

- Coaches meeting and training in March
- Ongoing coach training throughout the season, off-season resources available
- Practice
 - Coaches will be trained by BYBSA in running an efficient and effective practice to help facilitate player participation and development
 - Resources available throughout the season including drills, and on-site support from BYBSA members
 - Time, duration, volume recommended by BYBSA, additional practice at coach discretion
- Game Day
 - All necessary equipment to prepare the field and make adjustments will be provided to coaches via storage bins at each field
 - Fields will be prepared by BYBSA
 - All games will be prepared ahead of the first game of the day by BYBSA, any necessary or cosmetic adjustments will be made by coaches with provided equipment.
 - BYBSA will be available at all times to address concerns or assist with field maintenance
 - Games will be conducted in accordance with league rules
 - Equipment will be returned to and locked in the storage bins by the home team coach at the conclusion of the final game of the day/night
 - Any facilities (bathrooms, concessions, etc.) needing opened/closed by a key holder will be handled by BYBSA personnel
 - Concessions run by volunteers

Continued on next page...

Travel Baseball/Softball

- Practice
 - All new travel coaches will be provided training sessions to help acclimate the coach to the needs of travel baseball and softball teams
 - Practice volume, duration, and time will be determined by the individual teams
- Game Day
 - Fields will be prepared by BYBSA in advance of the first game of the day
 - Any cosmetic or necessary adjustments to the fields will be made by the coaches using equipment provided by BYBSA in storage bins at each field
 - Umpires provided and scheduled by BYBSA
 - Teams will conduct games in accordance with BYBSA policies and league rules
 - Coach will be responsible for cleaning and closing fields at the conclusion of the final game of the day/night
 - BYBSA will be available for any maintenance related issues unable to be addressed by coaches on site
 - Any facilities (concessions, bathrooms, etc.) needing opened/closed by key holders will be handled by BYBSA personnel
 - Concessions run by volunteers

Tournaments

- *See Attachment 1 – Tournament Schedule
- BYBSA tournaments will be staffed entirely by volunteers from the BYBSA organization, participating teams, and partner organizations
- As a tax-exempt organization under Internal Revenue Code Section 501(c)3 BYBSA will work with local clubs and groups in a community service capacity to secure additional volunteers as necessary or as desired by community groups
- All field prep and maintenance will be done on a volunteer basis by BYBSA personnel
- Fields will be prepared and “reset” every 2 games
- Concessions will be cashless and run entirely by volunteers
- Logistics
 - \$500 team registration fee includes umpires, games balls, 3 game guarantee, and trophies
 - 10u/9u/8u @ Mooney Park and Neura Park Lower Field
 - 18u/14u/13u/12u/11u @ Corwon, Neura Park Upper Field (11-18) and Lower Field (11u), and Boston Knoll
- Tournaments will consist of 2 rounds of “Pool Play” to determine seeding
- Upon conclusion of Pool Play games, single elimination brackets will be formed and distributed. Brackets and results posted on the BYBSA website
- Trophies will be provided for the Champions and Runners Up in each age group

10. Detailed plans for formation of teams

T-ball

- Age groups 6 and under/4 and under based on age as of May 1st
- Commissioner and/or Board may review exceptions to May1st cutoff
- Rosters randomly assigned
- Requests will be honored where possible
- Siblings play on the same team

Baseball and Softball

- 8u - Recreation
 - Rosters randomly assigned, balanced by age as of May 1st (8/7/6)
 - Commissioner and/or Board may review exceptions to May1st cutoff
 - Requests will be honored where possible
 - Siblings play on the same team
 - Players are permitted to opt out of the 6 and under T-Ball league and “play up”
- 10u/12u/14u/18u - Recreation
 - Returning players will return to same team as the year prior
 - Draft will be conducted by coaches to fill out rosters with new players
 - Requests to enter the draft (leave last year’s team) will be honored
 - Rosters will be balanced by age as of May 1st
 - Commissioner and/or Board may review exceptions to May1st cutoff
 - Siblings play on the same team
 - Players are eligible to “play up” one age group
- Travel
 - Tryouts conducted in accordance with league schedule *see attachment 2
 - Teams select and participate in leagues of their choosing, and are subject to league rules as far as team formation (age, community, etc.)
 - Players selected in A/B/C team format
 - Parent requests for specific coaches will be honored

11. Description of the registration process, including dates, deadlines and procedures

2025 Registration Process *See Attachment 2 for league calendar

During the registration process, parents will be prompted with a message explaining that BYBSA operates independent of the City of Brunswick and all communication regarding BYBSA should be directed to BYBSA personnel as opposed to city staff. This prompt will provide all necessary contact information to reach BYBSA personnel for any BYBSA matters. All communication will receive either an immediate response, or a response within 24 hours of submission.

The City of Brunswick will be provided with a list to post on their website of contact information and links to direct people to BYBSA for all related matters and to help reduce the volume of contact the city receives in error.

- January 5th – Registration opens
 - Parents will sign in to the BYBSA website, register, submit waivers, and complete payment online
 - Parents are responsible for registering for the correct age group based on player's age as of May 1st, or requesting to "play-up"
 - Birth certificates will not be collected or held by BYBSA but should be readily available by parents upon request
 - Offline payment options will be provided
 - Database will be kept for assigning rosters
 - Contact information including phone numbers and email addresses will be provided to handle registration issues
 - Parents will be contacted within 24 hours of a phone call or email
- March 28th – Registration closes
 - Late registrations will be considered case by case
- March 29th – League Drafts for applicable age groups
- March 31st – Parents will be contacted with team assignments

12. Proposed start and end date for each league

*See attachment 2 for league calendar with important dates

T-Ball

- Practices begin 3rd week of April
- Games begin 3rd week of May
- Season ends on or before July 26th 2025 (last full week of July)

Recreational Baseball and Softball

- Practices begin first week of April
- Games begin first week of May, Opening Day 2025 - May 5th
- Playoffs begin 3rd week of July, 2025 Playoffs begin July 14th
- Season ends and Champions are crowned on or before the last Saturday in July

Travel Baseball and Softball

- Start and end dates determined by the league in which the teams elect to participate in
- Travel teams play and practice year round

13. Description of the proposed grievance process

General Communication, Feedback, Grievance

BYBSA provides contact information in the form of phone numbers, email addresses, and mailing addresses to accept all forms of grievances. Parents are to submit either anonymously or directly their feedback, complaints, or other issues at any time for review by the Board of Directors.

The BYBSA Board of Directors reviews all grievances on a case-by-case basis, and additional follow up or investigation may be necessary.

During the registration process parents will be prompted with detail stating that BYBSA operates independently of the City of Brunswick and all questions, concerns, and feedback should be directed to the BYBSA Commissioners and Board of Directors via provided phone numbers and email addresses. City of Brunswick recreation department personnel will be provided with a copy of the prompt and contact information to relay any individuals making contact regarding BYBSA matters back to BYBSA. The City of Brunswick should list BYBSA on their website with contact information and links to direct inquiries back to BYBSA. Our goal is to generate zero unnecessary communication between the City of Brunswick and BYBSA members.

All requests for refunds will be reviewed by the Board of Directors and issued at their discretion.

Game Related Grievance/Protest

Grievances related to game situations will be heard by BYBSA in the same manner as any other, via the provided methods of contact. Protests of game results are only entertained regarding player eligibility. BYBSA does not allow for protest of game results based on umpire calls, or other in-game situations, however all coaches and parents are encouraged to contact BYBSA at any time for any reason especially if they're not clear on or are concerned about certain situations.

14. Estimated annual participation cost per league, tournament, clinic etc.

Recreational Baseball, Softball, T-Ball

- \$75 for T-Ball
- \$95 for baseball and softball
- \$5 of each registration to be donated to the City of Brunswick Parks Department

Travel Baseball and Softball

- \$150 registration fee for returning players, \$250 for new players for 2025 season
- \$5 of each registration to be donated to the City of Brunswick Parks Department
- As a tax-exempt organization under Internal Revenue Code Section 501(c)3 BYBSA offers teams the ability to raise funds via a plethora of means, including offering tax incentives to sponsoring organizations, and the ability to host raffles.
- Travel teams are heavily supported by fundraising activities

Tournaments

- \$500 per team

Clinics

- \$100-150 depending on duration and services rendered

15. Estimated number of annual participants per league, tournament, clinic, etc.

T-Ball (Based on 2024 Brunswick Rec Enrollment)

- Estimated 350 kids split into 35 teams between the 6 and 4 and underage groups

Recreational Baseball and Softball (Based on 2024 Brunswick Rec Enrollment)

- Estimated 650 kids split into 50 teams
- 2024 Brunswick Rec Enrollment based on information provided to the public
 - 7/8 Baseball - 13 teams
 - 9/10 Baseball – 6 teams
 - 11/12 Baseball – 6 teams
 - 13/14 Baseball – 5 teams
 - 15/18 Baseball – 4 teams
 - 7/8 Softball – 5 teams
 - 9/10 Softball – 5 teams
 - 11/13 Softball – 5 teams
 - 13/14 Softball – N/A
 - 14/18 Softball – 4 teams
 - Total = 53, 34 Baseball teams, 19 Softball teams

Travel

- This is a high growth segment nationwide
- 6 current baseball teams, 0 softball (not yet launched)
- Anticipated growth of 2 teams per season each for baseball and softball
- 2025 estimated number of travel players: 100

Tournaments

- Participation is largely dependent on what age groups are being represented
- Memorial Day Tournament is planned for ages 8u/9u/10u/11u/12u
- 8 teams per age group 11-12 kids per team
- Up to 100 total kids participating per age group
- 40 teams and up to 500 total kids participating between all 5 age groups

Clinics

- Dependent on demand and planned enrollment
- Planned hitting and pitching clinics will be capped at 25 participants unless demand dictates otherwise

Baseball:

- 8u – 8 Teams, Single Elimination, 15 Total Games, **Semis and Final in Bold**
 - Mooney #2
 - Saturday 5/24/25 (Pool Play)
 - 9:00am/11:15am/1:30pm/3:45pm
 - Sunday 5/25/24 (Bracket play 1st round, **Semis, Final**)
 - 9:00am/11:15am/**1:30pm/3:45pm**
 - Mooney #3
 - Saturday 5/24/24 (Pool Play)
 - 9:00am/11:15am/1:30pm/3:45pm
 - Sunday 5/25/24 (Bracket Play 1st round, Semis)
 - 9:00am/11:15am/**1:30pm**
- 9u – 8 Teams, Single Elimination, 15 Total Games, Semis and Final in **Bold**
 - Mooney #1
 - Saturday 5/24/25 (Pool Play)
 - 9:00am/11:15am/1:30pm/3:45pm
 - Sunday 5/25/24 (Bracket play 1st round, **Semis, Final**)
 - 9:00am/11:15am/**1:30pm/3:45pm**
 - Mooney #4
 - Saturday 5/24/24 (Pool Play)
 - 9:00am/11:15am/1:30pm/3:45pm
 - Sunday 5/25/24 (Bracket Play 1st round, Semis)
 - 9:00am/11:15am/**1:30pm**
- 10u – 8 Teams, Single Elimination, 15 Total Games, Semis and Final in **Bold**
 - Neura Park Lower Field
 - Saturday 5/24/25 (Pool Play)
 - 9:00am/11:15am/1:30pm/3:45pm
 - Sunday 5/25/24 (Bracket Play, **Semis, Finals**)
 - 9:00am/11:15am/1:30pm/3:45pm/**6:00pm/8:15pm**
 - Mooney #1
 - Saturday 5/24/25 (Pool Play)
 - 6:00pm
 - Sunday 5/25/24 (**Semis**)
 - **6:00pm**
 - Mooney #2
 - Saturday 5/24/24 (Pool Play)
 - 6:00pm
 - Mooney #3
 - Saturday 5/24/25 (Pool Play)
 - 6:00pm
 - Mooney #4
 - Saturday 5/24/24 (Pool Play)
 - 6:00pm

▪ 11u – 8 Teams, Single Elimination, 15 Total Games, Semis and Final in **Bold**

○ Boston Knoll

- Saturday 5/24/25 (Pool Play)
 - 8:00am/10:15am/12:30pm/2:45pm
- Sunday 5/25/24 (Bracket play 1st round, **Semis, Final**)
 - 8:00am/10:15pm/**12:30pm/2:45pm**

○ Neura Park Upper Field

- Saturday 5/24/24 (Pool Play)
 - 8:00am/10:15am/12:30pm/2:45pm
- Sunday 5/25/24 (Bracket Play 1st round, **Semis**)
 - 8:00am/10:15am/**12:30pm**

▪ 12u – 8 Teams, Single Elimination, 15 Total Games, Semis and Final in **Bold**

○ Neura Park Upper Field

- Saturday 5/24/25 (Pool Play)
 - 5:00pm/7:15pm
- Sunday 5/25/24 (**Semis, Final**)
 - **2:45pm/5:00pm/7:15pm**

○ Corwon Field

- Saturday 5/24/24 (Pool Play)
 - 8:00am/10:15pm/12:30pm/2:45pm/5:00pm/7:15pm
- Sunday 5/25/24 (Bracket Play 1st round)
 - 8:00am/10:15am/12:30pm/2:45pm

2024

Saturday October 26th – Large league fundraiser event, travel

2025

Monday January 6th – Registration for recreational baseball, softball, and T-Ball opens. Registration for Memorial Day Tournament opens

Wednesday January 29th – CVBA Travel Baseball Coaches Meeting

Friday February 28th – Planned schedule finalized based on prior year enrollment. Travel Baseball and Softball uniform order deadline

Monday March 3rd – Deadline to submit Coaching Applications

March TBD – Travel Baseball Scheduling Meeting

Monday March 10th – Coach Meeting and Training all leagues

Monday March 17th – Coach Meeting and Training all leagues, Board of Directors phone blitz to fill outstanding coaching vacancies

Monday March 24th – Coach Meeting and Training all leagues

Friday March 28th – Registration Deadline

Saturday March 29th – League Drafts

Monday March 31st – Rosters finalized and parents contacted

Tuesday April 1st – Uniform order placed, practices begin, equipment distribution begins

Monday April 7th – Rec Baseball, Softball, T-Ball Game Schedule finalized and distributed

Monday April 28th – Deadline to distribute uniforms to coaches

Monday May 5th – Opening Day, games begin

Friday May 16th – Memorial Day Tournament Registration Closes

Friday May 23rd – Memorial Day Tournament

Saturday May 24th – Memorial Day Tournament

Sunday May 25th – Memorial Day Tournament

Monday May 26th – Memorial Day Tournament

Monday July 14th – Saturday July 19th – Travel Baseball Tryouts

Monday July 14th – Rec Baseball and Softball playoffs begin, coach and parent year end survey distributed

Saturday July 26th – Season End Date, Deadline to crown Rec Champions, year-end survey due

Monday July 28th – Saturday August 2nd – Travel Softball Tryouts

Monday August 4th – Travel Baseball Coaches Meeting

Monday August 18th – Travel Softball Coaches Meeting



Enrollment \$95/75	1000			Net	31983.86
Revenue	203000	Expense	171016.14		
Registration Fees ¹	103,000	Website	1000		
Cash Raffle Fundraiser	30000	Cash Raffle Prizes	5000		
Sponsors	10000	Concessions	6000		
Concessions	20000	Mowing \$376.39/week, 26 weeks ²	\$9,786		
Clinics	10000	Uniforms @ 24/kid	24000		
Team Shop	10000	Umpires ³	30000		
Tournaments	15000	Field Prep ⁴	18030		
Picture Day	5000	Equipment ⁵	20500		
		Field Improvements	5000		
		City of Brunswick Donation \$5 per registration	5000		
		Professional Services (Legal, Accounting, Consulting, etc.)	5000		
		Insurance	10000		
		Storage Containers (pods x2, April-July)	1700		
		3 used utility vehicles	30000		

¹ T-Ball: 350x\$75=\$26,250 Rec: 650x95=\$61,750 Travel: 100x\$150=\$15,000 Total=\$103,000

² As per quote from A&M General Services

³ Based on 300 games requiring umpires at \$100 per game

⁴ 3 employees, \$15 per hour, 3 hours per day, 6 days per week, 13 weeks. Diamond Dry, Clay, and Chalk

⁵ Includes: All game balls, batting tees, bases, rakes, all field dragging and lining equipment, 50 sets of catchers gear



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

BRUNSWICK YOUTH BASEBALL
4798 BAYWOOD DR
BRUNSWICK, OH 44212

Date:
03/24/2023
Employer ID number:
92-2079852
Person to contact:
Name: Customer Service
ID number: 31954
Telephone: 877-829-5500
Accounting period ending:
December 31
Public charity status:
509(a)(2)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
February 01, 2023
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
26053481003043

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

UNITED STATES OF AMERICA
STATE OF OHIO
OFFICE OF THE SECRETARY OF STATE

I, Frank LaRose, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show BRUNSWICK YOUTH BASEBALL, an Ohio not for profit corporation, Charter No. 4992329, having its principal location in Brunswick, County of Medina, was incorporated on January 31, 2023 and is currently in GOOD STANDING upon the records of this office.



Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 3rd day of August, A.D. 2024.

A handwritten signature in blue ink, reading "Frank LaRose".

Ohio Secretary of State

Validation Number: 202421600576

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 9/9/2024

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. 78-2024** - A resolution officially adopting the Brunswick City logo as the symbol for the Brunswick City Flag. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Kristy Piper*)

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

PURPOSE AND EXPLANATION: That the design of the official logo of the City of Brunswick, as updated pursuant to Resolution No. 76-00 be officially adopted as the symbol of the Brunswick City flag.

IMPLEMENTATION SCHEDULE: Three readings.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 78-2024

BY: Committee-of-the-Whole

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, 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

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