



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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DECEMBER 16, 2024

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes
 - (a) Regular Council Meeting Minutes dated December 9, 2024
5. Mayor's Report:
 - (a) Proclamation in recognition of Ohio Athlete Representative Seth Greenfelder
 - (b) Proclamation commending John and Kristin Puro
 - (c) 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 December 9, 2024

Finance Committee.....Mr. Hanek

Safety & Environment Committee.....Mr. Kuczma

Safety & Environment Committee Meeting Minutes dated December 9, 2024

Planning & Zoning Committee.....Mr. Delsanter

Parks, Recreation & Community Committee.....Mrs. Piper

Building & Building Code Committee.....Mr. Abella
8. Other Committees, Boards and Commissions
 - (a) Committee-of-the-Whole Meeting Minutes dated December 9, 2024

9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:

- a. 3rd Reading(s)

RES. NO. 99-2024 - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2025. - **3rd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

ORD. NO. 100-2024- An emergency ordinance extending a temporary moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

RES. NO. 101-2024 - A resolution authorizing the City Manager to enter into a five (5) year agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices. – **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

- b. 2nd Reading(s)

- c. 1st Reading(s)

ORD. NO. 109-2024 - An ordinance approving the final plat for the Carpenter Glen Development, subject to final engineering approval and any other conditions imposed by Council. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 110-2024 - An emergency ordinance amending Ordinance No. 83-2024 by authorizing the City Manager to forward a petition to conform boundaries to the Medina County Commissioner's Office for the purpose of adjusting the City boundary lines to include an annexation into the City of Brunswick of PPNs 003-18A-04-245 and 003-18A-04-246 (formerly identified as PPNs 001-02A-21-008 and 001-02A-21-009). - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

RES. NO. 111-2024 - An emergency resolution ratifying the actions of the City Manager in executing an agreement with the Medina County Transportation Improvement District allowing the City of Brunswick to receive grant funds in an amount up to \$500,000.00 for the North Industrial Parkway Improvements

Reconstruction Project. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Jenny Zoldak*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, December 9, 2024

Prayer and Pledge of Allegiance The regular meeting of Brunswick City Council was called to order by Vice Mayor Nicholas Hanek at 7:00 p.m. at the Municipal Complex.

Roll Call of Members showed the following Council Members present: Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper.

Others Present: City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Clerk of Council Laura Timura.

Joseph Delsanter moved to excuse Mayor Ron Falconi for just cause seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Correspondence The clerk read a thank you letter from School Superintendent, Steven Chrisman, for the proclamation presented at the Medina County Career Center's 50th Anniversary celebration.

Approval of Regular Council Meeting Minutes

Regular Council Meeting Minutes dated November 25, 2024:

Joseph Delsanter moved to approve the Regular Council Meeting Minutes dated November 25, 2024, as written, seconded by Keith Kuczma. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Mayor's Report:

Mayor's Court Financial Report for the month ending November 2024 will be posted on the website and added to the minutes for the record.

Mayor's Update:

Nicholas Hanek wished everyone a safe and happy holiday season.

Clerk of Council's Report Mrs. Timura noted that the next Council Meeting will be held on Monday, December 16, 2024, due to the holiday.

Council Committee Reports:

Economic Development Committee.....Mr. Lambert:

Mr. Lambert had no formal reports this evening.

Services, Utilities, Technology & Cable Committee.....Mr. Smith:

Services, Utilities, Technology & Cable Committee Minutes dated November 25, 2024:

Tim Smith moved to approve the Services, Utilities, Technology & Cable Committee Minutes dated November 25, 2024, as written, seconded by Kristy Piper. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Finance Committee.....Mr. Hanek:

Mr. Hanek had no formal reports this evening.

Safety & Environment Committee.....Mr. Kuczma:

Mr. Kuczma had no formal reports this evening.

Planning & Zoning Committee.....Mr. Delsanter:

Mr. Delsanter had no formal reports this evening.

Parks, Recreation & Community Committee.....Mrs. Piper:

Mrs. Piper had no formal reports this evening.

Building & Building Code Committee.....Mr. Abella:

Mr. Abella had no formal reports this evening.

Other Committees, Boards and Commissions

Committee-of-the-Whole Meeting Minutes dated November 25, 2024:

Joseph Delsanter moved to approve the Committee-of-the-Whole Minutes dated November 25, 2024, as written, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Petitions from the Public on Legislation There were none.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

2nd Reading(s)

RES. NO. 99-2024 - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2025. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

Mr. Delsanter moved this resolution to third reading.

ORD. NO. 100-2024- An emergency ordinance extending a temporary moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*):

Mr. Delsanter moved this ordinance to third reading.

RES. NO. 101-2024 - A resolution authorizing the City Manager to enter into a five (5) year agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices. – **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*):

Mr. Smith moved this resolution to third reading.

1st Reading(s)

RES. NO. 102-2024 - An emergency resolution authorizing the City Manager to enter into an agreement with TAC Computers Inc. for maintenance of various software in the Divisions of Police and Fire in an amount not to exceed \$35,944.71. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*):

Tim Smith moved to suspend the rules, seconded by Michael Abella Jr. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Tim Smith moved to adopt Resolution Number 102-2024, seconded by Kristy Piper. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 103-2024 - An emergency resolution supporting the Ohio Commission for the United States Semiquincentennial (America 250-OH) and authorizing the City Manager to submit a grant application and execute necessary documents to accept such grant. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*):

Joseph Delsanter moved to suspend the rules, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Joseph Delsanter moved to adopt Resolution Number 103-2024, seconded by Kristy Piper. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

ORD. NO. 104-2024 - An emergency ordinance adopting the Annual Appropriation Budget for Expenditures of the City of Brunswick for the year beginning January 1, 2025 and ending December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*):

Michael Abella Jr. moved to suspend the rules, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Michael Abella Jr. moved to adopt Ordinance Number 104-2024, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

ORD. NO. 105-2024 - An emergency ordinance amending Section 1 of Ordinance No. 99-2023 to provide for a Revised Allocation of Municipal Income Tax receipts during the period from January 1, 2025 through December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*):

Michael Abella Jr. moved to suspend the rules, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Michael Abella Jr. moved to adopt Ordinance Number 105-2024, seconded by Brandon Lambert. Roll Call -

Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

ORD. NO. 106-2024 - An emergency ordinance amending Ordinance No. 100-2023 and the City's Fund Balance Reserve Policy. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*):

Michael Abella Jr. moved to suspend the rules, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Michael Abella Jr. moved to adopt Ordinance Number 106-2024, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

ORD. NO. 107-2024 - An emergency ordinance creating an OPWC Laurel/Maxwell Intersection Improvement Fund (#371). - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*):

Michael Abella Jr. moved to suspend the rules, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Michael Abella Jr. moved to adopt Ordinance Number 107-2024, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 108-2024 - An emergency resolution authorizing the City Manager to enter into an agreement with Brunswick Hills Township for the provision of dispatch services. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*):

Keith Kuczma moved to suspend the rules, seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Keith Kuczma moved to adopt Resolution Number 108-2024, seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

City Manager's Report Mr. DeForest informed that the dredging of North Park would begin around January 6, 2025. He explained that the lake had to be drained and completely dry to estimate the volume of sediment that would need to be removed. Once the lake was drained, grant paperwork needed to be completed, money had to come in, and then the contract could be awarded. The project should start January 6 and take no longer than 60 days to complete.

He reminded that a parking band would be in effect if there were 2 or more inches of snow on the road. Residents could refer to the City's website at www.brunswick.oh.us or call the Division of Police's non-emergency number (330) 225-9111 for information on parking bands. This will keep the road clear of vehicles for the snow plows. Mr. DeForest asked residents not to push snow into the roadway or on others' property. Fire hydrants should also remain clear of snow.

City Hall will be closed on Tuesday, December 24, and Wednesday, December 25 for the Christmas holiday and on December 31 and January 1, 2025, for the New Year's holiday.

Open Forum There was none.

Unfinished Business There was none.

New Business Joseph Delsanter mentioned that he appreciates Mr. DeForest's humor.

Adjournment Joseph Delsanter moved to adjourn, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:17 p.m.

Respectfully submitted,



Laura Timura, CMC
Clerk of Council

Mayor Ron Falconi

Adopted

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

December 9, 2024

IN ATTENDANCE Chairman Tim Smith, Committee Member Kristy Piper, Committee Member Michael Abella Jr., Nick Hanek, Brandon Lambert, Keith Kuczma, Joe Delsanter, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Information Technology & Security Officer Rob Marok, Police Chief Robert Safran, Finance Director Todd Fischer, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:05 p.m.

DISCUSSION ITEMS:

- (a) **RES. NO. 102-2024** – An emergency resolution authorizing the City Manager to enter into an agreement with TAC Computers Inc. for maintenance of various software in the Divisions of Police and Fire in an amount not to exceed \$35,944.71 – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

Mr. Marok explained that the maintenance of the software is a recurring cost.

Mr. Smith inquired what TAC stood for.

Mr. Marok answered that it was the initials of the software creator, Thomas Eldin Craven.

Mr. Abella did not have an agenda in his packet.

Mrs. Piper moved Resolution 101-2024 to tonight's Council Agenda of December 9, 2024, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Abella Jr. moved to adjourn at 6:07 p.m. Vote – 3 Ayes, 0 Nays.

Submitted Respectfully,



Tim Smith
Chairman

SAFETY & ENVIRONMENT COMMITTEE

December 9, 2024

IN ATTENDANCE: Chairman Keith Kuczma, Committee Member Joseph Delsanter, Committee Member Kristy Piper, Brandon Lambert, Nicholas Hanek, Tim Smith, Mike Abella Jr., City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Information Technology & Security Officer Rob Marok, Police Chief Robert Safran, Finance Director Todd Fischer, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:10 p.m.

DISCUSSION ITEMS:

- (a) **RES. NO. 108-2024** – An emergency resolution authorizing the City Manager to enter into an agreement with Brunswick Hills Township for the provision of dispatch services. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

Mr. Safran disclosed that this is a dispatch agreement between the City and Brunswick Hills to continue dispatch services for Brunswick Hills Police and Fire.

Mr. Kuczma clarified that this was not a suspension of the rules but an emergency with two readings.

Mr. Safran confirmed that to be true.

Mr. Nevar explained that with two readings, the legislation would still be considered an emergency suspension of the rules during the second reading.

After discussion, Council agreed to amend the legislation to only one reading.

Mr. Kuczma moved Resolution 108-2024 to tonight's Council Agenda of December 9, 2024, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn at 6:10 p.m. Vote – 3 Ayes, 0 Nays.

Submitted Respectfully,



Keith Kuczma
Chairman



COMMITTEE OF THE WHOLE

December 9, 2024

IN ATTENDANCE: Nicholas Hanek, Joseph Delsanter, Keith Kuczma, Tim Smith, Kristy Piper, Brandon Lambert, Mike Abella Jr., City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Information Technology & Security Officer Rob Marok, Finance Director Todd Fischer, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:10 p.m.

DISCUSSION ITEMS:

There was none.

MOTION ITEMS:

- (a) **RES. NO. 103-2024** - An emergency resolution supporting the Ohio Commission for the United States Semiquincentennial (America 250-OH) and authorizing the City Manager to submit a grant application and execute necessary documents to accept such grant. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

Mr. DeForest shared that the deadline for completing the grant was December 31, 2024. He continued that the purpose of the grant was to help celebrate America's 250th Birthday.

Mr. DeForest stated that he plans to work with Sam Boyer and Brunswick City Schools to devise a project that would best utilize the funds. He disclosed that the State has specific requirements regarding how the \$5,000.00 is spent, such as commemorating the conflicts and those who were lost in war.

Mr. DeForest explained that although he had filled out the required paperwork for the grant six weeks ago, he did not receive a response from the State for five weeks, requiring him to request an emergency with suspension of the rules.

Mrs. Piper moved Resolution 103-2024 to tonight's Council Agenda of December 9, 2024, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

- (b) **ORD. NO. 104-2024** - An emergency ordinance adopting the Annual Appropriation Budget for Expenditures of the City of Brunswick for the year beginning January 1, 2025 and ending December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

- (c) **ORD. NO. 105-2024** - An emergency ordinance amending Section 1 of Ordinance No. 99-2023 to provide for a Revised Allocation of Municipal Income Tax receipts during the period from January 1, 2025 through December 31, 2025. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

- (d) **ORD. NO. 106-2024** - An emergency ordinance amending Ordinance No. 100-2023 and the City's Fund Balance Reserve Policy. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

(e) **ORD. NO. 107-2024-** An emergency ordinance creating an OPWC Laurel/Maxwell Intersection Improvement Fund (#371). - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

Mr. Fischer detailed that the four ordinances had been presented to the Committee-of-the-Whole Meeting on December 2, 2024, and the Audit Committee on December 5, 2024. He continued that there were no changes to the proposed legislation.

Mr. Fischer noted that the emergency with suspension of the rules would allow three weeks to record the legislation into the system and begin the necessary purchase orders before January 1, 2025.

Mr. Hanek moved Ordinance 104-2024, Ordinance 105-2024, Ordinance 106-2024, and Ordinance 107-2024 to tonight's Council Agenda of December 9, 2024, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Delsanter moved to go into Executive Session to discuss the appointment, employment, dismissal, discipline, demotion, or compensation of a public employee and to discuss the subject of pending or imminent court action, seconded by Mr. Kuczma Roll Call - Ayes – 7, Mr. Hanek, Mrs. Piper, Mr. Delsanter, Mr. Lambert, Mr. Smith, Mr. Kuczma, Mr. Abella Jr. Nays – 0

Mr. Abella Jr. moved to adjourn the Executive Session. Vote – 7 Ayes, 0 Nays.

The Committee-of-the-Whole reconvened.

ADJOURNMENT:

Being no further business, Mr. Smith moved to adjourn the Committee-of-the-Whole Meeting at 6:46 p.m. Vote – 7 Ayes, 0 Nays

Submitted Respectfully,



Kristin Gambaccini
Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 12/16/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Gia D'Amico

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 99-2024** - An emergency resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, for the year 2025. - **3rd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: City Council is required to adopt an annual resolution permitting the City to utilize the internet auction provisions of O.R.C. Section 721.15

PURPOSE AND EXPLANATION: In order to allow the City Administration to sell , through public internet auctions, personal property, including motor vehicles acquired for the use of municipal offices and departments, and road machinery, equipment, tools or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, legislation must be adopted by City Council annually.

IMPLEMENTATION SCHEDULE: As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

Three readings on 11/25, 12/9 and 12/16. Third reading as emergency to be effective on 01/01/2025

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 99-2024

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, FOR THE YEAR 2025.

WHEREAS: Ohio Revised Code Section 721.15 permits municipalities to sell obsolete/unfit items by internet auction; and

WHEREAS: An annual Resolution adopted by City Council is required to permit the City to utilize the internet auction provision of ORC Section 721.15.

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

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2025.

SECTION 2: That the Clerk of Council shall cause notice of the adoption of this resolution to be published, in a newspaper of general circulation in the City, of the City's intent to sell unneeded, obsolete or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least two (2) times. The second and any subsequent notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice.

SECTION 3: That the Clerk of Council shall cause a notice to be posted continually throughout the calendar year in a conspicuous place in the offices of the Clerk of Council and the City Council and shall cause said notice to be posted continuously throughout the year on the City website.

SECTION 4: That the City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the auction site. Minimum price or reserve may be set, but is not required by law.

SECTION 5: That bidding shall continue for no less than fifteen (15) days, including Saturdays, Sundays and legal holidays, and shall be set for each item as noted on the internet auction site.

SECTION 6: That all terms and conditions of sale, including but not limited to pick-up and delivery, method of payment, sales tax, complete descriptions and/or pictures of the items, shall be specified for each item on the internet auction site.

SECTION 7: That the highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice.

Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

SECTION 8: That all communication with the successful bidder shall occur in writing. Arrangements and costs associated with delivery to the successful bidder shall be the sole responsibility of the successful bidder. Risk of loss will be transferred to the successful bidder upon the tendering of the goods to the shipping company chosen by the successful bidder.

SECTION 9: That all items shall be sold without warranty in "AS IS" condition. All advertisements, listings, and notices shall be subject to the following language:

"The City of Brunswick, its officers, employers and agents offer this item for sale "AS IS" without any warranty or condition, express, implied or statutory. The City of Brunswick, its officers, employers and agents, specifically disclaim any implied warranties of title, merchantability, fitness for a particular purpose and non-infringement."

SECTION 10: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the 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.

SECTION 11: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to allow for sales of personal property by internet auction effective as of January 1, 2025. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____

AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 12/16/2024

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. 100-2024-** An emergency ordinance extending a temporary moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: On May 13, 2024, City Council adopted Ordinance No. 46-2024 extending the temporary moratorium established by Ordinance No. 113-2024 for an additional period of six (6) months up to and including December 18, 2024. The temporary moratorium shall be extended for an additional period of six (6) months up to and including June 18, 2025, wherein the City shall not issue building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana.

PURPOSE AND EXPLANATION: No building permits, certificates of occupancy or any other permits shall be granted to any person or entity who intends to open, use any land or devote any floor area of the business for the purposes of the cultivation, processing or retail sale of recreational marijuana for the period of this moratorium. No valid existing business in the City may expand in any way that would establish cultivation, processing or retail sale of recreational marijuana for the duration of this moratorium.

IMPLEMENTATION SCHEDULE: November 25, 2024.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 100-2024

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING OR RETAIL SALE OF RECREATIONAL MARIJUANA TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND PLANNING COMMISSION AN OPPORTUNITY TO REVIEW APPLICABLE LAW AND TO CONSIDER POSSIBLE AMENDMENTS TO THE BRUNSWICK ZONING CODE.

WHEREAS: On November 7, 2023, the electorate of the State of Ohio adopted Issue 2 enacting Ohio Revised Code Chapter 3780 wherein the cultivation, processing, sale, purchase, possession, home grow and use of recreational marijuana by adults over the age of 21 is permitted;

WHEREAS: Issue 2, which remains subject to potential revision and/or repealment by the Ohio General Assembly, permits, among other things, the cultivation, processing, sale, purchase, possession, home grow and use of recreational marijuana by adults over the age of 21; creates state regulatory and licensing oversight thereover; and authorizes the legislative authorities of municipal corporations to, by ordinance, prohibit or limit the number of Adult Use Cannabis Operators, which include cultivators, processors and dispensaries, permitted within the municipal corporation;

WHEREAS: On December 18, 2023, City Council adopted Ordinance No. 113-2023 establishing a six (6) month moratorium on the issuance of building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana;

WHEREAS: On May 13, 2024, City Council adopted Ordinance No. 46-2024 extending the temporary moratorium established by Ordinance No. 113-2024 for an additional period of six (6) months up to and including December 18, 2024;

WHEREAS: The City Administration, Council and Planning Commission require additional time to undertake a review of applicable law and to consider possible amendment to the Brunswick Zoning Code; and

WHEREAS: Pursuant to the Ohio Constitution and Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality, including restricting areas

used for businesses and trades.

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

SECTION 1: That the temporary moratorium established by Ordinance No. 113-2023, as extended by Ordinance No. 46-2024, shall be extended for an additional period of six (6) months up to and including June 18, 2025 wherein the City shall not issue building permits and/or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of recreational marijuana.

SECTION 2: No building permits, certificates of occupancy or any other permits shall be granted to any person or entity who intends to open, use any land or devote any floor area of the business for the purposes of the cultivation, processing or retail sale of recreational marijuana for the period of this moratorium. No valid existing business in the City may expand in any way that would establish cultivation, processing or retail sale of recreational marijuana for the duration of this moratorium.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all such 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.

SECTION 4: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City and for the additional reason to allow the City Administration, Council and Planning Commission an opportunity to review applicable law and to consider possible amendments to the Brunswick Zoning Code. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 12/16/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Robert Marok

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 101-2024** - A resolution authorizing the City Manager to enter into a five (5) year agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices. – **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

BACKGROUND: The City of Brunswick currently utilizes Breezeline for one of its internet service lines. This contract will replace an existing contract with a small additional cost and will increase the speed of service being delivered.

PURPOSE AND EXPLANATION: To replace existing contract

IMPLEMENTATION SCHEDULE: Upon passage

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Monthly charge of \$906 plus non-exempt taxes and fees. Monthly charges are broken down by activity in the City Hall Building by activity based on calculations by the Information Technology Department. Currently, 1/3 of costs are charged to General Fund 001-0880-54270 and 2/3 to the Division of Police 114-0520-54270.

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. 101-2024

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE (5) YEAR AGREEMENT WITH BREEZELINE FOR THE PROVISION OF INTERNET SERVICES IN AN AMOUNT NOT TO EXCEED SUBMITTED QUOTE PRICES.

WHEREAS: The City of Brunswick belongs to the Ohio Cooperative Purchasing Program under the direction of the Ohio Department of Administrative Services;

WHEREAS: Ohio Revised Code Section 125.04(C) permits the City to purchase supplies or services from another party without competitive bidding and outside the State Purchasing Program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the State Procurement Program; and

WHEREAS: The proposed purchase of internet services from Breezeline per submitted bid prices, is upon equivalent terms, conditions and specifications and at a lower price than through the State Purchasing Program.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is hereby authorized to enter into a five (5) year Agreement with Breezeline for the provision of internet services in an amount not to exceed submitted quote prices, which shall be subject to annual appropriations by City Council as required by law.

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: 12/16/2024

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. 109-2024** - An ordinance approving the final plat for the Carpenter Glen Development, subject to final engineering approval and any other conditions imposed by Council. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: On December 5, 2024, the Brunswick City Planning Commission recommended approval to City Council of the final plat for the Carpenter Glen single family cluster development, 897 North Carpenter Road, pursuant to Sections 1224.04(a)(3) and 1226.04 of the Subdivision Regulations.

PURPOSE AND EXPLANATION: The final plat will create Sublots 1 through 26; Blocks “A”, “B”, and “C”; along with dedicating portions of White Willow Lane and North Carpenter Road.

IMPLEMENTATION SCHEDULE: First reading on December 16, 2024.

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?

Recommend approval.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 109-2024

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

AN ORDINANCE APPROVING THE FINAL PLAT FOR THE CARPENTER
GLEN DEVELOPMENT, SUBJECT TO FINAL ENGINEERING APPROVAL
AND ANY OTHER CONDITIONS IMPOSED BY COUNCIL.

WHEREAS: On December 5, 2024, the Brunswick City Planning Commission recommended approval to City Council of the Final Plat for the Carpenter Glen Development, subject to final engineering approval.

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

SECTION 1: That the Final Plat for the Carpenter Glen Development, as attached hereto as Exhibit "A", is hereby approved subject to final engineering approval and any other conditions imposed by this Council.

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

This Plat approved by the Council of the City of Brunswick for recording purposes only and said approval does not constitute the acceptance for public use and streets or other lands which said plat indicates shall be dedicated to such use,

Clerk of Council (Print)	(Sign)

This Plat was duly accepted by the Brunswick City Planning Commission at its regular meeting held on the _____ day of _____, 20____.

Secretary (Print) _____ (Sign) _____

Chairman (Print)	(Sign)

This Plot was duly accepted by the Brunswick City Engineer this ____ day of _____, 20 ____.

City Engineer (Print) _____ (Sign)

All required central wastewater disposal facilities have been satisfactorily installed or adequate financial guarantees have been approved by the Medina County Sanitary Engineer on this ____ day of _____, 20____.

Sanitary Engineer (Print) _____ (Sign) _____

Approved for transfer this ____ day of _____, 20____.

Tax Maps Draftsman (Print) (Sign)

Received for transfer this ____ day of _____, 20____.

Medina County Auditor (Print) _____

(Sign) _____

Received and recorded this ____ day of _____, 20____.

Fee: _____

Medino County Recorder (Print) _____
(Sign) _____

This Plat was prepared from a field survey, analysis of recorded plats, recorded deeds, and survey records, as applicable. Distances are given in feet and decimal parts thereof. All dimensional and geodetic details are correct and the survey balances and closes to the best of my knowledge. All monuments shown hereon exist or shall be set as shown.

Daniel P. Engle	P.S. No. 5-8452	Date
-----------------	-----------------	------

Creating Sublots 1 through 26, Blocks 'A' through 'C' and dedicating portions of White Willow Lane and Carpenter Road (C.H. 103) situated in the City of Brunswick, County of Medina and State of Ohio and known as being part of Original Brunswick Township Lot No. 21, Tract No. 2, further known as being all of a 20.1561 acre parcel of land conveyed to Tribon Investment LLC by deed dated January 25, 2023 and recorded in Document No. 2023OR001098 of the Medina County Recorder's Records, and all of Block 'A' as shown on Timber Hill Subdivision, recorded in Plot Volume 28, Page 212 of the Medina County Recorder's Records.

Know all men by these presents that _____, (Print Name/Title)
owner/agent of Iriban Investment LLC and the lands embraced within this
subdivision hereby acknowledge this plat and subdivision to be my/their free act
and deed and hereby dedicate to the public use forever the streets shown
hatched as White Willow Lane and Carpenter Road (C.H. 103) and grant all easements
to the City of Brunswick as shown. I certify that there are no delinquent taxes
or assessments against the lands embraced within this subdivision,

Owner/Agent	Date
-------------	------

State of Ohio
SS

Before me a notary public in and for said county and state, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

who acknowledged the making of the foregoing instrument and the signing of this
 plot to be their own free act and deed. In testimony whereof I
 have hereunto set my hand and official seal of _____, Ohio this
 day of _____, 20____.

Notary public _____
My commission expires _____

Witness

Know all men by these presents that _____
(Print Name/Title)

representative/agent of The City of Brunswick, Ohio and the lands embraced within this subdivision hereby acknowledge this plat and subdivision to be my/their free act and deed and hereby dedicate to the public use forever the streets shown hatched as White Willow Lane. I certify that there are no delinquent taxes or assessments against the lands embraced within this subdivision,

[illegible]

County of Medina

State of Ohio

Representative/Agent

who acknowledged the making of the foregoing instrument and the signing of this plat to be their own free act and deed. In testimony whereof I

have hereunto set my hand and official seal at _____, Ohio this
day of _____, 20____.

Notary public _____

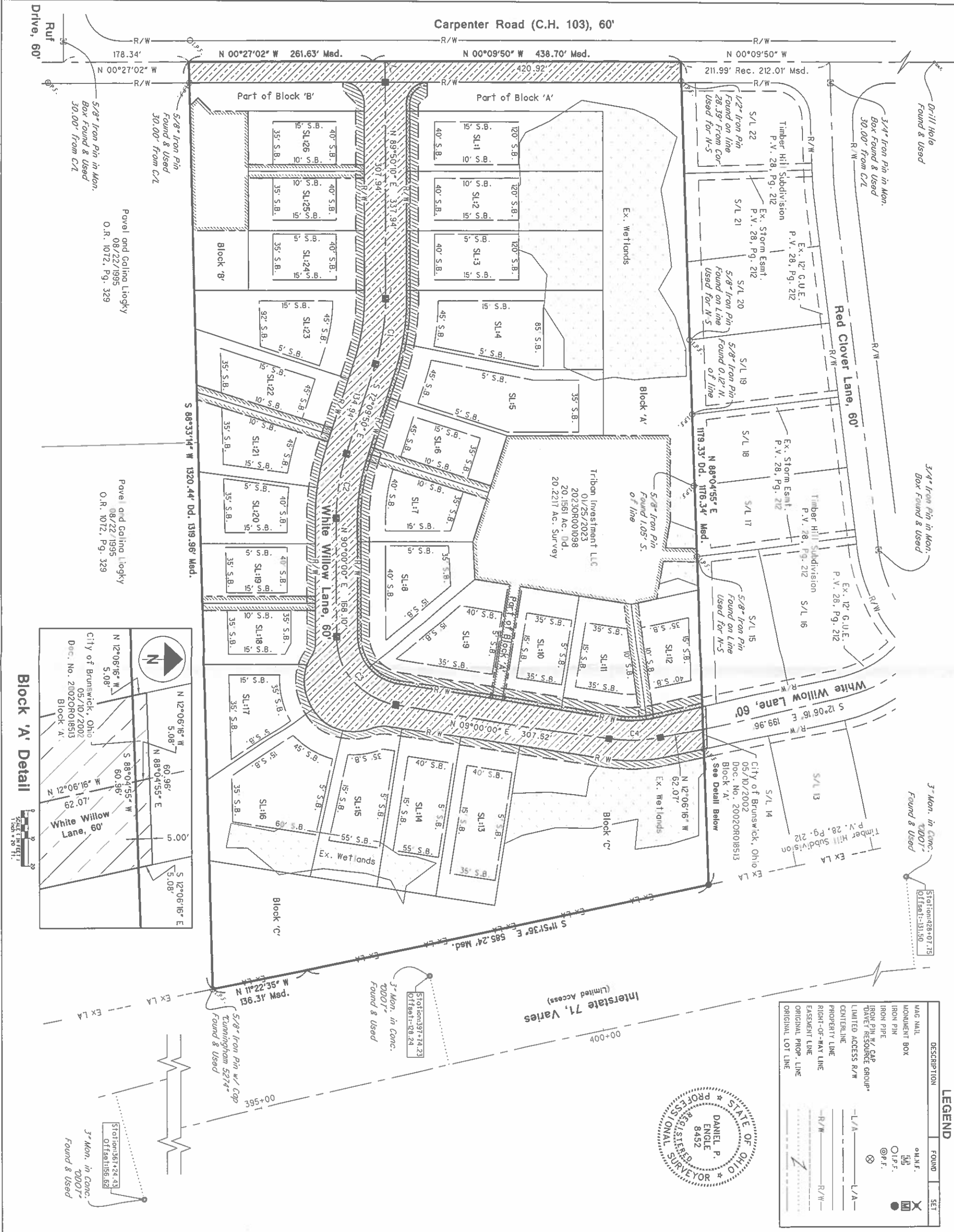
My commission expires _____

Witness

The Subdivision shown on this plat is subject to the covenants, restrictions and easements contained in the declaration or restrictions, covenants and

ements, filed for record on the _____ of _____, 20_____, on
recorded in Document No. _____ in the Medina County Records
Records, State of Ohio.

Davey Resource Group
1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON-CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 888.820.8423



2

3

DATE

2024-11-12

PROJECT NUMBER

2805

CARPENTER GLEN

OVERALL

DAVEY Resource Group

1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON-CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 888.820.8423

0 40 80 160

SCALE (IN FEET)
1 inch = 80 ft.

DAVEY Resource Group

1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON-CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 888.820.8423

CITY OF BRUNSWICK

MAYOR
RON FALCONI

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

COUNCIL
MICHAEL J. ABELLA, JR
JOSEPH P. DELSANTER
NICHOLAS HANEK
KEITH A. KUCZMA
BRANDON LAMBERT
KRISTY PIPER
TIM SMITH

December 6, 2024

Hannah Cohan Plessner
Knez
7555 Fredle Drive
Concord Twp., OH 44077

RE: Carpenter Glen final plat
897 North Carpenter, Brunswick

Dear Ms. Cohan Plessner:

The Brunswick City Planning Commission, at their meeting on December 5, 2024, voted to **recommend approval** to City Council of the Carpenter Glen final plat, 897 North Carpenter Road, Brunswick, subject to the following:

1. Approval of the final plat is subject to City Council and City Engineer approval, in accordance with Sections 1224.04(a)(3) and 1226.04 of the Subdivision Regulations.
2. The first reading on the final plat is scheduled for City Council's meeting on Monday, December 16, 2024. Please contact Laura Timura, Clerk of Council, at (330) 558-6845 regarding the meeting time.

If you have any questions, please contact me at (330) 558-6830.

Sincerely,



Jennie Lods,
Planning & Zoning Coordinator

c: Carl DeForest, City Manager/Safety Director
Laura Timura, Clerk of Council
Grant Aungst, Community & Economic Dev. Director
Jenny Zoldak, Consulting City Engineer
James Urankar, Chief Building Official
Thom Sutcliffe, Drees Homes
Dennis Nevar, Law Director



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

CITY HALL PHONE: (330) 225-9144 - FAX: (330) 273-8023 - POLICE & FIRE PHONE: (330) 225-9111 - FAX: (330) 225-6002
<http://www.brunswick.oh.us>

PROPOSED LEGISLATION



DATE: 12/16/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Dennis Nevar

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 110-2024** - An emergency ordinance amending Ordinance No. 83-2024 by authorizing the City Manager to forward a petition to conform boundaries to the Medina County Commissioner's Office for the purpose of adjusting the City boundary lines to include an annexation into the City of Brunswick of PPNs 003-18A-04-245 and 003-18A-04-246 (formerly identified as PPNs 001-02A-21-008 and 001-02A-21-009). - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: The City of Brunswick passed legislation accepting the proposed annexation per Resolution No. 69-2024 adopted on September 9, 2024. On October 28, 2024, this Council adopted Ordinance No. 83-2024, petitioning the Medina County Commissioners Office to conform the boundaries for the purposes of adjusting the City boundary lines to include the subject Parcels.

PURPOSE AND EXPLANATION: It is necessary to amend Ordinance No. 83-2024 to include the newly assigned PPNs of the annexed Parcels. The City Manager is authorized to forward a Petition to conform boundaries to the Medina County Commissioner's Office to adjust the City boundary lines to include this annexation into the City of Brunswick pursuant to all relevant provisions of Ohio Revised Code Chapters 503 and 709.

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?

That this Ordinance 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 amend Ordinance No. 83-2024 and complete the subject annexation. 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.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 110-2024

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 83-2024 BY AUTHORIZING THE CITY MANAGER TO FORWARD A PETITION TO CONFORM BOUNDARIES TO THE MEDINA COUNTY COMMISSIONER'S OFFICE FOR THE PURPOSE OF ADJUSTING THE CITY BOUNDARY LINES TO INCLUDE AN ANNEXATION INTO THE CITY OF BRUNSWICK OF PPNs 003-18A-04-245 AND 003-18A-04-246 (FORMERLY IDENTIFIED AS PPNs 001-02A-21-008 AND 001-02A-21-009).

WHEREAS: A Petition for Annexation of certain territory in Brunswick Hills Township was duly filed by a property owner located in the territory of Brunswick Hills (PPNs 003-18A-04-245 and 003-18A-04-246, as formerly identified as PPNs 001-02A-21-008 and 001-02A-21-009);

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

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

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

WHEREAS: The City of Brunswick passed legislation accepting the proposed annexation per Resolution No. 69-2024 adopted on September 9, 2024;

WHEREAS: On October 28, 2024, this Council adopted Ordinance No. 83-2024, petitioning the Medina County Commissioners Office to conform the boundaries for the purposes of adjusting the City boundary lines to include the subject Parcels;

WHEREAS: It is necessary to amend Ordinance No. 83-2024 to include the newly assigned PPNs of the annexed Parcels; and

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

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The City Manager is authorized to forward a Petition to conform boundaries to the Medina County Commissioner's Office for the purpose of adjusting the City

boundary lines to include this annexation into the City of Brunswick pursuant to all relevant provisions of Ohio Revised Code Chapters 503 and 709. A copy of said Petition is attached hereto as Exhibit “A”.

SECTION 2: The annexation to be included in the boundary adjustment is contained in Resolution No. 69-2024. A copy of said Resolution is attached hereto as Exhibit “B”.

SECTION 3: That this Ordinance 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 amend Ordinance No. 83-2024 and complete the subject annexation. 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

PETITION TO CONFORM BOUNDARIES
Ohio Revised Code Section 503.07

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

1. The undersigned is the City Manager for the City of Brunswick and has been authorized by the Brunswick City Council to forward this Petition to the Board of County Commissioners for the purpose of adjusting the boundary lines of the City of Brunswick and Brunswick Hills Township to reflect an annexation of real property to the City of Brunswick in accordance with Ohio Revised Code Chapters 503 and 709.
- 2) A copy of Ordinance No. ____-2024 authorizing the City Manager to forward this Petition to the Board of County Commissioners is attached hereto as Exhibit “1” and incorporated herein by reference.
- 3) The annexation of the subject property is as detailed in Resolution No. 69-2024, as attached hereto as Exhibit “2” and incorporated herein by reference.
- 4) A copy of a map of the City of Brunswick indicating the annexation and change in boundary lines is attached hereto as Exhibit “3” and incorporated herein by reference.
- 5) Ohio Revised Code Section 503.07 states that:

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

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

Carl S. DeForest, City Manager

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

SWORN TO BEFORE ME and subscribed in my presence this ____ day of _____, 2024.

NOTARY PUBLIC

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

and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading September 9, 2024

RULES SUSPENDED:

AYES 7 NAYS 0

ADOPTED: September 9, 2024

AYES 7 NAYS 0

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

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

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?
Emergency with suspension of the rules so that it will be effective immediately.



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/plat of the territory to be annexed;
 - e. the petition states the person who would act as agent for the petitioner; and
 - f. the agent filed with the petition a list of all tract, lots or parcels within and adjacent to the territory to be annexed, including names, addresses of owners, and permanent parcel numbers.
2. The petition meets the following requirements set forth in Section 709.03 of the Ohio Revised Code:
 - a. The Clerk of the Board of County Commissioners notified the agent of the date, time, and place of the hearing;
 - b. the agent provided proof 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:
- a. the petition meets all of the requires set forth in and was filed in the manner provided in Section 709.02 of the Ohio Revised Code;
 - b. the persons signing the petition are owners of real estate located in the territory proposed to be annexed and at the time the petition was filed, the number of valid signatures on the petition constitutes a majority of the owners of the real estate in that territory;
 - c. the municipal corporation to which the territory is proposed to be annexed has complied with Division (D) of Section 709.03 of the Ohio Revised Code;
 - d. the territory proposed to be annexed is not unreasonably large;
 - e. on balance, the general good the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted; and
 - f. no street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem.

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

- 1) The annexation involves 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;
- 2) One entity owns the property and the owner's agent signed the petition; therefore, the petition contains signatures of the majority (51%) of owners;
- 3) 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;
- 4) The petitioner has proven that the land after annexation will enjoy a level of services comparable or adequate to that enjoyed prior to the annexation;
- 5) No street or highway will be divided or segmented by the boundary line between a township and the municipality as to create a road maintenance problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Medina County, Ohio that having found that the conditions of the Ohio Revised Code have been met, the Petition to Annex 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 OR 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

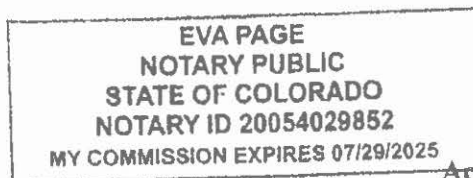
By: [Signature]

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;

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°18'21" EAST BEING REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM OHIO NORTH ZONE NAD83 (NAD83 701 ADJ.)

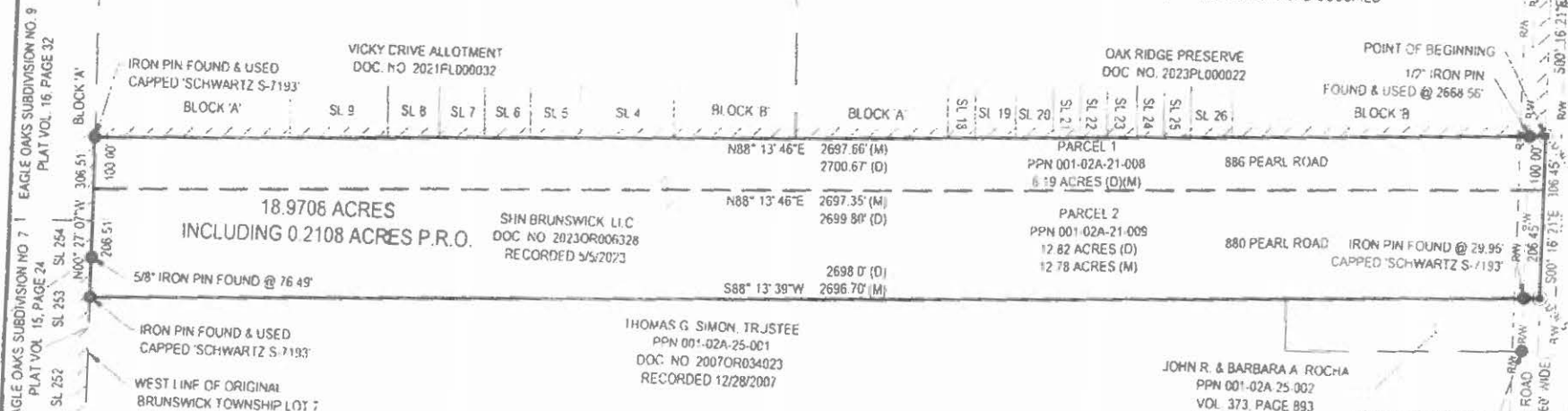


REGULAR ANNEXATION PLAT FOR 18.9708 ACRES FROM BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK

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'



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

SHAW 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 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 _____ CO. 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. THIS MAP IS BASED ON A FIELD SURVEY COMPLETED ON JULY 31, 2023

NICHOLAS J. DEL VALLE
LICENSED PROFESSIONAL SURVEYOR
OHIO LICENSE NO. 8822
DATE 2-20-24

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.

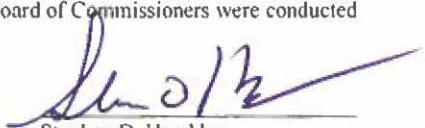
Respectfully submitted,


Rhonda J. Beck
Clerk to the Commissioners

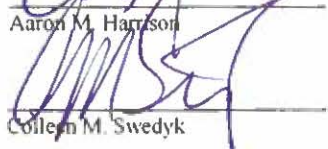
COMMISSIONERS

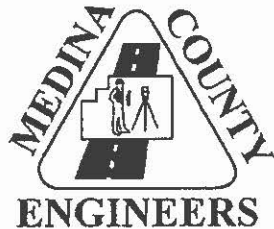
OF

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 black ink 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 if 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,

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 PM 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
1095 Center Road
Brunswick, OH 44212

Barcode: 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 Deddens ☐ Agent ☐ Addressee

B. Received by (Printed Name)
Carol Deddens

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 ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☐ Certified Mail® ☐ Registered Mail Restricted Delivery
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☐ Collect on Delivery ☐ Signature Confirmation™
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03/18/2024

City of Brunswick
1095 Center Road
Brunswick, OH 44212

PS Form 3800, April 2015 PSN 7530-02-000-9053

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City of Brunswick
1095 Center Road
Brunswick, OH 44212

PS Form 3800, April 2015 PSN 7530-02-000-9053

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

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Delivered

Delivered, Left with Individual

BRUNSWICK, OH 44212

March 26, 2024, 1:06 pm

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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: Laura Timura
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.

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: ckusnerak@brunswickhillstwp.org; tmurphy@brunswickhillstwp.org; mixon@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)**

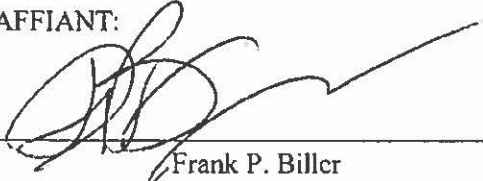
STATE OF CO)
) ss:
COUNTY OF Douglas)

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:

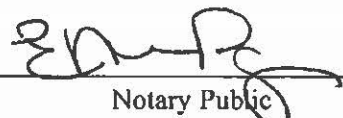
1. I am the manager of both Sanctuary Health Network, LLC and SHN Brunswick, LLC.
2. Sanctuary Health Network, LLC, owns certain real properties located at 886 Pearl Road, Brunswick, Ohio 44212 and 880 Pearl Road, Brunswick, Ohio 44212, as more fully described in Exhibit A, attached hereto (the "Properties").
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

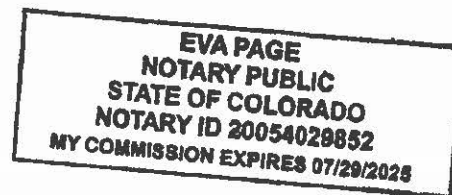


EXHIBIT "A"

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 carry out 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 R-3 Residential District
Petitioner(s):	SHN Brunswick LLC	Utilities:	Central Water & Sewer
No. of Parcels:	2	School District:	Brunswick City Schools
Site Area:	18.9780 acres	Reviewer:	Denise Testa
Parcel Number(s):	001-02A-21-008, -009		

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.

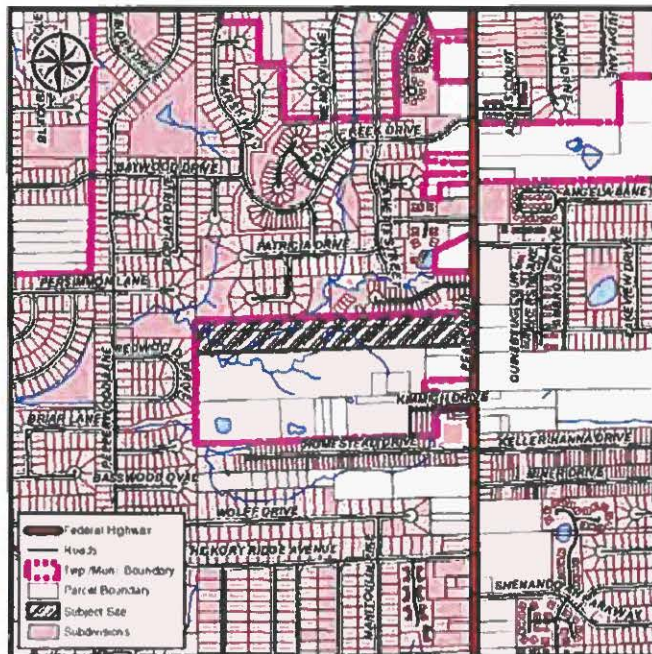
ADJACENT ZONING/LAND USE

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.

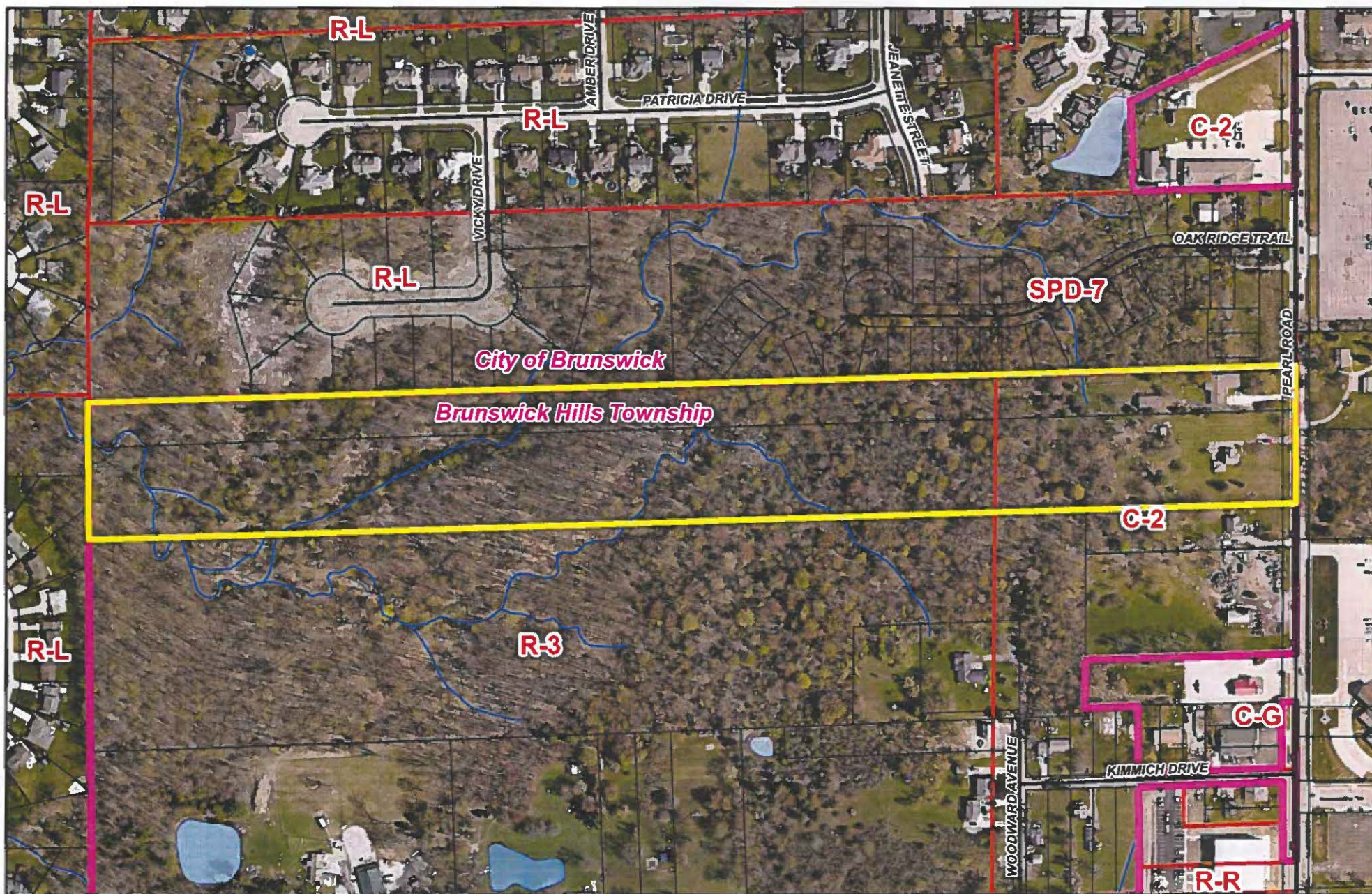
Brunswick City has 2.60 inside mills (2.30 general fund & .30 police pension.) There are a total of 2.02 outside voted mills, which breaks down to 1.2 mills for Road & Bridge & 0.82 mills for new Fire Station Building. The tax bill based on a \$100,000 value for a residential property is \$846.24 per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



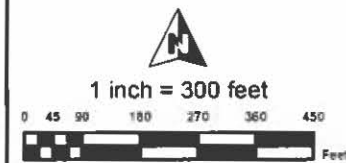
**Medina
County
Ohio**

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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
ORDINANCE NO. 83-2024

BY: Committee-of-the-Whole

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO FORWARD A PETITION FOR DETACHMENT TO THE MEDINA COUNTY COMMISSIONER'S OFFICE FOR THE PURPOSE OF ADJUSTING THE CITY BOUNDARY LINES TO INCLUDE AN ANNEXATION INTO THE CITY OF BRUNSWICK OF PPNs 001-02A-21-008 AND 001-02A-21-009.

WHEREAS: A Petition for Annexation of certain territory in Brunswick Hills Township was duly filed by a property owner located in the territory of Brunswick Hills (PPNs 001-02A-21-008 and 001-02A-21-009);

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

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

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

WHEREAS: The City of Brunswick passed legislation accepting the proposed annexation per Resolution No. 69-2024 adopted on September 9, 2024;

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

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

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

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

SECTION 2: The annexation to be included in the boundary adjustment is contained in Resolution No. 69-2024. A copy of said Resolution is attached hereto as Exhibit "B".

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

PASSED: 1st Reading September 23, 2024

2nd Reading October 14, 2024

3rd Reading October 28, 2024

ADOPTED: October 28, 2024

AYES 6

NAYS 0

ATTEST:

Laura Timura

Clerk of Council

Laura E. Timura, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 9/23/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Dennis Nevar

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 83-2024** - An ordinance authorizing the City Manager to forward a petition for detachment to the Medina County Commissioner's Office for the purpose of adjusting the City boundary lines to include an annexation into the City of Brunswick of PPNs 001-02A-21-008 and 001-02A-21-009. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: A Petition for Annexation of certain territory in Brunswick Hills Township was duly filed by a property owner located in the territory of Brunswick Hills (PPNs 001-02A-21-008 and 001-02A-21-009); The Petition was considered by the Board of County Commissioners of Medina County.

The Board of County Commissioners certified the transcript of this proceeding in connection with the annexation, map, and Petition to the Clerk of Council. The appropriate time frames have elapsed in accordance with the provisions of the Ohio Revised Code Section 709.04;

The City of Brunswick passed legislation accepting the proposed annexation per Resolution No. 69-2024 adopted on September 9, 2024.

PURPOSE AND EXPLANATION: The City wishes to petition the Medina County Commissioners Office for detachment to adjust the City boundary lines to include this annexation into the City of Brunswick.

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:**

PETITION FOR BOUNDARY LINE ADJUSTMENT
Ohio Revised Code Section 503.07

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

1. The undersigned is the City Manager for the City of Brunswick and has been authorized by the Brunswick City Council to forward this Petition to the Board of County Commissioners for the purpose of adjusting the boundary lines of the City of Brunswick and Brunswick Hills Township to reflect an annexation of real property to the City of Brunswick in accordance with Ohio Revised Code Chapters 503 and 709.
- 2) A copy of Ordinance No. 83 -2024 authorizing the City Manager to forward this Petition to the Board of County Commissioners is attached hereto as Exhibit "1" and incorporated herein by reference.
- 3) The annexation of the subject property is as detailed in Resolution No. 69-2024, as attached hereto as Exhibit "2" and incorporated herein by reference.
- 4) A copy of a map of the City of Brunswick indicating the annexation and change in boundary lines is attached hereto as Exhibit "3" and incorporated herein by reference.
- 5) Ohio Revised Code Section 503.07 states that:

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

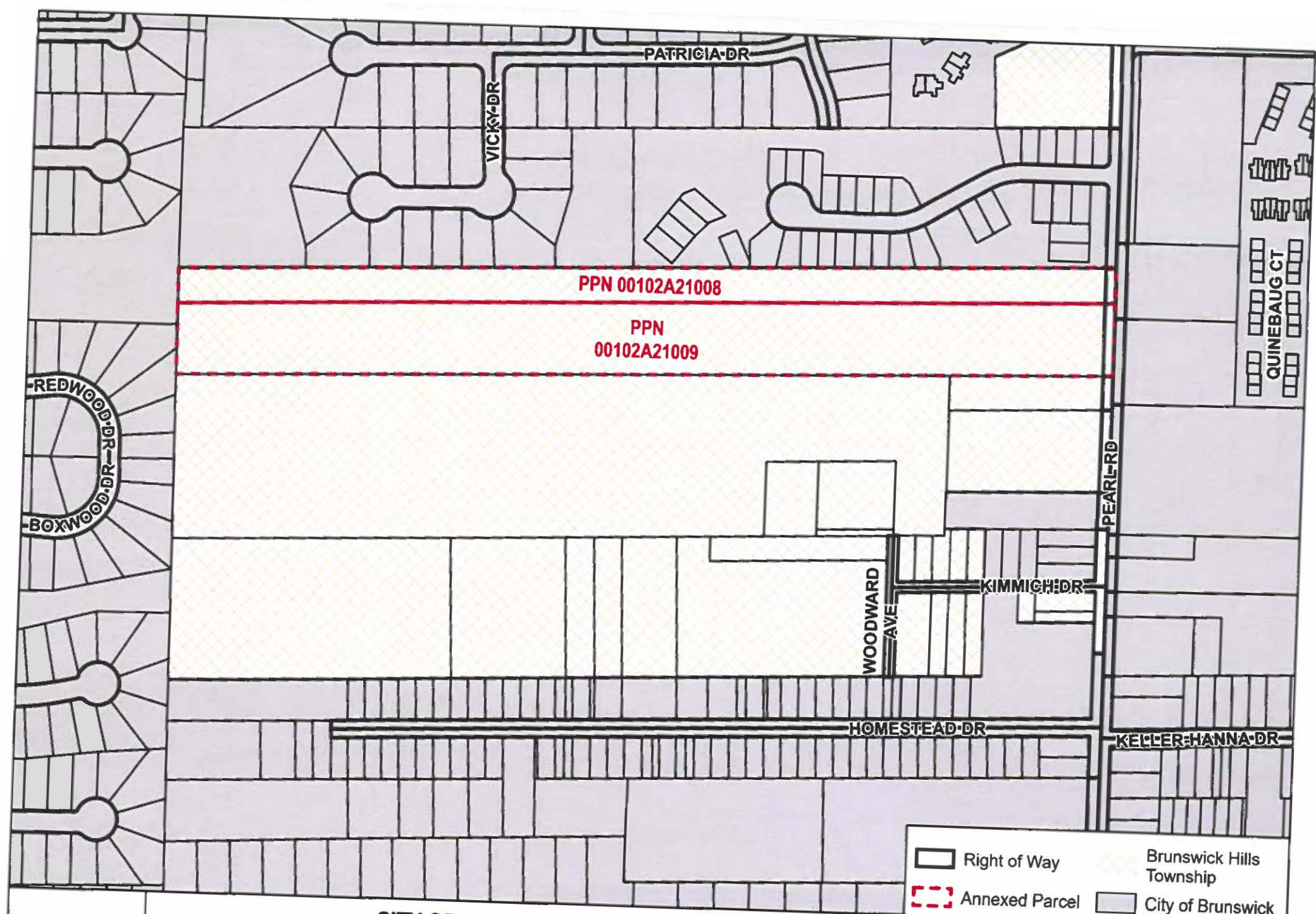
WHEREFORE, the undersigned respectfully requests that this Board change the boundary lines of the City of Brunswick and Brunswick Hills Township to reflect the annexation detailed herein.

Carl S. DeForest, City Manager

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

SWORN TO BEFORE ME and subscribed in my presence this ____ day of
_____, 2024.

NOTARY PUBLIC



CITY OF BRUNSWICK
PETITION FOR ANNEXATION
PARCELS 001-02A-21-008 AND 001-02A-21-009

 Right of Way	 Brunswick Hills Township
 Annexed Parcel	 City of Brunswick

1 inch equals 350 feet

0 150 300 450 600 Feet



PROPOSED LEGISLATION



DATE: 12/16/2024

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. 111-2024** - An emergency resolution ratifying the actions of the City Manager in executing an agreement with the Medina County Transportation Improvement District allowing the City of Brunswick to receive grant funds in an amount up to \$500,000.00 for the North Industrial Parkway Improvements Reconstruction Project. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Jenny Zoldak*)

BACKGROUND: The State of Ohio & Medina County TID Administrator, Andy Conrad, entered into a Medina County Transportation Improvement District Grant Agreement for North Industrial Parkway Improvements on July 11, 2024. Due to various grant requirements that needed to be resolved, the Medina County Transportation Improvement District and the City of Brunswick entered into a required secondary agreement for the North Industrial Parkway Improvements on December 3, 2024. This secondary agreement is now being presented to the City Council on December 16, 2024, for ratification.

PURPOSE AND EXPLANATION: That the actions of the City Manager in executing the Agreement, as reviewed and approved by the Law Department, are hereby ratified.
That this Resolution is hereby declared 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 actions of the City Manager. 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.

IMPLEMENTATION SCHEDULE:

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The project is being partially funded through an agreement with the Medina County Transportation Improvement District for funds in the amount of \$500,000.

Eligible grant costs will be accounted for in the Road Improvement Fund #333, account#333-0558-56800.

The City local costs portion will be funded in the Road Improvement Fund #333, account#333-0558-56700.

The above project is included in the 2025 budget and has been appropriated by the City Council pursuant to the cost estimate and other related costs provided by the City's Engineer.

The preliminary construction cost estimate is \$877,525 including contingencies. The project and final reimbursement deadline stipulated in the State of Ohio and Medina County TID agreement is currently June 30, 2025. Due to various issues and the final agreements being executed on December 3, 2024, with ratification by the City Council slated for December 16, 2024, the City will request a 3-month to one year extension in order to provide a more reasonable timeframe to complete this project.

**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?

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 111-2024

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

AN EMERGENCY RESOLUTION RATIFYING THE ACTIONS OF THE CITY MANAGER IN EXECUTING AN AGREEMENT WITH THE MEDINA COUNTY TRANSPORTATION IMPROVEMENT DISTRICT ALLOWING THE CITY OF BRUNSWICK TO RECEIVE GRANT FUNDS IN AN AMOUNT UP TO \$500,000.00 FOR THE NORTH INDUSTRIAL PARKWAY IMPROVEMENTS RECONSTRUCTION PROJECT.

WHEREAS: The City applied for a grant (the “Grant”) with the Medina County Transportation Improvement District (the “TID”) for the reconstruction and repair of North Industrial Parkway (the “Project”).

WHEREAS: The City received notification of award of the Grant and was advised that the Agreement was required to be accepted as soon as possible; and

WHEREAS: The Agreement was executed by the City Manager on December 2, 2024, upon review and approval by the Law Department, in order for the Project and award of the Grant to be authorized as required by the TID.

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

SECTION 1: That the actions of the City Manager in executing the Agreement, as reviewed and approved by the Law Department, are hereby ratified.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to ratify the actions of the City Manager. 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