



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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APRIL 28, 2025

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 April 14, 2025
5. Mayor's Report:
 - (a) Proclamation in recognition of Representative Sharon Ray
 - (b) Proclamation in recognition of Representative Melanie Miller
 - (c) Proclamation in recognition of Commissioner Aaron Harrison
 - (d) Proclamation in honor of Homes Not Highways
 - (e) Proclamation in recognition of Apraxia Awareness Day
 - (f) Proclamation to proclaim National Safe Boating Week
 - (g) Motion to appoint Andrea Schroer to the Medina County Advisory Council for Aging and Disability
 - (h) Mayor's recommendation to appoint Denise Arnaud to the Ethics Board
 - (i) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Lambert
 Economic Development Committee Meeting Minutes dated April 14, 2025

Services, Utilities, Technology & Cable Committee.....Mr. Smith
 Services, Utilities, Technology & Cable Committee Meeting Minutes dated April 14, 2025

Finance Committee.....Mr. Hanek

Safety & Environment Committee.....Mr. Kuczma
 Planning & Zoning Committee.....Mr. Delsanter
 Parks, Recreation & Community Committee.....Mrs. Piper
 Building & Building Code Committee.....Mr. Abella
 Building & Building Code Committee Meeting Minutes dated April 14, 2025

8. Other Committees, Boards and Commissions

(a) Committee-of-the-Whole Meeting Minutes dated April 14, 2025

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

ORD. NO. 13-2025 - An ordinance amending Section 1280.01(h) of the City of Brunswick Codified Ordinances by prohibiting adult use marijuana cultivators and retail dispensaries in the city. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

ORD. NO. 14-2025 - An ordinance amending Section 1266.04(g) of the Codified Ordinances of the City of Brunswick by including adult use marijuana processors as a conditionally permitted use in the I-L Light Industrial District. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

ORD. NO. 36-2025 - An ordinance establishing Section 1480.07 (Property Maintenance Code Section 302.3.3) of the City of Brunswick Codified Ordinances. - **2nd Reading** (Building & Building Code Committee, *Administration/Grant Aungst*)

c. 1st Reading(s)

RES. NO. 37-2025 - An emergency resolution commending Representatives Miller and Ray and Commissioner Harrison for their commitment and support to the City of Brunswick - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*)

11. City Manager's Report

12. Administrative Departments

13. Open Forum

14. Unfinished Business

15. New Business
 - (a) Consideration of a new liquor permit request from Market 42 Spirits LLC at 2099 Pearl Road, Brunswick, OH 44212
16. Adjournment

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, April 14, 2025

Prayer and Pledge of Allegiance The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:04 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: Mayor Ron Falconi, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Clerk of Council Laura Timura.

Correspondence There was none.

Approval of Regular and Special Council Meeting Minutes

Regular Council Meeting Minutes dated March 24, 2025 and Special Council Meeting Minutes dated March 26, 2025

Nicholas Hanek moved to approve the Regular Council Meeting Minutes dated March 24, 2025, and Special Council Meeting Minutes dated March 26, 2025, as written, seconded by Joseph Delsanter. 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 March 2025 will be posted on the website and added to the minutes for the record.

Clerk of Council's Report Mrs. Timura had no formal reports this evening.

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 March 24, 2025:

Tim Smith moved to approve the Services, Utilities, Technology & Cable Committee Minutes dated March 24, 2025, 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:

Safety & Environment Committee Minutes dated March 24, 2025:

Keith Kuczma moved to approve the Safety & Environment Committee Minutes dated March 24, 2025, as written, seconded by Joseph Delsaner. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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 Minutes dated March 24, 2025:

Nicholas Hanek moved to approve the Committee-of-the-Whole Minutes dated March 24, 2025, 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)

ORD. NO. 26-2025 - An ordinance amending Section 222.04 of the City of Brunswick Codified Ordinances. - **3rd Reading** (Safety & Environment Committee, *Administration/Carl DeForest*):

Keith Kuczma moved to adopt Ordinance Number 26-2025, 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. 27-2025 - An ordinance adopting the updated City of Brunswick Public Records Policy. - **3rd Reading** (Safety & Environment Committee, *Administration/Carl DeForest*):

Keith Kuczma moved to adopt Ordinance Number 27-2025, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 1, Keith Kuczma. Motion Carried.

2nd Reading(s)

1st Reading(s)

ORD. NO. 34-2025 - An emergency ordinance adopting the recommendation of the Brunswick Community Reinvestment Area Housing Council to continue all active agreements in 2025 and accepting the 2024 CRA Status Report. - **1st Reading** (To be brought from Economic Development Committee, *Administration/Grant Aungst*):

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

Brandon Lambert moved to adopt Ordinance Number 34-2025, 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.

RES. NO. 35-2025 - An emergency resolution authorizing participation in the Ohio Department of Transportation Winter Contract for road salt for the 2025-2026 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*):

Tim Smith moved to suspend the rules, 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.

Tim Smith moved to adopt Resolution Number 35-2025, 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.

ORD. NO. 36-2025 - An ordinance establishing Section 1480.07 (Property Maintenance Code Section 302.3.3) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Building & Building Code Committee, *Administration/Grant Aungst*):

Mr. Abella moved this ordinance to second reading.

City Manager's Report Mr. DeForest thanked the representatives of *Homes not Highways* who were in attendance at the meeting, residents, Senator Romanchuk, and Representatives Ray and Miller for their support of the repeal of Section 5501.60 of the Ohio Revised Code.

He reminded that tax hours are 8:30 a.m. to 5 p.m. Members of the Tax Office will be available at City Hall to assist with the filing of taxes during this time. A drop box in the front parking lot of City Hall will also be available for residents to drop off their tax returns. Those with questions can contact the Tax Office.

He relayed that branch chipping would occur April 21 through April 25. Branch pick-up would be on the same day as trash pick-up. The cut side of the branches should be facing toward the street and the sidewalk should not be blocked. More information would be made available on the City's website.

Trash would not be delayed on Good Friday. However, City Hall would be closed for Good Friday, April 18.

Open Forum There was none.

Unfinished Business There was none.

New Business Mr. Smith announced that he was able to purchase delicious sourdough bread at Market 42.

Adjournment Nicholas Hanek 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 7:13 p.m.

Respectfully submitted,



Laura Timura, CMC
Clerk of Council

Mayor Ron Falconi

Adopted



APPLICATION FOR BOARD/COMMITTEE/COMMISSION APPOINTMENT
MEDINA COUNTY
144 N. Broadway Street, Medina, Ohio 44256

COMMITTEE/BOARD/COMMISSION APPLYING FOR: Board member - Brunswick
Advisory Council for Aging and Disability

Check appropriate box: ☒ New Appointment ☐ Reappointment

NAME OF CANDIDATE: Andrea Schroer
First Middle Initial Last

ADDRESS: 946 Ptarmigan Trail Brunswick OH 44212
Street City State Zip Code

TELEPHONE: (Please check preferred contact #):

216-214-7923

☒ Cell

☐ Home

☐ Work

EMAIL: andschroer@gmail.com

Are you related to any current employee of the County? ☒ No ☐ Yes

If yes, give name and position _____

Are you an elected or appointed public official? ☒ No ☐ Yes

If yes, please specify: _____

Have you ever been convicted of a violation of any law, other than minor traffic (DUI convictions must be disclosed)? ☒ No ☐ Yes (if yes, please specify) _____

REFERENCES (List three people not related to you who are qualified to comment on your qualifications and capabilities):

Name	Address	Telephone #
<u>Jeanette Fagan</u>	<u>3729 Puritan Dr. Brunswick</u>	<u>440-554-1772</u>
<u>Christine Crump</u>	<u>949 Spring Hill Ct - Brunswick</u>	<u>440-376-0491</u>
<u>Trene Moore</u>	<u>947 Ptarmigan Tr. Brunswick</u>	<u>216-570-0885</u>

EDUCATION:

High School: Lincoln East, Lincoln, NE

Date of Graduation: 1983

Post High School Education:

Bachelors in Business Admin - UNL 1987

MILITARY HISTORY:

Branch of Service: _____

Discharge Date: _____

Type of Discharge: _____

Highest Rank: _____

EMPLOYMENT HISTORY:

Present or last employer:

Brunswick City Schools

Dates of employment: from

1/2008 to 1/2013

Your title & duties: Substitute Teacher

Implementing lesson plans, management of the classroom,
Supervising students, communicating with classroom teacher

Previous employment:

Licensed Daycare Provider	- Self employed	1/2010	1/2020
Company	Position	From	To:

Brunswick City Schools	PTO member-fundraising	1/2001	1/2006
Company	Position	From	To:

Old Mill Village HOA	Property Manager	2012	2018

STATEMENT: Please provide a brief statement why you feel you are qualified for this appointment. If you are seeking reappointment, please indicate what your contributions have been to the Committee/Board/Commission during the time of your service.

I am excited to apply for this volunteer position on the Board of Aging and Disability because I have a passion for improving the lives of both older adults and the disabled community members.

Much of my past experience has been focused on working with the youth however, I see many correlations between the generations. There are several issues that are shared such as feeling invisible to policy makers, social challenges and abuse.

I believe I can contribute to the board and enhance the quality of life for seniors and disabled members of my community.

I certify that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that any false statements will void this application and any actions based on it. My signature below authorizes the Medina County Board of Commissioners, or its agents, to verify the accuracy of this information including employment and education verification.

Signature of Applicant:



Date:

2/27/25

Please return completed application by _____ to the Commissioners Office, 144 N. Broadway Street, Medina, Ohio 44256, Fax 330-722-9206, or rbeck@ohmedinaco.org. Thank you!

APPLICATION FOR BOARDS AND COMMISSIONS

NAME Denise M. Arnaud PHONE 330-220-8756
STREET 1545 Augusta Avenue CELL 440-666-8587
Years of Residency 22 Registered Brunswick Voter: YES X NO
POSITION/BOARD DESIRED: Ethics Board EMAIL DARNAUD@ROADRUNNER.com

EDUCATION	DEGREE	YEAR GRADUATED
HIGH SCHOOL _____		
COLLEGE <u>Thiel College</u>	<u>AA & BA</u>	<u>1982</u>
SPECIAL TRAINING _____		

CURRENT EMPLOYMENT

CURRENT EMPLOYMENT				
Company	Address	Title	Dates	
TravelCenters of America	24601 Center Ridge Rd Westlake, OH 44145	Sr. PeopleSoft Analyst	Dec 2016 to Current	

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Prior Ethics Board Member
Board Member of Fairways Homeowners Association
Prior Member of Charter Review Commission

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	Aida Hawk	27175 Hilliard Blvd, Westlake, OH	440-502-6652
2.	Don Adanitsch	26375 Morar Circle, Strongsville	440-220-0703
3.	Mike Novak	9405 Airline, Macedonia	440-759-6373

QUALIFICATIONS AND DESIRE FOR SERVING: (Attach sheet if needed*)

I have served on the Ethnic's Board for years and would like to continue. I feel I have a lot to offer my community. This is why I continue to serve on my Homeowners Association Board.

ATTACH RESUME IF DESIRED

Signature: Daniel M. Chaud Date: 10-26-23

*Attaching a cover letter or resume describing particular experience or qualifications bearing on the position sought is recommended, but not required

ECONOMIC DEVELOPMENT COMMITTEE

April 14, 2025

IN ATTENDANCE:

Chairman Brandon Lambert, Committee Member Nicholas Hanek, Committee Member Tim Smith, Keith Kuczma, Joseph Delsanter, Kristy Piper, Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Community & Economic Development Director Grant Aungst, Director of Public Services Paul Magovac, Executive Director of NOPEC Chuck Keiper, NOPEC Relationship Manager Kyla Presto, Director of Medina County Public Transit Shannon Rine, Clerk of Council Laura Timura, News Media.

The meeting convened at 5:35 p.m.

DISCUSSION ITEMS:

(a) General Update

Mr. Aungst revealed that markets have been extraordinarily volatile and that when tariffs hit prices go up. After talking with a lot of the City's businesses and manufacturers, he learned that they are facing a lot of challenges. The City has been working with them through the proper channels to have discussions with the Feds down in Washington. An actual tariff meeting was held with Congressmen Miller a month or so ago. He noted that a cash flow issue can result from people buying ahead or create a gap if customers cut things off.

There are many materials that are simply not made or produced in the United States. These include chemicals, metals, and alloys which come from different countries.

Mr. Aungst indicated that he was confident that the City's businesses in the industrial parks, specifically, are able to handle this. While prices will go up, businesses are confident that all prices across the board will go up making it even across the parallels. The biggest concern is the uncertainty and lack of clear communication. Even if the tariff goes up, if businesses had clear communication that this would be consistent moving forward, they would have what they need to create plans.

The year 2024 was a solid year for growth and development in Brunswick with many projects beginning to kick off. Many of which will be completed in 2025 and 2026. There was manufacturing, service sector, and retail growth. Home sales continue to remain strong even with higher interest rates.

Market 42 will have its grand opening on May 2. Groundbreaking for the new high school will be on May 3. Cool Beans has opened and will have its ribbon cutting on April 24. Back Nine indoor golf opened on April 10. Mr. Aungst informed that Culvers was close to opening. Sunbelt Commercial is underway and operating. Wingz is busy and moving along. Mr. Aungst

Express, and Crunch Fitness. Plazas are beginning to reemerge. Chipotle is in the final stages of planning with Planning Commission for Laurel Square. The City continues to work with Osbourne Capital on the 303/42 project.

The Northern Medina County Chamber Alliance's New Business Builders Program is underway. Mr. Aungst informed that he serves on the committee. There are 23 individuals participating. It is a 6-month program covering many areas from business start-up, cash flow, legal, government, etc.

Medina County Landbank is moving along. Grants are captured through the Welcome Home Ohio Fund totaling 2.3 million dollars to assist in the development and building of affordable housing in Medina County including Brunswick. He cited that Habitat for Humanity could benefit from the landbank.

Work continues on workforce and development issues, Medina County Economic Development Corporation (MCEDC), and the manufacturing partnership.

There is a need for quality and affordable daycare. This would open up more opportunities.

Strong interest in our community continues in both the commercial and manufacturing sectors. Home sales remain steady and consistent. The market is solid and home sales on average are \$315,000 with a median listing of \$348,000 according to Realtorapp.com.

The majority of businesses throughout the community are continuing to look for talent. The area has a shortage of unskilled and skilled workers. This is due to continued business growth. Mr. Aungst explained that he has worked with young people and put them in touch with internships.

Mr. Lambert thanked Mr. Aungst for the update.

(b) ORD. NO. 34-2025 - An emergency ordinance adopting the recommendation of the Brunswick Community Reinvestment Area Housing Council to continue all active agreements in 2025 and accepting the 2024 CRA Status Report. - **1st Reading** (To be brought from Economic Development Committee, *Administration/Grant Aungst*

Mr. Aungst explained that this ordinance is done every year. MCEDC is the agent for this process and they review who has a Community Reinvestment Area (CRA) tax abatement. There is an independent group that is on the board that reviews if the buildings are in good shape and are being taken care of as well as if the buildings awarded the CRA are doing the right things.

Mr. Smith asked for clarification as to why it is an emergency. Mr. Aungst answered that they run into a time crunch, because of what the state requires. By the time they get all the paperwork, MCEDC gets the paperwork, and it is sent to the state, they just do not have the time. This is primarily a state issue.

Mr. Hanek moved Ordinance Number 34-2025 to tonight's Council Agenda of April 14, 2025, as an emergency with suspension of the rules. Votes – 3 Ayes, 0 Nays.

Mr. Hanek added that the landbank initiative was an excellent move for the county and the area.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 5:44 p.m. Vote – 3 Ayes, 0 Nays.

Submitted Respectfully,

A handwritten signature in dark ink, appearing to read "Brandon Lambert", enclosed within a simple oval border.

Brandon Lambert
Chairman

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

April 14, 2025

IN ATTENDANCE Chairman Tim Smith, Committee Member Kristy Piper, Nicholas Hanek, Brandon Lambert, Keith Kuczma, Joseph Delsanter, Director of Public Service Paul Magovac, Community & Economic Development Director Grant Aungst, Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Executive Director of NOPEC Chuck Keiper, NOPEC Relationship Manager Kyla Presto, Director of Medina County Public Transit Shannon Rine, Clerk of Council Laura Timura, News Media.

The meeting convened at 5:44 p.m.

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

DISCUSSION ITEMS:

- (a) **RES. NO. 35-2025** - An emergency resolution authorizing participation in the Ohio Department of Transportation Winter Contract for road salt for the 2025-2026 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

Mr. Magovac informed that the City is looking to purchase no more than 3,600 tons of road salt for the 2025-2026 winter season. He informed that there may be a large increase in salt prices that could range from approximately \$20-30 per ton next year. Mr. Smith inquired how much a ton of salt would be. Mr. Magovac answered that, this year, it was \$47.50 and he expects a significant increase next year.

Mrs. Piper moved Resolution No. 35-2025 to tonight's Council Agenda of April 14, 2025, as an emergency with suspension of the rules. Vote – 2 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Kristy Piper moved to adjourn at 5:46 p.m. Vote – 2 Ayes, 0 Nays.

Submitted Respectfully,



Tim Smith
Chairman

BUILDING & BUILDING CODE COMMITTEE

April 14, 2025

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Joseph Delsanter, Committee Member Nicholas Hanek, Brandon Lambert, Tim Smith, Keith Kuczma, Kristy Piper, City Manager/Safety Director Carl DeForest, Parks and Recreation Director Taylor Petkovsek, Director of Public Service Paul Magovac, Community & Economic Development Director Grant Aungst, Consulting Municipal Engineer Jenny Zoldak, Law Director Dennis Nevar, Medina County Public Transit Shannon Rine, Clerk of Council Laura Timura, News Media

The meeting convened at 6:12 p.m.

DISCUSSION ITEMS:

- (a) **ORD. NO. 36-2025** - An ordinance establishing Section 1480.07 (Property Maintenance Code Section 302.3.3) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Building & Building Code Committee, *Administration/Grant Aungst*)

Mr. Aungst mentioned that the Division of Building has been in discussion about commercial parking lots, apartment parking lots, etc. In reviewing the Code, they are finding there are things that need changed to give the Property Maintenance staff the ability to issue a requirement that something be fixed and avoid a legal matter. This would give them more authority to go to property owners and require that things be fixed. This ordinance would offer greater detail and include what fines would be assessed if things were not fixed. This would be for 3 readings and go into effect after 30 days.

Mr. Hanek moved Ordinance Number 36-2025 to tonight's Council Agenda of April 14, 2025 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Aungst shared that, in the spring and summer, residents do not always obtain permits for pools, decks, sheds, fences, concrete work, and roofs. He explained that the permit process is simple. Items that do not require permits include: retaining walls, painting, tile, and carpet. However, if it is a systems related item such as electrical or plumbing, a permit is necessary.

Mr. Aungst commented that he was aware that phone calls were being received from community members regarding Frontier and the fiber they are installing. The Division of Building has been working with them for three years. Their initial plan was to be in the City for one year, but this meant they would rapidly come in and not thoroughly take care of everything. However, the City is requiring they do things properly, clean things up, and obtain permits. QCI is being paid by Frontier to inspect and be onsite during their work. He divulged that the City has been through this process with WOW and other providers and wanted to avoid issues with Frontier. The Building Department is trying to address resident issues and has been conducting meetings

with Frontier every two weeks. Meetings have been going on for the last 2 ½ years both via web and in-person.

Mr. Abella questioned what should be relayed to residents pertaining to their lawns. He acknowledged that the lawns are presently saturated. It appeared that Frontier had dug and moved on leaving piles of dirt. He asked if they will come back and repair the lawns. Mr. Aungst responded that they are supposed to come back and make it right. The City had bond money in place and Frontier was aware that this is required of them. Mr. Abella asked what would be a reasonable amount of time for them to fix the lawn. Mr. Aungst stated that the reality is that they can take quite a bit of time to fix the lawn. The City is trying to have them fix lawns as they go, before moving on to another neighborhood. He noted that there has been a hard spring with more rain expected. Mr. Aungst was not able to cite exactly what was a reasonable amount of time for the work to be completed, but explained that the City does stay on top of things.

Mr. Aungst acknowledged that while residents maintain these utility areas, the reality is they do not own them. This is a hard discussion to have with community members. If vegetation has been planted next to a utility box this will likely be removed, because residents are not supposed to plant there. The reality was that they are supposed to repair a minimum requirement of grass.

Mr. Delsanter disclosed that a waterline was cut through which was beyond the shutoff valve, so CWD does not have responsibility for it. He announced that QCI did a fine job of explaining things. The waterline was a 1 ½ feet shallower than it was supposed to be upon its installation, so the diggers were not aware that they were going to run into a waterline. An internet line was also cut, which requires the vendor to come out and fix it. They made an attempt to repair it and then CWD showed up to observe what was occurring. In summary, this was not an intentional act and the workers did everything they could to make sure that household had water delivery that night. The next day, a contracted plumber came to properly install the right type of high-pressure line.

Mr. Abella cited that, moving forward, he would continue to direct emails to Mr. Aungst so that they can be deferred to QCI. Mr. Aungst declared that it is fully recognized that for homeowners this is generally their largest investment and they take a lot of pride.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:23 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Abella Jr.", written in a cursive style.

Michael Abella Jr.
Chairman



COMMITTEE OF THE WHOLE

April 14, 2025

IN ATTENDANCE: Nicholas Hanek, Joseph Delsanter, Keith Kuczma, Kristy Piper, Michael Abella Jr., Tim Smith, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Parks and Recreation Director Taylor Petkovsek, Director of Public Service Paul Magovac, Consulting Engineer Jenny Zoldak, Community & Economic Development Director Grant Aungst, Executive Director of NOPEC Chuck Keiper, NOPEC Relationship Manager Kyla Presto, Director of Medina County Public Transit Shannon Rine, Mayor Ron Falconi, Clerk of Council Laura Timura, News Media.

The meeting convened at 5:46 p.m.

Keith Kuczma moved to excuse Michael Abella Jr. for just cause. Vote – 6 Ayes, 0 Nays.

Michael Abella Jr. arrived at 5:48 p.m.

DISCUSSION ITEMS:

(a) NOPEC Presentation

Mr. Aungst introduced Chuck Keiper as the Executive Director and CEO of NOPEC and NOPEC Relationship Manager, Kyla Presto, who represents the Medina County area. Mr. Keiper provided a brief summary that included the most recent grant disbursements. He pointed out that 16,311 residents are currently enrolled in the program and this number is what the grants are based off of. Mr. Keiper revealed that the City has received approximately three-quarters of a million dollars in grant funds. These dollars are based upon the savings that an energy company would get if they were to come to our community and try to obtain a customer. They take into account the national average of what the costs to research a customer, identify that customer, sign that customer, and keep that customer. When he negotiates a NOPEC contract he points out to the energy professional that they do not have to do this work. Mr. Keiper tells them that his share holders would like a portion of that savings.

NOPEC is now able to provide over 50 million-dollars in grants through this program. Mr. Smith questioned the enrollment figures. Mr. Keiper noted that the 16,311 was solely Brunswick residents with 8,832 enrolled in the electric program and 7,479 enrolled in the gas program. Most residents are enrolled in both programs. Mr. Smith asked what the total number of residents that are able to enroll in the program would be. Mr. Keiper responded that he would need to look that figure up and get back to him. Mr. Smith surmised that that would be approximately 12,000 households, which Mr. Keiper thought sounded about right.

When NOPEC first formed, there was not any competition at that time and about 93% of community members did not opt out. Today there are about 160 different independent energy retailers. Mr. Keiper felt that on average 65% participates. He relayed that the newest NOPEC board member was Grant Aungst. Mr. Keiper indicated that he works to support the City and wants to continue a good relationship. He felt Mr. Aungst has been a very good board member.

He then referred to a handout that explained NOPEC's role as a utility watch dog. There are three missions at NOPEC: advocate, educate, and advocate. The third part of their charter is to represent the

voice of the City's residents and small businesses. They look at all the places where what they might pay, could be discussed. They then intervene regularly at the PCO. He cited that there have likely been over 120 cases. One of these cases involved FirstEnergy in which they exceeded the significantly excessive earnings standard. This went to the Supreme Court resulting in millions of dollars being directed back to members of the community over a three-year period. The refund amounted to a \$306 million refund to Ohio customers. Mr. Keiper pointed out that these cases cost a fair amount of money to prosecute. NOPEC works with the Ohio Consumers' Counsel as well as their own legal counsel.

Mr. Keiper cited the Columbia Gas of Ohio Rate Increase Case (2022) that resulted in \$153 million reduction in amount of increase. NOPEC tries to level the playing field to make sure that everyone has an opportunity to be heard and treated fairly.

Finally, NOPEC believes as a result of the H.B. 6 scandal a number of illegal payments were made. NOPEC was one of the few organizations that stood against that law.

NOPEC is involved in 4 different audit cases that involve the role that H.B. 6. Those cases were held up by the Chairman of PUCO who is no longer with them due to the scandal. These cases are ongoing and continue to be pursued. There are other cases out there.

Mr. Delsanter recapped that NOPEC advocates for customers along with PUCO and the state over egregious acts with their utilities. He confirmed that residents do not have to be a NOPEC customer. He explained that in a deregulated state NOPEC is also struggling to compete in the auction market for sustainable costs. He mentioned that the offerings under NOPEC seem to be in grids. Mr. Delsanter asked what the best way was to navigate the costs and help seniors with the best cost of use. He remarked that he did not want residents to get into a real serious financial calamity.

Mr. Delsanter then commended NOPEC for discontinuing their service voluntarily when the market shot through the roof. Mr. Keiper responded that the board did not hesitate to do the right thing even when it was not easy. He went on to say that NOPEC exists to serve.

Mr. Delsanter questioned if NOPEC has staff that would consult residents on what is best for them, whether or not it is within NOPEC. Mr. Keiper stated that there are different product lines that they offer in recognition that not everyone wants the same price. There are 7 or 8 different prices. Some are guaranteed to be lower than the utilities apple to apple chart number, some are a one- or two-year fixed price, 100% green product, etc. It all depends on what is important to the customer.

Mr. Keiper reminded that prior to deregulation, Ohio had the second highest electric rates on average in the country behind central California. At that time the cost was close to \$16 per kilowatt as opposed to today which is in the \$4-6 range.

Mr. Keiper revealed that another service that NOPEC provides is an outreach program at senior centers. This could be scheduled through Mr. Aungst and himself. Resources are also available on their website.

Mr. Delsanter explained that customers often need reminders of when term expiration dates are approaching. Mr. Keiper agreed that term expiration dates need to be paid attention to. Mr. Delsanter was concerned about residents that are on a fixed income and have lost a second income due to a death.

Mr. Keiper disclosed that a Do Not Knock Program is available. This program works with local law enforcement to create a list of doors not to know on. Residents could sign up for this service on the web. Mailers and cards would be sent by NOPEC which include a door sticker that says "Do Not Knock". He commented that multiple service providers have convinced elderly to continue to switch to their services.

Their adult children often need to intervene to correct an unwanted change in service. Through this program the vendors will receive a Do Not Knock list from NOPEC. If vendors who do not have a permit are found to be knocking on doors, local law enforcement can get involved.

Mr. Hanek thanked him for his time and for the information.

Mr. Delsanter moved to recess at 6:12 p.m. Vote – 7 Ayes, 0 Nays.

Mr. Smith moved to reconvene at 6:24 p.m. Vote – 7 Ayes, 0 Nays.

(b) Medina County Public Transit - Shannon Rine

Mr. Hanek introduced Shannon Rine from Medina County Public Transit. He pointed out that he is in attendance in response to recent changes noted in the RTA flyer in which RTA announced that the #251 bus route between Laurel Square and Strongsville Park-N-Ride would be discontinued. Mr. Hanek wanted to know where this stands and what information can be provided to residents.

Mr. Rine provided a one-page highlight regarding MCFlex. He reminded that he had previously discussed micro transit, a service that has caught on quite well. This service is run in Brunswick, Medina City and Wadsworth. This has been in effect in Brunswick since January of 2024. Ridership appears to be seasonal and ridership for the county was up approximately 12%. There was a 30% increase in service capacity with an 11% decrease in vehicle revenue miles and fuel. Despite rising prices, they have been able to maintain costs and provide more service.

He referred to RTA's letter mentioning that effective August 18, 2025, the #251 route that comes from Strongsville to Laurel Square would be discontinued. Medina County Public Transit typically takes residents there, so they can make that transfer. This averages about 6 passengers a day.

Mr. Rine noted that six years ago, they were an urban transit. Due to a census in 2020, which took effect in October of 2023, the county became a rural designation. This changes funding. We had received a portion of Cleveland RTA's funding as well as from Akron for Wadsworth. Due to the urban to rural designation, funds are now received from the state. He does not feel this will cause a decrease in funding. However, there will no longer be funding to pay for the #251 route. This amounts to about \$72,000 a year that will no longer be made available to Cleveland RTA.

Mr. Rine reported there is a bus stop at Drake and Howe which is north of Boston Road. He is working with RTA to possibly place an MCFlex route there as needed. This stop is owned by a private person that lives in Parma. He will be in contact with them. MCFlex's service could run from 6 a.m. to 6 p.m. and connect with the Cleveland bus at Drake and Howe. Mr. Delsanter responded that this could be done for less than \$72,000 which Mr. Rine concurred. Mr. Delsanter suggested that a small amount could be paid for dropping off passengers. Mr. Rine continued that if they would not allow them to pull into the bus stop, they could drop passengers off at curb.

Mr. Hanek summarized that there is a solution in place for people that are used to using the #251. He asked if it would still go from Laurel Square. Mr. Rine reported that passengers would no longer go to Laurel Square, but be picked up on the MCFlex in Brunswick and taken right to the Cleveland bus. Mr. Hanek confirmed that residents would be picked up directly from their home. Mr. Hanek asked if this service could support the six riders who currently use the service. Mr. Delsanter commented that he felt under a more efficient setup there may be more than six riders using this service. Mr. Hanek announced that he would like to see more definite numbers and understand a little bit more about how we can communicate this to residents. It has been indicated to him that there may be more than six riders.

Mr. Riner revealed that he had been working in partnership with Greater Cleveland RTA and that resulted in the press release. He has not publicized that he is looking into this bus stop as he will need to further explore this option and speak with the private owner. He was optimistic that an agreement could be worked out.

Mr. Delsanter added that the reason for the funding issue change is due to the fact that even with a population of 36,000, the City is located in Medina County. Mr. Rine explained that from what he understands, in 2010 the census made us urban due to a small piece of property between here and Medina City. This had to do with our reverting back to an ODOT funding source instead of federal. The ridership and service area has grown, but the City is still considered rural. Mr. Rine saw this as an opportunity. He planned to provide a communication regarding the possibility of running a Drake and Howe bus stop at a later time. Mr. Kuczma was thankful that Mr. Rine was actively trying to address the problem.

MOTION ITEMS:

(a) Motion requesting permission to go out to bid for repaving, asphalt installation, and parking lot expansion at Mooney Park and Hopkins Park

Mrs. Petkovsek was disappointed that she did not have more time to discuss the master plan. She noted that the Parks Master Plan revealed that all of the parks' parking lots, drives, tennis courts, and basketball courts need attention. Parks has worked with CVE to go to the parks and provide an estimate. This identified the need for parking lot repair and expansion at Mooney Park and Hopkins Park. This would include both the baseball and soccer fields.

Mr. Hanek asked if the lot would be paved entirely or just portions. Mrs. Petkovsek replied that for Mooney Park it made more sense to resurface the drive and take the entire gravel/grass section and turn it into a large parking lot. This will cut down on a lot of the dust complaints and open up spacing. It should also eliminate parking on the street.

At Hopkins, due to pricing, they will try to do the drive on Diana which will loop around in front of the playground and the drive on the Laurel side. This will be asphalt as opposed to gravel.

Mr. Lambert moved to request permission to go out to bid for repaving, asphalt installation, and parking lot expansion at Mooney Park and Hopkins Park. Vote – 7 Ayes, 0 Nays.

(b) Motion requesting permission to go out to bid for repaving, asphalt installation, tennis court resurfacing, parking expansion

Mrs. Petkovsek explained that this will cover some of the low-ticket items which could be a big impact. This will include: Bridgeport's basketball court and parking lot, finish the parking lot project at Heritage Farm, the drive at Pumpkin Ridge as well as resurface the basketball court, Rolling Hills' drive and resurface the basketball court to include an update to the tennis court to allow for pickleball (There will be future expenses as the fence will need to be taken down and new posts put in place). For Shenandoah, the basketball court and small parking lot would be resurfaced, and at Pepperwood the tennis court would be updated to allow for pickleball with additional expenses for fencing and posts. This will add four additional pickleball courts to the City by resurfacing the two tennis courts.

Mr. Kuczma asked when the resurfacing is done for the tennis and basketball courts, would they be striped. Mrs. Petkovsek confirmed this was included in the CVE estimate.

Mr. Hanek thanked her for moving forward with the plan and recognized that the community will see a big difference in their parks.

Mr. Kuczma moved to request permission to go out to bid for repaving, asphalt installation, tennis court resurfacing, and parking expansion. Vote – 7 Ayes, 0 Nays.

(c) Motion requesting permission to go out to bid for the Randall, Sheri, Rose Roadway Improvements Project, which is being administered in conjunction with Medina County

Mrs. Zoldak explained this project received CDBG funding with a portion being paid for with City funds. The bid would go out in the end of April. She expected that it would be paved by the end of September.

Mr. Lambert moved to request permission to go out to bid for the Randall, Sheri, Rose Roadway Improvements Project, which is being administered in conjunction with Medina County. Vote – 7 Ayes, 0 Nays.

(d) Motion authorizing a change order in the amount of \$2,500.00 to Marks Construction, LLC for the Plum Creek Greenway Phase 3 Project.

Mrs. Zoldak explained that there is a log jam that is diverting a significant portion of the main trail to loop around and bypass the main trail and it is overtopping the trail. The Service Department determined that due to the immediacy and how large it is, it would be difficult to get to. Since the contractors already mobilized, this is a good price to get it taken care of quickly and minimize any additional damage to the newly installed boardwalk and trail.

Mr. Hanek asked what the timeframe would be for completion. Mrs. Zoldak revealed that the handrail on the boardwalk as well as a residential fence were expected to be done by the end of the week, which would complete the project.

Mr. Smith moved to authorize a change order in the amount of \$2,500.00 to Marks Construction, LLC for the Plum Creek Greenway Phase 3 Project. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

There was none.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

(a) Motion to go into Executive Session to discuss the subject of pending or imminent court action.

Mr. Delsanter moved to go into Executive Session to discuss the subject of pending or imminent court action, seconded by Mr. Smith. Roll Call - Ayes – 7, Mr. Hanek, Mr. Lambert, Mr. Smith, Mr. Kuczma, Mr. Delsanter, Mrs. Piper, Mr. Abella. Nays – 0

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

The Committee-of-the-Whole reconvened.

ADJOURNMENT:

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

Submitted Respectfully,

A handwritten signature in cursive script that reads "Laura Timura".

Laura Timura, CMC
Clerk of Council

PROPOSED LEGISLATION



DATE: 4/28/2025

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. 13-2025** - An ordinance amending Section 1280.01(h) of the City of Brunswick Codified Ordinances by prohibiting adult use marijuana cultivators and retail dispensaries in the city. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: Section 1280.01(h) Prohibited Uses is hereby amended to state "No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Zoning Code and any additional conditions or requirements prescribed, is or may become hazardous, noxious or offensive due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matters or water-carried waste. Trailers, basement homes, tents and other temporary living quarters shall be prohibited. Additionally, medical and adult use marijuana cultivators and retail dispensaries, as licensed under Ohio Revised Code Chapters 3796 and 3780 respectively, are prohibited in all Zoning Districts and Special Planning Districts of the City."

PURPOSE AND EXPLANATION: Ohio Revised Code Section 3780.25(A) permits the legislative authority of a municipal corporation to adopt an Ordinance to prohibit or limit the number of adult use cannabis operators licensed under Ohio Revised Code Chapter 3780 within the municipal corporation.

IMPLEMENTATION SCHEDULE: First reading on February 10, 2025.

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 adoption.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 13-2025

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTION 1280.01(h) OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES BY PROHIBITING ADULT USE MARIJUANA CULTIVATORS AND RETAIL DISPENSARIES IN THE CITY.

WHEREAS: Ohio Revised Code Section 3780.25(A) permits the legislative authority of a municipal corporation to adopt an Ordinance to prohibit or limit the number of adult use cannabis operators licensed under Ohio Revised Code Chapter 3780 within the municipal corporation.

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

SECTION 1: That Section 1280.01(h) of the Codified Ordinances is hereby amended to read as follows:

“(h) Prohibited Uses. No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Zoning Code and any additional conditions or requirements prescribed, is or may become hazardous, noxious or offensive due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matters or water-carried waste. Trailers, basement homes, tents and other temporary living quarters shall be prohibited. Additionally, medical and adult use marijuana cultivators and retail dispensaries, as licensed under Ohio Revised Code Chapters 3796 and 3780 respectively, are prohibited in all Zoning Districts and Special Planning Districts of the City.”

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____

AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 4/28/2025

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. 14-2025** - An ordinance amending Section 1266.04(g) of the Codified Ordinances of the City of Brunswick by including adult use marijuana processors as a conditionally permitted use in the I-L Light Industrial District. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

BACKGROUND: Section 1266.04(g) of the Codified Ordinances is hereby amended to read as follows:
“(g) Medical and adult use marijuana processors, as licensed under Ohio Revised Code Chapter 3796 and Chapter 3780 respectively.”

PURPOSE AND EXPLANATION: The proposed amendment will allow adult use marijuana processors as a conditionally permitted use in the I-L Light Industrial District.

IMPLEMENTATION SCHEDULE: First reading on February 10, 2025.

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 adoption.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 14-2025

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTION 1266.04(g) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY INCLUDING ADULT USE MARIJUANA PROCESSORS AS A CONDITIONALLY PERMITTED USE IN THE I-L LIGHT INDUSTRIAL DISTRICT.

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

SECTION 1: That Section 1266.04(g) of the Codified Ordinances is hereby amended to read as follows:

“(g) Medical and adult use marijuana processors, as licensed under Ohio Revised Code Chapter 3796 and Chapter 3780 respectively.”

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 4/28/2025

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. 36-2025** - An ordinance establishing Section 1480.07 (Property Maintenance Code Section 302.3.3) of the City of Brunswick Codified Ordinances. - **2nd Reading** (Building & Building Code Committee, *Administration/Grant Aungst*)

BACKGROUND: The Division of Building has recommended that the Property Maintenance Code be updated to establish Section 302.3.3 pertaining to parking facilities.

PURPOSE AND EXPLANATION: The purpose of these regulations is to establish clear maintenance standards for asphalt and/or concrete parking facilities to ensure public safety, extend infrastructure lifespan, and maintain the visual appeal and value of properties within the City. This section applies to all commercial, multi-family residential, industrial, public, and/or private (if open to the general public) properties within the City of Brunswick.

IMPLEMENTATION SCHEDULE: April 14, 2025.

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:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 36-2025

BY: Mr. Abella, Mr. Delsanter, and Mr. Hanek

AN ORDINANCE ESTABLISHING SECTION 1480.07 (PROPERTY MAINTENANCE CODE SECTION 302.3.3) OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES.

WHEREAS: The Division of Building has recommended that the Property Maintenance Code be updated to establish clear maintenance standards for certain parking facilities to ensure safety, extend infrastructure lifespan and maintain the visual appeal of public and private properties.

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

SECTION 1: That Section 1480.07 (Property Maintenance Code Section 302.8.2) of the Codified Ordinances is hereby amended to read as follows:

“Section 302.3.3 Parking Facilities (added):

- (a) Purpose. The purpose of these regulations is to establish clear maintenance standards for asphalt and/or concrete parking facilities to ensure public safety, extend infrastructure lifespan, and maintain the visual appeal and value of properties within the City. This section applies to all commercial, multi-family residential, industrial, public, and/or private (if open to the general public) properties within the City of Brunswick.
- (b) Definitions. For the purpose of this section, the following definitions apply:
 - (1) Parking Facility: Any off-street paved parking lot or structure surfaced with asphalt and/or concrete located on any commercial, multi-family residential, industrial, public, and/or private (if open to the general public) property within the City, which includes any access drives, aprons, vehicle maneuvering areas and/or portions thereof.
 - (2) Owner/Operator: The entity or individual that is the record owner of the real property containing an parking facility and/or the entity or individual legally and/or contractually responsible for the upkeep of such parking facility.
 - (3) Maintenance: Routine and corrective actions including, without limitation, crack sealing, pothole repair, resurfacing, repainting, and drainage improvements.
 - (4) Inspection: Periodic evaluations of the parking facility’s condition to ensure compliance with this section.

- (5) Chief Building Official: The duly appointed Chief Building Official of the City or his/her designee.
- (c) Maintenance of Parking Facilities. Whenever the requirements of Chapter 1276 require a parking facility, such parking facility shall be maintained in accordance with the following standards and regulations:
- (1) Parking facilities subject to this section shall be maintained and kept in good repair so as not to be a hazard to the health and safety of occupants, employees, or the general public, as determined by the Chief Building Official.
 - (2) In the event any of the following conditions exist, same shall be repaired or replaced within the prescribed timeframes as measured from the date of issuance of a Notice to Correct:
 - (A) Surface Defects.
 - (i) Potholes: Any hole deeper than 1 inch, and wider than 6 inches, shall be repaired within 30 days.
 - (ii) Alligator Cracking: A network of interconnected cracks resembling an alligator's skin, which indicates structural failure, must be repaired, or resurfaced within 60 days.
 - (iii) Longitudinal & Transverse Cracks: Cracks running parallel (longitudinal) or perpendicular (transverse) to the parking facility surface exceeding ¼ inch in width or ½ inch in depth must be sealed within 45 days.
 - (iv) Edge Cracking: Cracks forming along the edges of the parking facility due to poor drainage or lack of support must be repaired within 60 days.
 - (v) Height Differential: Height differential of three-quarters of one inch shall be remediated in 30 days.
 - (vi) Depressions & Rutting: Indentations where water collects, creating standing water, shall be leveled, and resurfaced within 45 days.
 - (vii) Raveling & Deterioration: Loose or crumbling material that exposes aggregate shall be addressed with a seal coat or resurfacing within 90 days.
 - (viii) Shoving, Corrugations, & Slippage: Displacement or surface movement causing dangerous ridges, caused by weak sub-grade, weak bottom layers, or improper rolling, causing the formation of ripples or waves, must be resurfaced within 30 days.

- (ix) Raveling: Depressions or grooves in the wheel paths caused by repeated vehicle traffic shall be addressed with a resurfacing within 90 days.
 - (x) Fading Striping: The loss of visibility in the parking facility space markings, fire lane markings or handicap markings shall be restriped within 30 days.
 - (xi) Block Replacement: If entire block replacement is required, no saw cuts smaller than 5 feet by 5 feet shall be permitted. All edges to be butted to new concrete shall be saw cut or hand trowel cut. Skim coating over existing concrete, ramping, and patching is not permitted.
- (B) Drainage and Water Damage.
- (i) Drainage: Poor water runoff leading to pooling, standing water, or ponding whereas the water pools for more than 24 hours after rainfall must be regraded or have additional drainage installed within 60 days.
 - (ii) Blocked or Damaged Drainage Systems: Storm water drains, inlets, and catch basins must be kept clear of debris and repaired as necessary within 30 days.
 - (iii) Inlet Collars or Inlets: Cracked inlet walls, collapsed inlet structures, undermined foundations, tilted or sunken grate frame, loose, or unstable grate, obstructed grate opening shall be resurfaced within 30 days.
- (C) Striping and Safety Markings. Except for parallel parking, all parking spaces shall be clearly striped to facilitate movement and to help maintain an orderly parking arrangement. Striping shall be maintained and shall be clearly definable at all times, except when weather conditions obscure the visibility of the pavement.
- (i) Faded or Missing Striping & Markings: Parking space lines, pedestrian crosswalks, fire lanes, handicap zones, and directional arrows must be repainted at least every three years or as needed to remain clearly visible or shall be restriped within 30 days.
- (d) When necessary to evaluate the condition of a parking facility the Chief Building Official shall have the authority to require the owner/operator to provide one or both reports listed below at the owners or operator's expense and within such time period as reasonably determined by the Chief Building Official:

- (1) Pavement Condition Report: A professional assessment from a certified pavement engineer or contractor, detailing structural integrity, surface deterioration, and necessary repairs to the parking facility.
 - (2) Core Sampling or Material Testing Report: If structural issues are suspected, the Chief Building Official may require core drillings to analyze material thickness, base stability, and material composition for compliance with applicable standards.
- (e) Penalties for Non-Compliance. Failure to maintain a parking facility as required by this section may result in the following penalties:
- (1) First Violation: Written notice with a 30-day correction period with the owner/operator to file a corrective action plan with the Chief Building Official including a time frame for necessary repairs.
 - (2) Second Violation: A fine of up to \$500.00 if uncorrected after 45 days.
 - (3) Third and Subsequent Violations: A fine of up to \$1,000.00 per violation.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 4/28/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Nicholas Hanek

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 37-2025** - An emergency resolution commending Representatives Miller and Ray and Commissioner Harrison for their commitment and support to the City of Brunswick - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*)

BACKGROUND: The Brunswick Community has been steadfast in their opposition to the proposed imposition of an interstate highway interchange, recognizing that such a project would significantly disrupt their homes, environment, and way of life. Representatives Miller and Ray and Commissioner Harrison have consistently demonstrated their dedication to the well-being and interests of the residents of the City of Brunswick.

PURPOSE AND EXPLANATION: Brunswick City Council wishes to express their profound appreciation to Representatives Miller and Ray, and Commissioner Harrison for their exemplary support and dedication to the community of Brunswick.

IMPLEMENTATION SCHEDULE: One reading, emergency.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

That this Resolution is hereby declared an emergency measure for the immediate preservation of the public peace, property, health, safety or welfare. 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
RESOLUTION NO. 37-2025

By: Committee-of-the-Whole

AN EMERGENCY RESOLUTION COMMENDING REPRESENTATIVES MILLER AND RAY AND COMMISSIONER HARRISON FOR THEIR COMMITMENT AND SUPPORT TO THE CITY OF BRUNSWICK.

WHEREAS: Representatives Miller and Ray and Commissioner Harrison have consistently demonstrated their dedication to the well-being and interests of the residents of the City of Brunswick; and

WHEREAS: They coordinated efforts with City Council and the Administration to combat the imposition of an interchange; and

WHEREAS: Representatives Miller and Ray, along with Commissioner Harrison, actively worked to combat the imposition of an interchange and advocated for the repeal of Section 5501.60 of the Revised Code; and

WHEREAS: The combined efforts of Representatives Miller and Ray, along with Commissioner Harrison, have contributed to a heightened awareness of the potential negative consequences of the interchange, ensuring that the voices of the citizens of Brunswick are heard and respected in the decision-making process.

SECTION 1: That Brunswick City Council hereby expresses its profound appreciation to Representatives Miller and Ray, and Commissioner Harrison for their exemplary support and dedication to the community of Brunswick.

SECTION 2: That this Resolution is hereby declared an emergency measure for the immediate preservation of the public peace, property, health, safety or welfare. 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 _____

ADOPTED: _____ AYES _____ NAYS _____

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

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
8808 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2380 FAX(614)644-3188

5576800		NEW	MARKET 42 SPIRITS LLC	
PERMIT NUMBER		TYPE	2099 PEARL RD	
ISSUE DATE		BRUNSWICK OH 44212		
03 08 2023				
FILING DATE				
D5				
PERMIT CLASSES				
52	022	C	D72962	
TAX DISTRICT			RECEIPT NO.	

FROM 04/11/2025

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.

R

D

APR 17 2024

By X.7.



MAILED 04/11/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN.

05/12/2025

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C NEW 5576800

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BRUNSWICK CITY COUNCIL
4095 CENTER RD
BRUNSWICK OHIO 44212