



BRUNSWICK CITY COUNCIL AGENDA

Brandon Lambert Ward 3	Kristy Piper At-Large	Tim Smith At-Large	Dennis Nevan 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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JUNE 9, 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 May 19, 2025
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending May 2025 will be posted on the website and added to the minutes for the record.
 - (b) Proclamation in honor of Gary Sabo for his art donation
 - (c) Proclamation recognizing Brunswick High School graduate and NAQT competitor Joelle Lopez
 - (d) Proclamation recognizing Brunswick High School graduate and NAQT competitor Michael Matta
 - (e) Mayor's recommendation to reappoint Anthony Henderson to the Financial Audit, Review & Advisory Committee
 - (f) 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 May 19, 2025

Finance Committee.....Mr. Hanek

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

Safety & Environment Committee Minutes dated June 3, 2025

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

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

Parks, Recreation & Community Committee Minutes dated May 27, 2025

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

8. Other Committees, Boards and Commissions

(a) Committee-of-the-Whole Minutes dated May 19, 2025

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

ORD. NO. 38-2025 - An ordinance providing for submission to the electors of the City of Brunswick, Ohio, at the November 4, 2025 General Election, the proposed amendments to the Charter as recommended by the City of Brunswick Charter Review Commission. - **3rd Reading** (Committee-of-the-Whole, *Administration/Dennis Nevar*)

b. 2nd Reading(s)

c. 1st Reading(s)

RES. NO. 45-2025 - An emergency resolution accepting the petition for annexation of a 5.1207± acre property identified as PPN 017-03C-01-015 located on Center Road known as being part of Hinckley Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

ORD. NO. 46-2025 - An emergency ordinance amending Section 634.04 (i) of the City of Brunswick Codified Ordinances - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

RES. NO. 47-2025 - An emergency resolution authorizing the City Manager to purchase one (1) 2025 Ford Explorer with police equipment installed for the Division of Police from Montrose Ford in an amount not to exceed \$64,604.01. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

RES. NO. 48-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with the Medina County Commissioners and Set in Stone Contracting, LLC for the Randall-Sheri-Rose Improvement Project in an amount not to exceed \$463,795.00. - **1st Reading** (To be brought from Services, Utilities, Technology Cable Committee, *Administration/Jenny Zoldak*)

RES. NO. 49-2025 - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase of a Public Address System from Vasu

Communications for the new Fire Station in an amount not to exceed \$39,060.07. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 50-2025 - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase and installation of a video camera system with Vasu Communications for the new Fire Station in an amount not to exceed \$50,894.60. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 51-2025 - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase of radio equipment from Vasu Communications for the new Fire Station in an amount not to exceed \$22,448.03. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 52-2025 - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase and installation of a door security system with Vasu Communications for the new Fire Station in an amount not to exceed \$24,855.29. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 54-2025 - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase of Cisco equipment from TEC Communications for the new Fire Station in an amount not to exceed \$39,960.00. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 55-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with SCW for the purchase of a one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,905.00. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

11. City Manager's Report
12. Open Forum
13. Unfinished Business
14. New Business
 - (a) Consideration of a liquor permit transfer from Tangled Vine LLC & Patios to CMC Business Ventures LLC DBA Secret at Center at 3511 Center Road Unit D, Brunswick, Ohio 44212
 - (b) Consideration of a new liquor permit request from CMC Business Ventures LLC DBA Secret at Center at 3511 Center Road Unit D, Brunswick, Ohio 44212
15. Adjournment

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, May 19, 2025

Prayer and Pledge of Allegiance The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:02 p.m. at the Municipal Complex.

Roll Call of Members showed the following Council Members present: Nicholas Hanek, 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.

Nicholas Hanek moved to excuse Brandon Lambert for just cause, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Correspondence There was none.

Approval of Regular Council Meeting Minutes

Regular Council Meeting Minutes dated May 12, 2025:

Nicholas Hanek moved to approve the Regular Council Minutes dated May 12, 2025, as written, seconded by Keith Kuczma. Roll Call - Ayes -5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1, Tim Smith. Motion Carried.

Mayor's Report:

Proclamation commending the service of Assistant Fire Chief Russ Merhaut:

Chief Glauner commended Assistant Chief Russ Merhaut for his numerous contributions to the Division of Fire some of which include: guidance in the planning of the new fire station, training dispatchers, and implementing an alarm notification redundancy system. Mayor Falconi proclaimed Russ Merhaut to be a servant-leader in the community. He thanked him on behalf of the City of Brunswick and City Council. He was then presented with a proclamation. Assistant Chief Russ Merhaut felt a deep sense of gratitude, pride, and deep respect for the people he had the privilege of working with over his almost 40 years of service.

Clerk of Council's Report Mrs. Timura had not report 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 May 12, 2025:

Kristy Piper moved to approve the Services, Utilities, Technology & Cable Committee Minutes dated May 12, 2025, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1, Tim Smith. Motion Carried.

Finance Committee.....Mr. Hanek:

Finance Committee Minutes dated May 12, 2025:

Nicholas Hanek moved to approve the Finance Committee Minutes dated May 12, 2025, as written, seconded by Michael Abella. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1, Tim Smith. Motion Carried.

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

Safety & Environment Committee Minutes dated May 12, 2025:

Keith Kuczma moved to approve Safety & Environment Committee Minutes dated May 12, 2025, as written, seconded by Kristy Piper. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1, Tim Smith. 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 May 12, 2025:

Nicholas Hanek moved to approve the Committee-of-the-Whole Minutes dated May 12, 2025, as written, seconded by Keith Kuczma. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1, Tim Smith. Motion Carried.

Petitions from the Public on Legislation

Rich Kassow (302 Pearl Road) expressed concerns regarding Ordinance 41-2025. He informed that he is the owner of a licensed golf cart that had passed all required inspections at the Sheriff's Department. Mr. Kassow revealed that he occasionally drives the golf cart on the street as allowed by the State of Ohio. He explained that a resident had called the City to see if there were any ordinances in place regarding golf carts on City streets. He felt this call resulted in the City initiating legislation. Mr. Kassow did not see the need for restrictions to be put into place for something that had not been a problem. He felt that allowing low-speed vehicles would help home values to stay up and promote fun in the community. Mr. Kassow explained that the State of Ohio already had restrictions in place, and he supported restrictions that would tailor legislation to the City of Brunswick. He went on to say that he loved the new businesses in Brunswick.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

2nd Reading(s)

ORD. NO. 38-2025 - An ordinance providing for submission to the electors of the City of Brunswick, Ohio, at the November 4, 2025 General Election, the proposed amendments to the Charter as recommended by the City of Brunswick Charter Review Commission. - **2nd Reading** (Committee-of-the-Whole, *Administration/Dennis Nevar*):

Mr. Hanek moved this ordinance to third reading.

ORD. NO. 41-2025 - An emergency ordinance establishing Section 432.49 of the City of Brunswick Codified Ordinances titled "Prohibited Operation". - **2nd Reading** (Safety & Environment Committee, *Administration/Robert Safran*):

Mr. Kuczma moved this ordinance to third reading and referred it back to the Safety & Environment Committee for review.

1st Reading(s)

RES. NO. 43-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with Independence Cement, LLC for the 2025 Concrete Repair Program in an amount not to exceed \$336,100.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*):

Tim Smith moved to suspend the rules, seconded Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Tim Smith moved to adopt Resolution Number 43-2025, seconded by Keith Kuczma. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 44-2025 - A resolution commending Assistant Fire Chief Russ Merhaut for his years of service to the City of Brunswick. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*):

Nicholas Hanek moved to adopt Resolution Number 44-2025, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

City Manager's Report

Mr. DeForest announced that the VFW and American Legion would hold a Memorial Day program at Brunswick Middle School at 9 a.m. on May 26. He stated that trash and recycling collection would be delayed by one day. Mr. DeForest mentioned that the Recreation Center would be closed in observance of Memorial Day on Monday, May 26.

Open Forum There was none.

Unfinished Business

Mr. Delsanter responded to the concern regarding Ordinance 41-2025. He acknowledged that there was an inquiry that triggered a response from the Administration which caused the issue to be looked into. He reported that the City was gaining knowledge about this type of transportation being incorporated into the City. Mr. Delsanter disclosed that further details would be examined to allow an informed decision to be made. He pointed out that the intent was not to be Draconian and restrict peoples' freedom. It would be logical to review current policies. He communicated that misunderstandings were presented online. He

expressed that the City was doing their job and this was the right way to proceed. He thanked Mr. Kassow for speaking out for his fellow residents.

New Business

Mr. Smith shared that Bike Medina County would be starting their Slo Roll cycling rides in June. The first ride will go from Plum Creek to Brunswick Lake and back. These rides would be 8-10 miles long. They meet at 6:15 p.m. with the ride beginning at 6:30 p.m. Children under 12 must be accompanied by an adult; riders must wear helmets and bright clothes. Front and rear blinking lights were highly recommended. A list of rides will be available on the Facebook page. Rides occur every two weeks throughout the summer all over the county.

Mr. Kuczma announced that on June 4 the summer concert series would begin at the Recreation Center. The Chardon Polka Band would be the opening band.

Adjournment

Nicholas Hanek moved to adjourn, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:37 p.m.

Respectfully submitted,

Laura Timura, CMC
Clerk of Council

Mayor Ron Falconi

Adopted

June 2, 2025

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF MAY 2025

WAIVERS/COURT/BONDS

DEPOSITS (May) 30,061.46

DEBITS (May) (29,400.46)

Checks to be written in May:

Treasurer State of Ohio	\$ 5,193.00
City of Medina MIATF	\$ 25.00
City of Medina IDATF	\$ 145.00
City of Brunswick Finance Dept/Police Fund *	\$22,082.26
Misc.Checks (bond refunds & transfers/restitution)	<u>\$ 1,955.20</u>
TOTAL for the month	\$29,400.46

*Check includes amounts to: Court Computer Fund and Education & Enforcement Fund

Service Charges/Fees for prior month \$440.44

MAYOR RONALD FALCONI



TERESA BENO, CLERK OF COURTS

**APPLICATION FOR
BOARDS AND COMMISSIONS**

NAME Anthony Henderson Jr PHONE 216-256-3484

STREET 4523 Grand Lake Drive #310 CELL Same as above

Years of Residency 6

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Financial Audit Committee Member EMAIL ahenderson823@aol.com

EDUCATION	DEGREE	YEAR GRADUATED
HIGH SCHOOL <u>Bedford High School</u>	<u>Diploma</u>	<u>2000</u>
COLLEGE <u>Kent State University</u>	<u>BA</u>	<u>2005</u>
SPECIAL TRAINING <u>Cleveland State University</u>	<u>MPA</u>	<u>2007</u>

CURRENT EMPLOYMENT

IBH Addiction Recovery	3445 S. Main Street Akron, OH 44319	Chief Financial Officer	9/23 - Present
Company	Address	Title	Dates

RELEVANT PAST EMPLOYMENT

ADAMHS Board of Cuyahoga County	2012 W. 25th St. Cleveland, OH 44113	Chief Compliance Officer	5/21 - 9/23
Company	Address	Title	Dates
Cuyahoga County of Ohio	2079 E. 9th St. Cleveland, OH 44115	OBM Budget Manager	3/16 - 5/21
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

City of Brunswick Financial Audit Committee Member (Present)

REFERENCES (other than relation):

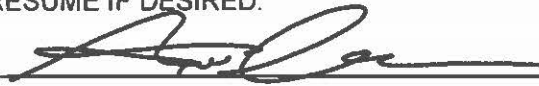
	NAME	ADDRESS	PHONE
1.	Rebecca Kopcienski	Director Personnel Review Commission Cuyahoga County	440-823-8267
2.	Dr. Floun' say Caver	Chief Operating Officer at GCRTA	216-712-1403
3.	Maggie Keenan	Fmr. OBM Director Cuyahoga County	216-346-1232

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

Experience in Public and Non-Profit finance, hands on knowledge of government finance and budgeting. Executive level leadership experience.

Care for the Brunswick community as a whole, desire to be involved in the decisions that are made about the city I call home.

ATTACH RESUME IF DESIRED.

Signature:  Date: 4-Jun-2025

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

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

May 19, 2025

IN ATTENDANCE Chairman Tim Smith, Committee Member Kristy Piper, Committee Member Michael Abella Jr., Nicholas Hanek, Keith Kuczma, Joseph Delsanter, Director of Public Service Paul Magovac, Parks and Recreation Director Taylor Petkovsek, Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Kimble Northern Operations Manager Frank Lauria, Kimble Route Manager Andrew Gillick, Kimble Sales Manager Gerry Helene, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:25 p.m.

DISCUSSION ITEMS:

- (a) **RES. NO. 43-2025** - An emergency resolution authorizing the City Manager to enter into an agreement with Independence Cement, LLC for the 2025 Concrete Repair Program in an amount not to exceed \$336,100.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

Mr. Magovac mentioned that the administration went out to bid for the 2025 Concrete Repair Program. The City Engineer estimated the cost at \$485,000. The highest bid was \$551,950 and the lowest bid was \$336,100. Therefore, it is was requested to enter into agreement with Independence Cement, LLC.

Mr. Smith asked if this was a normal amount of cement being purchased. Mr. Magovac responded that \$485,000 was budgeted as a guesstimate. This would be for the amount of concrete that was requested based on the City's budget. He added that they received a great price for the concrete. Mr. Smith questioned if this was a quality company. Mr. Magovac revealed that this was a quality company and a background check was conducted. They worked for other communities and were given a good recommendation.

Mr. Delsanter asked if the project entailed pad replacement and repairs. Mr. Magovac explained that this project would strictly include concrete pads throughout the City. Work would be done in Wards 3 and 4 this year.

Mr. Kuczma asked what areas would be worked on. Mr. Magovac divulged that some of the work would include Knight Lane and Castle Court. Mr. Kuczma asked for a list of the streets that would be worked on. Mr. Hanek informed that the information was in the Council packet.

Mrs. Piper moved Resolution Number 43-2025 to tonight's Council Agenda of May 19, 2025, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

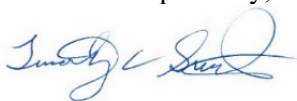
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Michael Abella moved to adjourn at 6:28 p.m. Vote – 3 Ayes, 0 Nays.

Submitted Respectfully,



Tim Smith
Chairman

SAFETY & ENVIRONMENT COMMITTEE

June 3, 2025

IN ATTENDANCE: Chairman Keith Kuczma, Committee Member Joseph Delsanter, Committee Member Kristy Piper, Police Chief Robert Safran, Law Director Dennis Nevar, Richard Kassouf, Dirk Tober, News Media.

The meeting convened at 6:15 p.m.

DISCUSSION ITEMS:

- a) **ORD. NO. 41-2025** - An emergency ordinance establishing Section 432.49 of the City of Brunswick Codified Ordinances titled "Prohibited Operation". - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

Mr. Kuczma recognized that eliminating all golf carts on city roads would be easier to enforce as the police would not need to analyze whether or not the golf cart met certain qualifications. Mr. Delsanter clarified that this would pertain to not just golf carts, but all low-speed vehicles.

Mr. Nevar divulged that the State of Ohio defines under speed vehicles under Section 4501.01 (XX) as a three or four wheeled vehicle including a vehicle commonly known as a golf cart with an attainable speed on a paved level surface of not more than 20 mph and with a gross vehicle rating of less than 3,000 pounds. He summarized that 20 mph would be the top speed and 3,000 pounds the top weight.

Mr. Nevar further explained that Ohio Revised Code Section 4511.214 provides that no one is permitted to operate an under-speed vehicle on any street or highway other than a street or highway having a speed limit not greater than 35 mph and where the local legislative authority had granted permission to do so.

The first part of the proposed ordinance would place into the City's code that under-speed vehicles are not permitted on streets and highways in the City of Brunswick. Ultimately, this would allow the Division of Police to cite under the City's local code and send somebody to Mayor's Court. Otherwise, they would cite under the Ohio Revised Code, at which point they would be directed to Medina Municipal Court. Mr. Nevar stated this would codify the prohibition already in the Ohio Revised Code into the City's code.

Mr. Nevar acknowledged that the issue pertained to a low-speed vehicle as defined in 4501.01 (WW) of the Ohio Revised Code which pertains to a three or four wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than 20 mph, but not more than 25 mph and with a weight rating of less than 3,000 pounds. He pointed out that if there were a street legal vehicle that could travel 26 mph, it would not be considered a low-speed vehicle by definition. In terms of low-speed vehicles, they are authorized to be operated on streets or highways that have a speed limit of not greater than 35 mph.

In order for a low-speed vehicle to be certified and street legal, it must meet certain requirements such as turn signals and equipment. The State Highway Patrol would then inspect it to determine if it was street legal. Insurance requirements would also apply. Documentation showing these requirements were met would then be provided to the BMV to register and get a license plate.

At this point, it needs to be determined how the City intends to deal with low-speed vehicles on streets and highways in the City with speed limits not in excess of 35 mph. Mr. Nevar emphasized that these are the

legal parameters and that Section 4511.214 specifically provides that a local authority can adopt more stringent regulations. Therefore, the City has the authority to either prohibit the operation of low-speed vehicles on streets or highways in the City or limit certain roads with a maximum speed limit of 35 mph.

Mr. Kuczma revealed that local governments do have the authority to permit operation of low-speed vehicles on low-speed roads not owned by the state or federal government. The committee gathered this would include main routes such as 303 and 42. Mr. Nevar concurred as the Code stated public streets or highways under the state's jurisdiction.

Mr. Delsanter mentioned that the committee was tasked with deciding if they would leave the ordinance as it was which was a total prohibition. Mr. Nevar clarified that at this point, the City does not have a zoning or code provision that specifically deals with either. Mr. Kuczma explained that the committee was deciding upon placing the proposed ordinance on the Council agenda for third reading as it was currently written or revising it.

Mr. Delsanter noted this would involve redesigning it to expand certain permissions that would either be citywide or limit the areas where legal operations would be permitted. Mr. Delsanter mentioned that the City could ask that operators be certified by the City's safety forces. This would require a permit. Mr. Delsanter divulged that a resident had mentioned a transportation frequency that they performed, which involved crossing a main street. He went on to say that a point of crossing does not have traffic control. He felt these factors would need to be incorporated into the ordinance. There should be an understanding between the Police Department, Fire Department, and Safety Director. Mr. Delsanter informed that the request to see if the City had such an ordinance sparked the proposed legislation. At this time, he was only aware of two resident who owned slow-speed vehicles.

Mr. Nevar added that the Ohio Revised Code does permit low-speed vehicles to cross an intersection.

Chief Safran contributed that a lot of traffic complaints are complaint driven. Many residents who do not operate golf carts are calling to complain about golf carts in the roadway. He relayed calls were received daily regarding reckless operation, speeders, stop sign violations, and red-light violations. Chief Safran shared that there was a significant volume of traffic in the City. In an average year, there are around 720 accidents reported. He felt if golf carts were added, this could pose an issue. He had concerns that a watered-down version of the ordinance could be difficult or impossible to enforce.

Mrs. Piper remarked that if a golf cart were plated, you could see if they met safety standards. Mr. Kuczma added that a person calling with a complaint, would not know if the vehicle were street legal or not. Mr. Delsanter explained that most comments and requests are made by those not educated in the matter. He asked Chief Safran if any of the vehicles he received complaints about were legal by state standards. Chief Safran did not believe so. Mr. Delsanter cited an example of a resident who told him about an accident where her vehicle was parked on the street, a kid came out of the Venus Park sidewalk and turned at a rate of speed hard enough that he hit the back of the car and went through the windshield. This was merely with a bicycle.

Mr. Delsanter advised that if permission was given to a classification with stringent requirements, they would be executed by residents heavily invested in the vehicles. He recognized that absolutes would be easier, but he understood that there were residents with a deep concern regarding inhibiting those who are

meeting state requirements. Chief Safran reiterated that he had concerns due to the large volume of traffic and the reported accidents. He added that the Flock Camera system calculated an average of 18-20,000 vehicles travel on Center Road (east and westbound) per day. Smaller roads such as West 130th had nearly 6,000 vehicles per day and Laurel Road just under 5,000. He would not want to see golf carts added to that traffic.

Mr. Delsanter asked if he was referring to traveling on the roadway or across the roadway. Chief Safran clarified on the road way. Mr. Delsanter questioned if the vehicles were strictly limited to the neighborhood streets except for the occasion where they may have to make a crossing to another neighborhood street. Chief Safran explained this would be a difficult ordinance to enforce. In the instance they received a complaint that there was a golf cart on the roadway, police would have to determine if the driver appeared impaired or if kids were driving, before it could be investigated further. A total ban should be in effect for safety purposes.

Mr. Delsanter commented that a change to the ordinance would go against the Administration's recommendations. He suggested that the committee would need to conclude what was practical safety and what was unfair restriction.

Mrs. Piper asked to review the complaint log to determine if it was limited to a certain area. Chief Safran informed that side streets were included in the complaint log. Chief Safran cited the log contained complaints from residents calling in to dispatch. There had been an issue where a golf cart was driven in someone's lawn and caused damage. Chief Safran revealed that each day two traffic officers are on the streets with their first job being to respond and check the 20 special attentions which occur daily.

Mr. Kuczma recapped that the decision would need to be made to keep the proposed ordinance as it was written or look to expand it to include an excluded or acceptable class. Mr. Delsanter felt once a law was created, it would be challenged by an opposing statement.

Mr. Nevar asserted that the authority to prohibit, specifically allow consistent with state law, or to allow with certain restrictions would be within the home rule authority of the City. Someone could challenge it or sue for anything, but the likelihood of success would be low. Mr. Delsanter concluded that the City's liability would not be exposed by granting specific areas of legal operation of specified vehicles. Mr. Nevar noted that the state law allows for the City to make its own regulations on this matter.

Richard Kassouf (302 Pearl Road) understood that prohibition was the easier route. He relayed that he went through a substantial amount of work to get his vehicle licensed and insured and that it operates like a motor vehicle. Mr. Kassouf informed that he used his low-speed vehicle to pick his daughter up from school. He felt he was not inhibiting anything or causing any danger. He noted that his home was on Pearl Road next to Mapleside and he had to cross Pearl to get over to Skyview Drive. Mr. Kassouf disclosed that there were stringent regulations to get his vehicle inspected, approved, plated, and insured. Due to his investment, he would like to be permitted to use side streets and cross Pearl Road. As a result of the expense and investment involved, he did not see there being a large number of residents choosing to drive such vehicles on city roads. Mr. Kuczma asked if his vehicle was gas or electric. Mr. Kassouf verified it was gas. Mr. Nevar asked what the top speed would be. He stated it was currently limited to 20 mph, but with adjustments, it could go to 24-25 mph at a maximum.

Dirk Tober (1986 George Drive) explained that his vehicle was certified from the factory by the Department of Transportation. The vehicle was titled, plated, and insurance was obtained. He expressed no desire to drive on Pearl Road or 303. Mr. Tober admitted that he mainly would like to be able to drive through his neighborhood.

Mr. Delsanter inquired if the legislation would affect an Acty as concerns were raised on social media. Mr. Nevar disclosed that mini trucks are treated as low-speed vehicles under Ohio law. He then read the description of a low-speed vehicle.

Mr. Delsanter felt that slow vehicles could merely be passed on side streets at the driver's discretion. He inquired what the peramaters were for excessively slow driving. Chief Safran responded this would be if they were inhibiting traffic flow. Mr. Delsanter questioned how many slow-speed vehicles were in the City. Chief Safran reported that he was not aware, but felt others did not go through the trouble that the residents that were in attendance had.

Mr. Delsanter mentioned that violators could be cited. Mr. Nevar added they could be cited in pursuant to the Ohio Revised Code. Mrs. Piper revealed there are a lot of kids in golf carts, which causes her concern.

Mr. Kuczma asked if, as a committee, the ordinance could be tabled and not moved to the Council agenda to allow for further discussion. Mr. Nevar concurred.

Mr. Delsanter shared that the neighborhood streets are 25 mph and if a good driver of a low-speed vehicle needed to traverse across a 35-mph street, they would be able to do so safely. If neighborhood streets could be considered legal and the access of traversing across a street with a speed limit higher than 25 mph could be permitted, how much traversing could be considered safe-within 50 feet of the connecting road to allow for an angular approach. Council then discussed possible paths for crossing major intersections along with the residents. Some have controlled crossing and other areas do not.

Mr. Kuczma then suggested the ordinance be tabled. Mr. Delsanter advised that the Council could ask the Administration to create a plan, so they have a working diagram of what Council is considering. Mr. Nevar explained that it would be difficult to place every scenario into legislation. He revealed that Council and the Administration can offer what they would like him to attempt to relay in legislation. Mr. Delsanter summarized that Mr. Nevar would need directive.

Mr. Kuczma concluded that something would be put together and provided to the Law Director. At this time, he suggested the legislation be tabled to allow for further discussion. Mr. Nevar added that during the Committee-of-the-Whole meeting, Mr. Kuczma could relay that the legislation was still being considered and tabled.

Mr. Delsanter asserted that the City Manager disclosed that the legislation was written as an emergency due to the seasonal start up approaching. Mr. Delsanter acknowledged that the season would run through the end of October. Mr. Kuczma responded that they would like the opportunity to review it and discuss with colleagues in Committee-of-the-Whole. He determined that it may be decided to keep the legislation as originally presented. Mr. Nevar concluded the options would be to prohibit, allow, or permit with some sort of guidelines regarding roads and intersection crossings.

Mr. Delsanter asked if all of the southside of Boston Road was considered Brunswick. Chief Safran answered that there was a stretch east of Pearl Road that was still Brunswick Hills. Mr. Delsanter suggested that that road be completely prohibited. Mr. Kuczma mentioned it was a state road. Chief Safran disclosed that the northside of the street was Strongsville and the southside would be Brunswick. Bennett's Corners would involve Hinckley, North Royalton, Strongsville, and Brunswick.

Mr. Kuczma thanked the Chief and Law Director for their attendance.

Mr. Nevar added that if a prohibition were to be considered, he would suggest being comprehensive and less apt to consider if it was a state route versus a city street. Mr. Kuczma asked if it would make sense to state there is a restriction in crossing any street where there are more than 2 lanes. Mr. Nevar responded that they had the authority to make that determination. Mr. Nevar recommended not being concerned about a road being a state route.

Mrs. Piper moved to table Ordinance 41-2025 for further discussion. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 7:05 p.m. Vote – 3 Ayes, 0 Nays.

Submitted Respectfully,

A handwritten signature in black ink, appearing to read "Keith A. Kuczma". The signature is fluid and cursive, with the first name "Keith" and last name "Kuczma" clearly legible.

Keith Kuczma
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

May 27, 2025

IN ATTENDANCE: Chairwoman Kristy Piper, Committee Member Keith Kuczma, Committee Member Tim Smith, Parks & Recreation Director Taylor Petkovsek, Community Member Bryan Keller, BYBSA Doug Meyers, BYBSA Dom DePompei

The meeting convened at 6:00 p.m.

DISCUSSION ITEMS:

(a) BYBSA Update

Mr. Meyers shared there were over 950 children participating in the program (T-Ball through 18-years-old). Forty of these participants registered after the deadline. BYBSA was very accommodating to late registrations.

Mr. Meyers revealed that two softball clinics were held over the winter. In April, there was a free clinic with over 125 children and coaches in attendance.

A webpage for online registration and payment was developed and set up.

Brunswick Youth Baseball and Softball Association (BYBSA) started from scratch with all equipment and field needs.

Mr. Meyers added that four coach training sessions were held and a coaching brochure was created that includes information on teaching fundamentals/techniques and includes sample practice plans. Game schedules were also created and uniforms were ordered.

Mr. Meyers relayed that BYBSA collected \$130,000 in revenue from registrations and sponsorships with expenses amounting to \$80,000. Additional expenses were expected before the season comes to a close.

He informed that a Brunswick Tournament was held May 16-18 with 34 teams (ages 8-11U) participating from many different communities (Neura, Mooney, Boston Knoll parks). Many positive compliments were shared with BYBSA on the City's parks and the City in general by the visiting community members. Local businesses appreciated the visitors who came to the area.

Mr. Meyers divulged that a girls' tournament would be held from June 20-22.

Mrs. Piper inquired about the ballfield scheduling process. Mrs. Petkovsek answered that BYBSA shared a schedule with her early in the spring.

There was a ball field application available to any ball team in the City which was to be submitted to Mrs. Petkovsek for scheduling of the ballfields. There were 64 available dates for other baseball teams to play. BYBSA is in contact with Mrs. Petkovsek weekly to review ball field scheduling. With the loss of two ball fields through school construction, scheduling baseball in the City had become a complicated process. Different athletic teams (lacrosse, rugby, etc.) also request the use of fields.

There were 20 games that were scheduled that were outside of the BYBSA organization this season. Teams with BYBSA are given time for both practicing and also time for games.

Mr. DePompei mentioned that they will be adding \$5,000 in improvements to the fields. He asked if there would be any opportunity for the City to assist with additional improvements. Mr. Kuczma recommended that they submit a list of needs that could be reviewed at a future meeting.

(b) Community Monthly Events Calendar Update

Mr. Keller shared the following information: March 16 Funkology concert 2:00 - 4:00 p.m. (150 attendees), April 6 Blue Lunch Concert 2:00 - 4:00 p.m. (50 attendees), May 4 Backtraxx Concert 2:00 - 4:00 p.m. (50 attendees).

Mr. Keller further shared some of his thoughts on how to improve attendance including the use of food trucks, serving alcohol, creating a FB page, and creating a logo. Mrs. Piper suggested that these ideas be shared once a Friends of Brunswick Parks group is created.

Mrs. Petkovsek shared that there were two upcoming concerts: one on June 4 (Chardon Polka Band) playing from 6:00 - 8:00 p.m. and one on July 3 (Funkology) that would play from 6:00 - 9:00 p.m. The July 3rd concert would be followed by fireworks. In the event of rain, the July 3 events would move to July 6. Mrs. Petkovsek announced that she was working on obtaining food vendors.

Mrs. Piper revealed that August 9 would be the Flashback to School Event. It was possible that on September 6 Backtraxx would play, unless, the fireworks were moved due to inclement weather.

(c) Parks Master Plan Discussion

Mrs. Petkovsek informed that the following park improvements were planned: Mooney Park - gravel road to concession stand area would be paved, Diana - paved parking lot, Bridgeport - parking lot and basketball court walkway, Heritage - paved parking lot, Pumpkin Ridge - drive and basketball court, Rolling Hills - drive and basketball court, resurface tennis court and add

pickleball lines, Shenandoah - basketball court, Dog Park – completed, Neura - shade canopies added to playground.

Mrs. Petkovsek added that the Friends of Brunswick Parks 501c3 was registered with the state and the code of regulations was set up. She revealed that she was currently working on the nonprofit paperwork.

Additionally, there would be new nets for the Brunswick Soccer Association.

UNFINISHED BUSINESS:

There was none.

NEW BUSINESS:

Mr. Smith announced that the first Bike Medina County event would be June 8th in Brunswick.

GENERAL DISCUSSION:

Mrs. Piper announced the next meeting date would be June 23, 2025, preceding the Committee-of-the-Whole Meeting with 15 minutes needed to discuss the 4th of July celebration events.

ADJOURNMENT:

Being no further business, Mr. Kuczma moved to adjourn at 7:03 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Kristy Piper', with a stylized flourish at the end.

Kristy Piper
Chairwoman



COMMITTEE OF THE WHOLE

May 19, 2025

IN ATTENDANCE: Nicholas Hanek, Joseph Delsanter, Keith Kuczma, Kristy Piper, Michael Abella Jr., Tim Smith, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Director of Public Service Paul Magovac, Parks & Recreation Director Taylor Petkovsek, Kimble Northern Operations Manager Frank Lauria, Kimble Route Manager Andrew Gillick, Kimble Sales Manager Gerry Heline, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:28 p.m.

Mr. Delsanter moved to excuse Brandon Lambert for just cause. Vote – 6 Ayes, 0 Nays.

DISCUSSION ITEMS:

(a) Kimble Representatives Frank Lauria and Gerry Heline.

Mr. DeForest revealed that he received a call from Mr. Abella last Monday notifying him that trash pick up did not occur in Waite Farms. This had also occurred about 4-5 weeks prior to this incident. Kimble was asked to come in to discuss their operations. Mr. DeForest elaborated that when there are lapses in operation it would be beneficial for them to notify the City. This was an opportunity for Kimble to express any operations issues they are experiencing and how the City can get a better level of service.

Mr. Abella noted that the Waite Farms area experienced missed trash pick-up on Monday, April 21. Trash was then to be picked up on Tuesday. However, trash was not picked up until Wednesday. Last week the same area experienced approximately 38 missed pick-ups in the Waite Farm neighborhood. He concluded this was 2 missed pick-ups in a 4-week time period over a large area. Today, the pickup was 9 hours early. Mr. Abella explained that over his 26 years as a Council Representative over 2 cities he had never seen a missed pickup; especially two in a one-month period not due to weather.

Mr. Abella commented that if the City were to receive notification of a pickup delay, they could inform residents via reverse 9-1-1 capabilities. He then asked what caused the delays.

Mr. Lauria divulged that on April 22 a truck broke down and two drivers were sent to finish the route. There was an error in the computer system and it showed that all of the pickups were completed. From what they could see, it looked like the driver was able to service the street on the computer. They did not realize that area was not completed. A driver was then sent out on Tuesday to complete the work. These glitches generally do not occur.

Mr. Hanek asked that he introduce himself. Frank Lauria announced that he had been at Kimble for three years and in the business for over 40 years. He mentioned that he was in Brunswick 3 times a week checking on things and stopping in at City Hall. Mr. Lauria remarked that his family was in the business for multiple generations and he sold customer service. He was not happy about the missed pickups.

Mr. Abella asked how the computer glitch was being corrected. Mr. Lauria advised that the problem was a result of the way the newer dispatcher sent it out. A “V” needs to go in front of the route. This error caused it to look like it went out, when it did not go out.

Mr. Lauria reported that there were delays at Medina Transfer. There are increased loads 3-4 weeks prior to Memorial Day. The trucks went from 2 loads to 3 loads. He revealed that the route to Medina Transfer was 30 minutes each way, as well as 30 minutes to dock. This would be 1 ½ hours per trip. By the time the driver got back with the third load, it was close to the 7 p.m. noise ordinance curfew. The driver had since been told to notify him and he would discuss with Mr. Magovac. Pickup did occur first thing in the morning the next day.

Mr. Abella asked if they did not have to go to Medina Transfer for their garbage, where else would they go. Mr. Lauria commented that they would go to Twinsburg, which was done Friday because Medina Transfer Station was closed. Mr. Abella questioned why they did not have to obey the flow control. Mr. Lauria divulged that the facility was closed and they were told to divert. Mr. Abella questioned if this was an advantage to go to Twinsburg. Mr. Lauria explained that this was and that they would be opening a transfer station soon in Valley City. This would be only 13 minutes from Brunswick.

Mr. Hanek questioned if the county was aware of the fact that there would be improved service by not being a part of flow control. Mr. Magovac advised that he had presented it to the Board, but they did not want to hear that. The Board wants all trash to come to the Medina Transit location. The station is already at 90-95% capacity. Mr. Magovac felt it may be over that, as they had to shut down to clean it due to the large amount of trash. Mr. Magovac explained that a permit was required, so they could take the trash to Twinsburg on Friday.

Mr. Hanek announced that, due to flow control, the City's trash was forced to go to the transfer station in the county. He divulged that the City did not exercise their veto power on the county plan in the hopes that they would come back to renegotiate. Council had veto power of the flow control plan, which would then go to the state EPA to write the plan. All options would have to be looked at. A productive discussion was held with one of the Commissioners about being released from the flow agreement and allowed to go to a closer transfer station that would help residents by improving service. Mr. Lauria revealed that recycling can already be taken to Twinsburg as it does not have to follow flow control.

Mr. Lauria mentioned that a 4th truck was being used on Mondays and Wednesdays, beginning last week. This changed routes around and 200 pickups were taken off each driver. This would be ongoing until things slowed down. He explained that he could not add two or three hours to a driver's day.

Mr. Delsanter communicated that James Evanoff had a concern with trash not being picked up. He cited that Mr. Evanoff was told by the driver that he did not have to get out of the truck. Mr. Lauria aired that there were construction materials at the residence. If a contractor comes to the residence, they are not to take the construction material that is put out.

Mr. Delsanter had concerns about comments that were made to Mr. Evanoff. Mr. Gillick did not feel this sounded like something that would have been said by this particular driver. Mr. Delsanter responded that there was a misunderstanding of verbiage. Mr. Gillick added that there were long pieces of uncut wood. The driver left and came back at which time the wood was cut up. The neighbor across the street had the construction material.

Mr. Lauria asserted that Andy addressed the issue with the driver. Mr. Delsanter disclosed that James Evanoff is a very involved citizen who is generally spot on. Therefore, if he tells him something he has to take it into account. He added that Mr. Evanoff acknowledged that Kimble responded right away and cleared everything up. Mr. Delsanter clarified that there was not a violation of what type of material can be disposed of.

Mr. Delsanter voiced his dismay about being forced to haul freight out of direction and pass that cost onto residents. He felt this was being done to sustain the operational costs to a business location that does not have a good handle on how to maintain its own lifecycle. This results in extra fuel and time. Mr. Lauria

noted that Montville, Brunswick Hills, and Brunswick were serviced with loads going to Twinsburg and back and had better hours. Mr. Abella summarized that Valley City Transfer Station was being built and asked if it would be part of flow control. Mr. Lauria responded that the trash has to go to Medina, but his hope would be that they dump at Medina Transfer and place in transfer trucks and haul to Medina Transfer. Recycling could go right to Valley City. Mr. Abella reiterated that recycling was not the issue, trash was the issue. Mr. Lauria suggested this would not be an issue due to the 4th truck being utilized. Mr. Abella went on to say that there was still an issue with the forced flow control to Medina, which could impact the timing of the pickup for residents. Mr. Lauria explained that there have been times that the trucks are lined up all the way down to the street waiting to unload at Medina Transit.

Mr. Hanek reminded that issues regarding notification need to be worked through with the Administration. The expectation would be that the Administration be notified when pickup is not happening, when there are issues. It would be expected that this continue to be improved and that they work with Paul Magovac and the City Manager. He asked that Kimble work with the City and improve things going forward.

Mr. Delsanter announced that, regarding the flow control, the threat was EPA oversight. This pushed the City toward validating something they were not ready to do as they wanted to reduce costs by giving the carrier the opportunity to use the most economical direction for trash. The county had stated if they did not participate in flow control, EPA would intercede in the process. Mr. Hanek revealed that this was an issue for other communities more than for Brunswick as Brunswick was the only one recycling in the community. Brunswick carries the rest of the county. Mr. Laurie asserted that recycling was going to Twinsburg. Mr. Hanek disclosed that it would be vetoed unless the county does what was needed.

Mr. Magovac divulged that he works with Brad and Frank frequently at Kimble and they generally take care of issues within a day. He asked that if there is an issue concerning the 7 p.m. noise ordinance that they call him and he will check with the City Manager regarding how to address the situation.

Mr. Hanek thanked Kimble for their attendance at the meeting.

MOTION ITEMS:

- (a) Motion approving the recommendation of the Review Committee to authorize the Recreation Center and Finance Departments to write-off bad debt owed by New Vision Assembly in the amount of \$1,000.00.

Mrs. Petkovsek shared that in 2022 New Vision Assembly Church was utilizing the multi-purpose room at the Brunswick Recreation Center. They had signed a one-year rental agreement. The contract was for \$4,800. Near July, they had fallen behind on their payments and ultimately stopped making payments.

The church did not respond to calls to collect the debt nor did they continue to use the facility. They had a balance of \$1,000. An attempt to collect those funds was made through Keith D. Weiner & Associates Co., LPA. Mr. Nevar added that the firm is also utilized for the City's income tax collection. Mrs. Petkovsek disclosed that the City Manager recognized that there was an expense involved with continuing to make attempts to collect the debt. A Finance Review Committee meeting was held in which it was approved to write-off the bad debt. Mr. Nevar commented that because this was over \$600, approval by City Council was required.

Mrs. Piper moved to approve the recommendation of the Review Committee to authorize the Recreation Center and Finance Departments to write-off bad debt owed by New Vision Assembly in the amount of \$1,000.00. Vote – 6 Ayes, 0 Nays.

REVIEW LEGISLATION:

- (a) RES. NO. 44-2025** - A resolution commending Assistant Fire Chief Russ Merhaut for his years of service to the City of Brunswick. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*)

Mr. Hanek confirmed with Mr. Nevar that for legislation that was congratulatory, one reading was sufficient. Mr. Hanek explained that this resolution by Council would be in addition to the Mayor's proclamation. It would be more ceremonial to acknowledge someone who had served many years for the community. Mr. Nevar clarified that a motion to adopt, without suspension of the rules could be made for congratulatory legislation.

Mr. Kuczma moved Resolution Number 44-2025 to tonight's Council Agenda of May 19, 2025 for adoption upon one reading. Vote – 6 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Smith revealed that he received a call from American Tire regarding patrons of Market 42 parking in their lot. Mr. Hanek added that he received calls from the Backyard regarding parking. Mr. Hanek announced that the parking situation at multiple places needed to be sorted out. Mr. Smith added that he had promised American Tire that he would bring the issue up and asked if there was any resolution at this point. The owner was concerned that he had no place to put towed cars as his driveway was being blocked. Mr. Hanek suggested that the concern be addressed with the City Manager.

Mr. Delsanter asked if Ordinance 41-2025 could be moved back to the Safety & Environment Committee. Mr. Hanek explained that he had spoken to Mr. Kuczma and recommended that the ordinance be moved to third reading and referred back to Safety & Environment Committee for further discussion.

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn the Committee-of-the-Whole Meeting at 6:59 p.m. Vote – 6 Ayes, 0 Nays.

Submitted Respectfully,

Laura Timura, CMC
Clerk of Council

PROPOSED LEGISLATION



DATE: 6/9/2025

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. 38-2025** - An ordinance providing for submission to the electors of the City of Brunswick, Ohio, at the November 4, 2025 General Election, the proposed amendments to the Charter as recommended by the City of Brunswick Charter Review Commission. - **3rd Reading** (Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: The Report of Proposed Charter Amendments issued by the Charter Review Commission on April 15, 2025, as attached hereto as Exhibit "A", shall be submitted to a vote of the qualified electors of the City at the general election to be held on November 4, 2025, at the regular places of voting in the City in the form provided in the Ballot Questions as attached hereto as Exhibit "B".

PURPOSE AND EXPLANATION: The ordinance must be adopted by City Council and certified to the Medina County Board of Elections no later than 4:00 p.m. on August 6, 2025.

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

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 38-2025

BY: Committee-of-the-Whole

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF BRUNSWICK, OHIO, AT THE NOVEMBER 4, 2025 GENERAL ELECTION, THE PROPOSED AMENDMENTS TO THE CHARTER AS RECOMMENDED BY THE CITY OF BRUNSWICK CHARTER REVIEW COMMISSION.

WHEREAS: Pursuant to City of Brunswick Charter Section 6.07, the Charter Review Commission met in 2025 to review the Charter of the City of Brunswick;

WHEREAS: The Charter Review Commission issued its Report of Proposed Charter Amendments to this Council on April 15, 2025; and

WHEREAS: Pursuant to Section 6.07(b) of the Charter, this Council is required to submit the Proposed Charter Amendments, as recommended by the Charter Review Commission, to the electors of the City of Brunswick at the next general election.

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

SECTION 1: That the Report of Proposed Charter Amendments issued by the Charter Review Commission on April 15, 2025, as attached hereto as Exhibit "A", shall be submitted to a vote of the qualified electors of the City at the general election to be held on November 4, 2025 at the regular places of voting in the City in the form provided in the Ballot Questions as attached hereto as Exhibit "B".

SECTION 2: That the Clerk of Council is hereby directed to: (a) certify this Ordinance to the Medina County Board of Elections no later than 4:00 p.m. on August 6, 2025; and (b) publish the full text of the proposed amendments to the Charter, as set forth in the attached Report of Proposed Charter Amendments, once a week for not less than two (2) consecutive weeks in a newspaper of general circulation in the City, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, in accordance with Article XVIII, Section 9 of the Ohio Constitution and Ohio Revised Code Section 731.211.

SECTION 3: 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

2025 CITY OF BRUNSWICK CHARTER REVIEW COMMISSION

REPORT OF PROPOSED CHARTER AMENDMENTS

1) SECTION 3.09(d).

When the Mayor is absent temporarily or inaccessible or is unable, for any cause or reason to perform his/her duties, the Vice-Mayor/President of Council, having been elected by Council from its body to such position, shall serve as Mayor but shall not cease to be a Council member. In the event the office of Mayor shall become vacant, the Vice-Mayor/President of Council shall ~~serve the unexpired term and his/her offices as Vice Mayor/President of Council and Council member shall become vacant~~ fill the office of Mayor while retaining all the power and responsibilities of Vice-Mayor/President of Council for a period not to exceed sixty (60) days from the date the vacancy occurs, during which time the Council shall temporarily fill the office of Mayor by appointment by a vote of a majority of members of Council. Thereafter, the electors of the City shall elect a Mayor at the next general election for the remainder of the unexpired term, of it that next general election occurs within ninety (90) days after the vacancy occurs, then at the second next general election. As the term "general" election is used herein, it shall mean either a municipal regular general election in an odd numbered year or a state regular general election in an even numbered year. The term of the person chosen at such general election to succeed such temporary appointee for an unexpired term shall begin at the first regular meeting of Council after the County Board of Election's certification of the general election results and shall continue for the remainder of such unexpired term.

2) SECTION 3.15(b).

An ordinance or resolution may be introduced by any member of Council, or by the Mayor, at any regular or special meeting of the Council. It shall first be submitted to the Law Director for review and drafting in legal form before presentation to Council. Upon presentation of any ordinance or resolution, the Clerk of Council shall distribute ~~an electronic copy~~ an electronic copy to each Council member and to the Mayor, and shall file a ~~reasonable number of copies~~ copy in the office of the Clerk of Council. As soon as practicable after adoption of any ordinance or resolution, the Clerk shall have it published together with a notice of its adoption. Except as otherwise provided in this Charter, no ordinance or resolution shall be adopted unless read once during each of three Council meetings on different dates.

3) SECTION 3.15(d).

Each ordinance and resolution shall be posted ~~in the following locations~~ in the following locations as soon as practicable: ~~the Brunswick City Library, at~~ the Brunswick City Library, at Brunswick City Hall, ~~on~~ on the City's Official Website, and any other location designated by Council for the posting or publication of said ordinances.

4) SECTION 3.18(b).

This Council shall provide that the general codification of all City ordinances and resolutions, having the force and effect of law, shall be kept current, and any additions shall be published promptly ~~in bound or loose leaf form~~, together with this Charter, and any amendments thereto, and such codes of technical regulations as the Council may specify. This compilation

shall be known and cited officially as the City of Brunswick City-Codified Ordinances (the "Codified Ordinances" or the "Code"). Copies of the Code shall be ~~furnished to City officers,~~ placed in the Medina County Law Library, Brunswick Public Library, made available at the City's official website, and such other public places as Council deems advisable, and made available for purchase by the public at a reasonable price fixed by Council. The Council of the City of Brunswick shall appropriate sufficient funds each year in order to maintain the Code in a property and up-to-date manner.

5) SECTION 5.03(a).

The Department of Public Safety shall consist of the following divisions:

1. Division of Fire and Rescue.
2. Division of Police.
3. ~~Division of Public Health and Welfare.~~

6) SECTION 5.03(b)(1).

As defined in ORC 737.11, general duties of fire departments, the division of fire and rescue shall protect the lives and property of the people in case of fire.

The chief of fire and rescue shall have exclusive control of the stationing and transferring of all ~~firefighters~~ ~~firemedics~~ and other officers and employees in the ~~department~~ division, under such general rules and regulations as the Director of Public Safety prescribes, as outlined in the Ohio Revised Code Section 737.09. Any chief of the division of fire and rescue appointed shall be selected from three (3) highest candidates after a promotional competitive examination as provided by the City of Brunswick Civil Services ~~Laws~~ Rules and Regulations. For other promotional appointments, positions of assistant fire chief and fire lieutenant shall be selected from the highest three (3) candidates after a promotional competitive examination as provided by the City of Brunswick Civil Service ~~Laws~~ Rules and Regulations.

Applicants for full-time employment as a firemedic with the City shall receive the following credits:

- A. Five (5) points for completion of military service with honorable discharge.
- B. Two (2) points for an associate college degree with five (5) points for a bachelor degree from an accredited college, with the maximum credit permitted being five (5) points total for a college degree or degrees.
- C. One (1) point credit for each year as a part-time firemedic serving in the City of Brunswick who is a licensed State of Ohio paramedic and certified 240 firefighter, with a maximum service credit of six (6) points.
- D. Two (2) point credit for being a two-year resident of the City of Brunswick at the time of application, and for those who qualify, their civil service application fee shall be waived.

7) SECTION 5.03(b)(2).

As defined in the Ohio Revised Code, the Division of Police shall preserve the peace, protect persons and property, and obey and enforce all ordinances of the legislative authority of the municipal corporation, all criminal laws of the State of Ohio and the United States, all court orders issued and consent agreements approved pursuant to the Ohio Revised Code, all protection orders issued pursuant to the Ohio Revised Code, and protection orders issued by courts of another state, as defined in the Ohio Revised Code.

The Chief of Police shall have charge of the Division of Police as outlined in the Ohio Revised Code Section 737.06, Chief of Police. Any Chief of the Division of Police appointed shall be selected from the three (3) highest candidates after a promotional competitive examination as provided by the City of Brunswick Civil Services ~~Laws~~Rules and Regulations.

- A. Applicants for full-time employment as a police officer with the City shall receive the following credits:
 - i. Five (5) points for completion of military service with honorable discharge.
 - ii. Two (2) points for an associate college degree and five (5) points for a bachelor degree from an accredited college, with the maximum credit permitted being five (5) points total for a college degree or degrees.
 - iii. Five (5) points credit for completion of Ohio Peace Officer's Training Academy and an additional one (1) point credit for each year of part-time service as an accredited police officer with the City of Brunswick with a maximum service credit of six (6) points.
 - iv. Two (2) point credit for being a two-year resident of the City of Brunswick at the time of application, and for those who qualify, their civil service application fee shall be waived.

8) SECTION 6.02(c)(2).

If the ordinance, measure, or regulation intends to rezone or redistrict ten (10) or less parcels of land as listed on the tax duplicate, written notice, at least twenty (20) days before the public hearing, by First Class U.S. Mail ~~with a Certificate of Mailing~~, shall be given to property owners within 500 feet from such parcel or parcels. The calculation of the 500 feet shall not include the width of any public right of way such as, but not limited to, any avenue, street, roadway, highway or interstate.

9) SECTION 6.04(d)(2).

At least ten (10) days before consideration of a variance request, written notice, by First Class U.S. Mail ~~with a Certificate of Mailing~~, shall be given to the property owners residing within the corporation limits of the Municipality within:

- A. 200 feet from such parcel or parcels for which an area variance is requested; or

- B. 500 feet from such parcel or parcels for which a use variance is requested;
- C. The manner in determining the addresses of the property owners shall be the same as outlined in Section 6.02c.3.
- D. The calculation of the 200 feet and 500 feet in Section 6.04d.2.A and B. shall not include the width of any public right of way such as, but not limited to, any avenue, street, roadway, highway or interstate.

10) SECTION 7.09(b)(2).

Non-emergency expenditures in excess of ~~\$25,000.00~~ the amount established by Ohio statutory law shall only be authorized by Council pursuant to contract made with the lowest and/or best bidder after public advertising and receipt of bids in the manner provided by ordinance.

11) SECTION 8.01(a).

No contract for the sale of real estate belonging to the City of Brunswick, ~~with the exception of paragraphs b. and c.,~~ shall be made unless authorized by an ordinance, approved by five (5) of the members of Council, ~~and by the board or officer having supervision or management of such real estate.~~ When the contract is so authorized, it shall be made in writing by ~~such board or officer~~ the City Manager, only with the highest and/or best bidder, after advertisement once a week for three (3) consecutive weeks in a newspaper of general circulation within the municipal corporation, except as otherwise provided in this ~~Charter~~ Article VIII.

12) SECTION 8.01(b).

~~The City of Brunswick Council~~ may, by ordinance approved by five (5) members of Council and without competitive bidding, authorize the transfer and conveyance by deed of any real property, owned by it and not needed for Municipal purposes, to the Board of Education of the City of Brunswick, to be used as an athletic field, a playground for children, ~~or for school sites or for any public purpose~~, upon such terms as are agreed to between the City of Brunswick and the Board of Education. When the property is so conveyed, it shall be under the control and supervision of the Board of Education.

13) SECTION 8.01(c).

~~The City of Brunswick Council~~ may, by ordinance approved by five (5) members of Council and without competitive bidding, transfer, lease, or permit the use of any real property suitable for library purposes and not needed for Municipal purposes, to the Board of Trustees of any free public library, or any library association rendering free library service to the inhabitants of the City of Brunswick upon such lawful terms as are agreed upon between the City of Brunswick and the Trustees of such library or library association.

14) SECTION 8.01(d).

~~The legislative authority of the City of Brunswick Council~~ may, by ordinance approved by five (5) members of Council and without competitive bidding, authorize the lease of any real

estate not needed for Municipal purposes to any organization, except religious organizations, for the purpose of constructing, maintaining, or managing parks, playgrounds, theaters, public service facilities and hospitals, emergency care facilities, ~~and recreation facilities~~ or for any public purpose, upon such lawful terms and conditions, in such manner as are prescribed by the legislative authority, ~~without competitive bidding~~.

15) NEW SECTION 8.01(e).

Council may, by ordinance approved by five (5) members of Council and without competitive bidding, authorize the transfer and conveyance by deed of any real property, owned by it and not needed for Municipal purposes, to any entity for use for any public purpose, upon such lawful terms and conditions, in such manner as are prescribed by the legislative authority.

16) SECTION 9.02.

Nominations for Municipal elective offices shall be made by non-partisan petitions. All candidates for Municipal elective offices shall be qualified electors of the City of Brunswick. Each candidate for Mayor and Council-At-Large shall file a petition signed by electors of the City not less in number than ~~one hundred (100)~~ fifty (50). Each candidate for Ward Councilman shall file a petition signed by electors of the ward from which the candidate is seeking election, not less in number than ~~fifty (50)~~ twenty-five (25). Such petition or petitions when filed must be accompanied by the written acceptance of the nominee. Each signatory of a petition shall sign his/her name and after his/her name shall designate his/her address, the date of signing, and ward. Nominating petitions shall be filed with the Board of Elections of Medina County in accordance with the Ohio Revised Code.

17) SECTION 11.10.

Following the external audit, the legislative authority of the City of Brunswick shall have an annual report printed, in pamphlet form, giving:

- a. An Annual Comprehensive ~~Annual~~ Finance Report.
- b. A summary of the proceedings of the legislative authority and a summary of the operation of the administrative departments for the previous twelve (12) months.
- ~~c. A summary of all elective and appointive terms which will expire during the next year, as well as a list of anticipated employment opportunities of the City.~~

A copy of this report shall be furnished to any person who requests same in compliance with the City's Public Records Policy~~citizen of the City of Brunswick who applies therefor at the City Hall.~~

Pursuant to City of Brunswick Charter Section 6.07, the undersigned Members of the City of Brunswick Charter Review Commission hereby confirm that the Charter Review Commission was convened in 2025 pursuant to law and the above-described proposed amendments to the Charter have been duly approved and recommended to Brunswick City Council for submission to the electors of the City of Brunswick at the November 4, 2025 General Election.



Daniel Langshaw, Chair

Date: 4/15/25

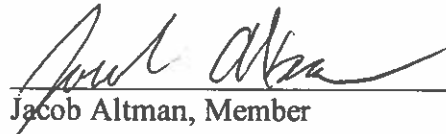


Barbara Rocha, Vice-Chair

Date: 4-15-2025

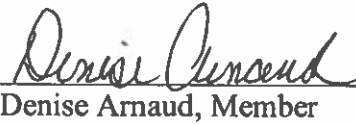
John Acevedo, Member

Date: _____



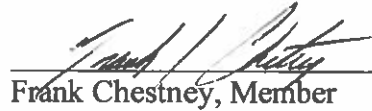
Jacob Altman, Member

Date: 4/15/2025



Denise Arnaud, Member

Date: 4-15-25



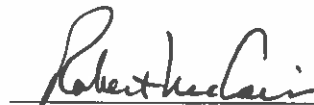
Frank Chestney, Member

Date: 4-15-2025



Thomas Fenske, Member

Date: 4/15/25



Robert McCain, Member

Date: 4/15/2025



Michael Sinclair, Member

Date: 4/15/25



Laura E. Timura, Secretary

CERTIFICATION OF RECEIPT

The undersigned Clerk of the Brunswick City Council hereby certifies receipt of the 2025 City of Brunswick Charter Review Commission's Report of Proposed Charter Amendments filed this 15 day of April, 2025.

Laura E. Timura

Laura E. Timura, CMC
Clerk of Council

CITY OF BRUNSWICK BALLOT QUESTIONS
November 4, 2025 General Election

1. Shall the Amendments to Section 3.09(d) of the Charter, as proposed by the Charter Review Commission, amending the process for filling the position of Mayor if same shall become vacant, be Adopted?
2. Shall the Amendments to Section 3.15(b) of the Charter, as proposed by the Charter Review Commission, authorizing the Clerk of Council to distribute proposed legislation to Council Members and the Mayor by electronic means, be Adopted?
3. Shall the Amendments to Section 3.15(d) of the Charter, as proposed by the Charter Review Commission, removing the requirement that legislation be posted at the Brunswick City Library, be Adopted?
4. Shall the Amendments to Sections 3.18(b), 5.03(b)(1) and 5.03(b)(2) of the Charter, as proposed by the Charter Review Commission, to correct grammatical errors and clarify the Charter language, be Adopted?
5. Shall the Amendments to Section 5.03(a) of the Charter, as proposed by the Charter Review Commission, eliminating the Division of Public Health and Welfare, be Adopted?
6. Shall the Amendments to Sections 6.02(c)(2) and 6.04(d)(2) of the Charter, as proposed by the Charter Review Commission, removing the requirement that provision of notice as part of any rezoning or variance request include a Certificate of Mailing, be Adopted?
7. Shall the Amendments to Section 7.09(b)(2) of the Charter, as proposed by the Charter Review Commission, authorizing non-emergency expenditures in an amount not to exceed the amount established by Ohio statutory law, be Adopted?
8. Shall the Amendments to Sections 8.01(a), 8.01(b), 8.01(c) and 8.01(d) of the Charter, as proposed by the Charter Review Commission, to correct grammatical errors and clarify the Charter language, be Adopted?
9. Shall the establishment of new Section 8.01(e) of the Charter, as proposed by the Charter Review Commission, authorizing no less than five (5) Members of City Council to approve the sale of real property not needed for municipal purposes without competitive bidding to any entity for use for any public purpose, be Adopted?
10. Shall the Amendments to Section 9.02 of the Charter, as proposed by the Charter Review Commission, reducing the required number of petition signatures to run

as a candidate for Mayor and Council-At-Large from one hundred (100) to fifty (50) and for Ward Councilman from fifty (50) to twenty-five (25), be Adopted?

11. Shall the Amendments to Section 11.10 of the Charter, as proposed by the Charter Review Commission, to correct the information required to be provided in the Annual Comprehensive Finance Report and to comply with Ohio Public Records Act, be Adopted?

PROPOSED LEGISLATION



DATE: 6/9/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Dennis Nevar

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 45-2025** - An emergency resolution accepting the petition for annexation of a 5.1207± acre property identified as PPN 017-03C-01-015 located on Center Road known as being part of Hinckley Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: On May 9, 2023, the Medina County Commissioners adopted Resolution No. 23-0372, approving the Petition for Regular Annexation on Application of Owner of 5.1207± acres of land (017-03C-01-015) known as being part of Hinckley Township to the City of Brunswick, Medina County, Ohio.

PURPOSE AND EXPLANATION: 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 April 7, 2025.

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 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.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 45-2025

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF A 5.1207± ACRE PROPERTY IDENTIFIED AS PPN 017-03C-01-015 LOCATED ON CENTER ROAD KNOWN AS BEING PART OF HINCKLEY TOWNSHIP TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO.

WHEREAS: On May 9, 2023, the Medina County Commissioners adopted Resolution No. 23-0372, as attached hereto as Exhibit “A”, approving the Petition for Regular Annexation on Application of Owner of 5.1207± acres of land (017-03C-01-015) known as being part of Hinckley 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 April 7, 2025; 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 5.1207± acres of land (017-03C-01-015) known as being part of Hinckley 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

Laura E. Timura, CMC

REGULAR MEETING – TUESDAY, MAY 9, 2023

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

Stephen D. Hambley Aaron M. Harrison Colleen M. Swedyk

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

RESOLUTION NO. 23-0372

**GRANTING THE PETITION OF WEST 130th Route 303 LLC
FOR THE ANNEXATION OF REAL PROPERTY KNOWN AS MEDINA COUNTY
PERMANENT PARCEL NUMBER 017-03C-01-015, CONSISTING OF 5.1207 ACRES
FROM HINCKLEY TOWNSHIP TO THE CITY OF BRUNSWICK**

WHEREAS, on the 2nd day of February, 2023, West 130th Route 303 LLC, an Ohio Limited Liability company, the owner of real property known as Medina County Permanent Parcel No. 017-03C-01-015, consisting of 5.1207 acres, located in Hinckley Township, filed a petition, pursuant to section 709.02 of the Ohio Revised Code ("Revised Code"), with the Board of Commissioners of Medina County for the annexation of said property from Hinckley Township to the City of Brunswick; and

WHEREAS, the Board of County Commissioners of Medina County (herein referred to as "Board") held a hearing on said annexation on April 11, 2023; and

WHEREAS, section 709.033(A) of the Revised Code requires the Board to enter upon its journal a resolution granting the annexation if the Board finds by a preponderance of the substantial, reliable, and probative evidence on the whole record, that each of the conditions set forth in section 709.033(A)(1) through (6) of the Revised Code are met; and

WHEREAS, section 709.033(B) of the Revised Code requires the Board to enter upon its journal a resolution granting or denying the petition for annexation within thirty days after the hearing provided for in section 709.032 of the Revised Code, and to include in the resolution specific findings of fact as to whether each of the conditions listed in divisions (A)(1) to (6) of section 709.033 of the Revised Code has been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Medina County, Ohio, that the Board makes the following findings of fact as to whether the conditions set forth in divisions (A)(1) to (6) of section 709.033 of the Revised Code have been met, and based on those findings determines whether the annexation is or is not granted:

FINDINGS OF FACT

1. **709.033(A)(1)** – *Whether the petition meets all the requirements set forth in, and was filed in the manner provided in, section 709.02 of the Revised Code:*

- a. *Petition Signed by Majority of Owners under section 709.02(C)(1) of the Revised Code:*

Section 709.02 of the Revised Code requires that a petition for annexation be signed by a majority of owners of real estate in the territory proposed for annexation, no more than one hundred eighty days before the date the petition is filed. The petition in this case was filed on February 1, 2023. It requests to annex a single parcel containing 5.1207 acres of

The Assistant 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 5/9/23

Duan A. Hallatt

REGULAR MEETING – TUESDAY, MAY 9, 2023
RESOLUTION 23-0372 (Con't)

land from the Township of Hinckley to the City of Brunswick. The owner of the property is identified in the petition as West 130th Route 303 LLC, an Ohio Limited Liability Company, and the petition was signed by Thomas Lunt, who identifies himself as “Director of Real Estate.” There being only one parcel of land to be annexed, the petition is signed by 100% of the owners, and the signature of the person who purports to have authority to sign on behalf of the owner is dated January 31, 2023, one day before the petition was filed. The petition on its face meets the requirements of section 709.02(C)(1) of the Revised Code.

Section 709.02 of the Revised Code requires, where an owner is not a natural person (i.e., corporation, partnership, business trust, etc., see last paragraph of section 709.02 and section 709.031 of the Revised Code) the petition “shall be signed by a person who is authorized to sign for that entity.” (Section 709.02 of the Revised Code.) Section 709.31(C) of the Revised Code authorizes a township from which territory is to be annexed to request reasonable proof of the authority of a person who signed the petition on behalf of a “person other than a natural being.” The Hinckley Township Board of Trustees made such a request on March 16, 2023, when the Township’s Attorney, Alfred E. Schrader, filed with this Board a *Motion for Verification of Certain Signatures*, pursuant to section 709.031(C) of the Revised Code. When such a request is made, section 709.031(C) requires the agent for the petitioners to “present to the board of county commissioners at the hearing . . . sufficient evidence by affidavit or testimony to establish that the owner is a person other than a natural being . . . and that the owner authorized the person whose signature is on the petition to sign the petition of its behalf.”

The agent for the petitioner, Attorney Daniel P. Calvin, called Thomas Lunt, the individual who signed the petition on behalf of the owner, as the petitioner’s first witness. Mr. Lunt testified that he is the vice president of real estate operations for Discount Drug Mart, Inc., and he is responsible for the administration of every aspect of real estate for Discount Drug Mart, including but not limited to sales, acquisitions, property management, lease administration, construction, new stores, and remodels. Mr. Lunt also testified that Drug Mart established the LLC that owns the property through another Drug Mart real estate holding entity known as the Isomer Group. Mr. Lunt also testified that at the time he signed the petition for annexation he had authority to sign the petition, as the director of real estate for Drug Mart. (Transcript p. 24).

Attorney Calvin also presented an affidavit of Donald Boodjeh, who Mr. Lunt identified as the CEO of Drug Mart. (Exhibit P-2). This affidavit confirms the testimony of Mr. Lunt, identifying the Isomer Group as a wholly owned subsidiary of Discount Drug Mart, Inc. and West 130th Route 303, LLC as a wholly owned subsidiary of Isomer Group, Inc. Mr. Boodjeh’s affidavit indicates that Thomas Lunt had authority to sign the annexation petition on behalf of West 130th Route 303, LLC.

Upon cross examination Attorney Schrader, counsel for the Hinckley Township Board of Trustees, asked Mr. Lunt whether a corporate resolution exists to give Mr. Lunt authority to sign the annexation petition, and Mr. Lunt acknowledged that there is no such corporate resolution. In further cross examination Attorney Schrader inquired about the

REGULAR MEETING – TUESDAY, MAY 9, 2023
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corporate structure of Discount Drug Mart, Inc., but Mr. Lunt was not able to speak authoritatively regarding that structure or whether there was a need for corporate board approval of the filing of an annexation petition. (Transcript pp. 31 and 37-39).

Other than the testimony and affidavit described above, no additional evidence was presented to support or call into question Mr. Lunt's authority to sign the annexation petition on behalf of West 130th Route 303, LLC. The Board is called upon to determine, by a preponderance of the evidence whether the elements of Section 309.02 of the Revised Code have been met, and based on the evidence presented this Board finds that the petitioner has established by a preponderance of the evidence that the owner of the property is a person other than a natural person, i.e., West 130th Route 303, LLC, which is a wholly owned subsidiary of Isomer Group, Inc., which is a wholly owned subsidiary of Discount Drug Mart, Inc., and those subsidiaries are used by Discount Drug Mart, Inc. to manage real estate development and transactions. This Board also finds that the petitioner has established by a preponderance of the evidence that Mr. Lunt did have authority to sign the petition for annexation.

Counsel for the Hinckley Township Board of Trustees acknowledged the reasonableness of this conclusion in his closing argument when he stated, "They [petitioners] are the ones that are supposed to prove the six issues . . . The first four we stipulate to, they did them right." (Transcript p. 209, l. 1-6). The petition's compliance with section 709.02 of the Revised Code is the first of the four issues to which Attorney Schrader stipulated. As such, Attorney Schrader's stipulation on the first four elements was sufficient to eliminate any uncertainty arising from the evidence submitted by the petitioner on this point. This Board finds that the requirement set forth in division (C)(1) of section 709.02 has been met.

- b. *Petition contains an accurate legal description of the perimeter and an accurate map of the territory proposed for annexation as required by section 709.02(C)(2) of the Revised Code.*

The record before this Board indicates that both a written description of the property to be annexed and a plat map showing the dimensions and location of the property to be annexed were included with the petition (see hearing Exhibit MC-1). The petition was immediately forwarded to the County Engineer's Tax Map Office to review the accuracy of the description and plat map (see hearing Exhibit MC-2), and the Tax Map office responded on February 2, 2023 that the plat and legal description are accurate (see hearing Exhibit MC-3). No evidence was presented to contradict this determination. Therefore, this Board finds that the petition contains an accurate legal description and an accurate map of the territory proposed for annexation in compliance with section 709.02(C)(2) of the Revised Code.

- c. *Petition contains the name of a person to act as agent for the petitioners as required by section 709.02(C)(3) of the Revised Code.*

The petition clearly appoints Attorney Daniel P. Calvin as agent for the petitioner, and no evidence was presented to contradict this designation. Therefore, this Board finds

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that the petition complies with the requirement of section 709.03(C)(3) of the Revised Code.

- d. List of all tracts, lots, or parcels in territory to be annexed and all tracts, lots or parcels located adjacent to that territory or directly across the street, including names and addresses of owners filed with the clerk of the board as required by section 709.02(D) of the Revised Code.*

A list of the properties to be annexed and adjacent properties, including the information described above, was filed by the agent for the petitioner at the time of filing the original petition. However, section 709.02(D) of the Revised Code indicates this list is not considered to be part of the annexation petition, and any errors on the list do not affect the validity of the petition. Nevertheless, this Board finds the petitioner has complied with section 709.02(D) of the Revised Code.

This Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that all the requirements set forth in divisions (C) and (D) of section 709.02 of the Revised Code have been met, fulfilling the condition of division (A)(1) of section 709.033 of the Revised Code.

- 2. 709.033(A)(2) –** *Whether the persons who signed the petition are owners of real estate located in the territory proposed to be annexed in the petition, and, as of the time the petition was filed with the board of county commissioners, the number of valid signatures on the petition constituted a majority of the owners of real estate in that territory:*

This condition has clearly been attained. There is only one property proposed to be annexed, and since the evidence discussed above established that Mr. Lunt was duly authorized to sign the petition on behalf of the owner, the petition was signed by 100% of the owners of the property to be annexed. Therefore, this Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that the persons who signed the petition are owners of real estate located in the territory proposed to be annexed in the petition, and, as of the time the petition was filed with the board of county commissioners, the number of valid signatures on the petition constituted a majority of the owners of real estate in that territory, fulfilling the condition of division (A)(2) of section 709.033 of the Revised Code.

- 3. 709.033(A)(3) –** *Whether the municipal corporation to which the territory is proposed to be annexed has complied with division (D) of section 709.03 of the Revised Code:*

Division (D) of section 709.03 of the Revised Code requires the legislative authority of the municipal corporation to which annexation is proposed to adopt, by ordinance or resolution, a statement indicating what services the municipal corporation will provide to the territory to be annexed upon annexation, and the ordinance or resolution is required to be filed with the board of county commissioners at least twenty days before the date of the hearing. City of Brunswick Resolution 8-2023, adopted by the Council of the City of Brunswick on March 13, 2023 sets forth the services the City of Brunswick will provide to the annexed property upon annexation. The Clerk of the Board of Commissioners of Medina

REGULAR MEETING – TUESDAY, MAY 9, 2023
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County identified Exhibit M-9 as an accurate copy of Resolution 8-2023 that was received by the Commissioners' Office by email on March 14, 2023, and by regular mail on March 20, 2023, both of which dates were more than twenty days before the date of the hearing in this matter, which was scheduled for and took place on April 11, 2023.

This Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that the legislative authority of the municipal corporation to which annexation is proposed, in this case the Council of the City of Brunswick, adopted Resolution Number 8-2023 setting forth the services the City of Brunswick will provide to the property proposed to be annexed upon annexation, and Resolution Number 8-2023 was filed with the Board of Commissioner of Medina County more than twenty days before the date of the hearing, fulfilling the condition of division (A)(3) of section 709.033 of the Revised Code.

4. 709.033(A)(4) – Whether *the territory proposed to be annexed is unreasonably large*:

The evidence does not in our view support a finding that the annexation of this 5.1207 acres would have a significant impact on the Township or the City. Hinckley Township contains all of its original allocation of land, and the property to be annexed is very small by comparison. The Township's loss of tax revenue on this property is offset by the shift of responsibility for the property to the City, and it appears the City is well able to provide the necessary services to the property.

This Board finds that the property proposed to be annexed is relatively small, and that common sense would dictate that it would be unreasonable to find otherwise. The Board also finds that counsel for the Hinckley Township Board of Trustees acknowledged as much when he stated, "They [petitioners] are the ones that are supposed to prove the six issues . . . The first four we stipulate to . . ." (Transcript p. 209). No party even attempted to argue that the property to be annexed is unreasonably large, and the evidence does not support such a finding.

Therefore, this Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that the property to be annexed is not unreasonably large, fulfilling the condition of division (A)(4) of section 709.033 of the Revised Code.

5. 709.033(A)(5) – Whether, *on balance, the general good of 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.*

Much of the evidence presented at the hearing addressed the conditions set forth in section 709.033(A)(5) of the Revised Code, whether the "general good" of the territory to be annexed will be served, and whether the benefits to the annexed property and "surrounding area" outweigh the detriments to the annexed property and "surrounding area." These two issues are addressed separately in the following discussions.

- a. Whether, on balance, the general good of the territory proposed to be annexed will be served:

REGULAR MEETING – TUESDAY, MAY 9, 2023
RESOLUTION 23-0372 (Con't)

Thomas Lunt, the property manager for Discount Drug Mart, testified that the general good of the property would be served by the annexation because the owner would be able to more economically and efficiently develop the property as part of the City. Mr. Lunt testified that based on his experience working with Hinckley Township and the City of Brunswick, it would be "easier to work with [the City of Brunswick] throughout the development process, especially the building department." (Transcript page 29, line 16.)

The Hinckley Township Trustees' attorney, Mr. Schrader, cross examined Mr. Lunt on these points, and Mr. Lunt further explained the owner experienced some difficulty obtaining a 50% tax abatement from Hinckley Township. The decision to seek annexation was made after the Board of Township Trustees voted to deny the 50% tax abatement. (Transcript p. 33). Mr. Lunt's testimony also established that the tax abatement available to the owner from the City of Brunswick is 100% for a period of fifteen years, and that the combination of the Hinckley Township's denial of the 50% tax abatement and the ready availability of a 100% tax abatement from Brunswick City is the primary reason the owner had determined it would more advantageous for the development of this property to pursue annexation. (See Transcript pp. 51-53).

Petitioner also presented the testimony of Paul Barnett, the Service Director of the City of Brunswick, who testified as to the quality of services available in the City of Brunswick, and the manner in which those services would be provided to the property to be annexed. He suggested one advantage of working with the City is that the building department functions are carried out by a City Department whereas in a Township the function is carried out by the Medina County Building Department. Mr. Barnett suggested the local control of the various property development functions in the City would make the property development more cohesive and efficient under the City's jurisdiction. (Transcript p. 51-52).

The Hinckley Township Board of Trustees presented the testimony of Hinckley Police Chief David Centner, Brunswick Hills Township Police Chief Tim Sopkovich, and Hinckley Township Fire Chief Jestin Grossenbaugh to address the quality of safety services provided by Hinckley Township and the potential for errors in dispatching along the boundary line between Hinckley Township and the City of Brunswick. This Board finds that both communities have presented a strong case for the quality of their safety services, but that evidence presented does not enable us to say that the property would be better served by either remaining in Hinckley Township or being annexed to the City of Brunswick.

The Development of this property by the installation of a Drug Mart store will occur whether the property is or is not annexed, and it is most likely that both communities' safety forces would respond to an emergency at this location without regard to whether it is or is not annexed, because it is located on the boundary of the communities. This Board finds the evidence of potential confusion in dispatching safety forces to the annexed property is not compelling.

REGULAR MEETING – TUESDAY, MAY 9, 2023
RESOLUTION 23-0372 (Con't)

The primary factor that remains in determining whether the general good of the territory proposed to be annexed will be served is the financial benefit to the property owner, which is the availability of the 100% tax abatement from the City of Brunswick. We find this benefit to be significant. Hinckley Township Trustee Melissa Augustine confirmed in her testimony that the Board of Trustees of Hinckley Township denied a 50% tax abatement on the property in June of 2022, and did not act to reconsider its action until one week before the hearing.

There is nothing in the statute to preclude a property owner from considering a purely economic benefit in initiating an annexation petition under this section, and this Board also affords presumptive weight to the property owner's determination that the general good of the property will be served. We do not see that the general good of the property can be in any way distinguished from the financial benefit to the owners of the property. The weight of the financial benefit of the 100% tax abatement tips the scales in a manner that outweighs the evidence in the record of supposed detriments to the property upon annexation.

This Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that, on balance, the good of the property proposed to be annexed will be served upon annexation.

- b. *Whether 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:*

This Board concluded above that the relative benefit to the property to be annexed clearly outweighed any detriments. The additional element introduced in this part of division (A)(5) of section 709.033 of the Revised Code calls for the Board to evaluate whether the benefit to the surrounding area outweighs the detriments to the surrounding area. For purposes of this analysis, the surrounding area is defined by division (A)(5) of section 709.033 of the Revised Code as the territory in the unincorporated area of Hinckley Township located one-half mile or less from the territory to be annexed.

There is very little evidence in the record to guide us in determining the benefits and detriments to the surrounding area that would result from the annexation. There seems to be a consensus that the presence of a new Discount Drug Mart on the property to be annexed will be a benefit to the surrounding area, but the Drug Mart will be built at that location in either event. Therefore, this benefit does not weigh in favor or against annexation.

The Hinckley Township Board of Trustees' Attorney attempted to elicit testimony regarding detriments to the surrounding area from Chief Centner, Chief Grossenbaugh and Zoning Inspector Tom Wilson. The only detriment identified in their testimony is the loss of tax revenue from the annexed property. This Board finds that any loss in tax revenue to the Township is offset by the City of Brunswick taking on all responsibility for providing services to the annexed property.

The benefits and detriments to the surrounding area result from locating a Discount Drug Mart on the property, which will take place whether the property is or is not annexed.

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RESOLUTION 23-0372 (Con't)

This Board finds that these detriments and benefits of locating a Discount Drug Mart on the property do not weigh in favor or against annexation. The overall benefits and detriments to the surrounding area appear to be in balance. The primary factor that remains in this analysis is the financial benefit to the property owner, the 100% tax abatement available from the City upon Annexation, which tips the scale in favor of annexation.

This Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that, on balance, 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 that all conditions of division (A)(5) of section 709.033 have been met.

6. **709.033(A)(6)** – *Whether any street or highway will be divided or segmented by the boundary line between a township and the municipal corporation as to create a road maintenance problem, or, if a street or highway will be so divided or segmented, the municipal corporation has agreed, as a condition of the annexation, that it will assume the maintenance of that street or highway.*

The centerline of W. 130th Street is the dividing line between the Township of Hinckley and the City of Brunswick, and the entire northbound lane of W. 130th Street is now within Hinckley Township. Upon annexation, the northbound lane of W. 130th Street west of the property to be annexed will become part of the City of Brunswick, but to the north and south of that segment the northbound lane will remain in Hinckley Township. This is a segmentation of that portion of the road, but it is not entirely clear to this Board that this is the type of division or segmentation contemplated by the statute. Nevertheless, Hinckley Township has asserted that this is the type of segmentation contemplated by the statute, and the Township argues that this segmentation creates a “road maintenance problem,” though the nature of that problem is not entirely clear.

While it appears there could be a maintenance problem on the small stretch of W. 130th Street adjacent to the annexed property, Hinckley Township is not responsible for road maintenance in that area to begin with. The petitioner presented an existing agreement between the City of Brunswick and the County of Medina, marked as Exhibit P-13, and titled, *Maintenance Agreement Between Medina County and the City of Brunswick for Boundary Roads.* City Service Director Paul Barnett identified the agreement and testified that the *Maintenance Agreement* makes the County responsible for the maintenance of the full width of W. 130th Street in the area where the segmentation would be created, and the County will continue to have the same responsibility after the annexation takes place.

The eastbound lane of SR 303 from the Brunswick City line to the eastern edge of the property to be annexed is not as significant. The eastbound lane of SR 303 in front of the property to be annexed, from the middle of the intersection of W. 130th Street to the eastern boundary of the property will become part of the City of Brunswick. The City’s responsibility for that portion of SR 303 will be continuous from the current boundary of the city, so there is not the same type of segmentation. The boundary between Hinckley Township and the City of Brunswick does not shift back and forth in the eastbound lane of SR 303. Mr. Barnett testified that the Ohio Department of Transportation (ODOT) is now responsible for the

REGULAR MEETING – TUESDAY, MAY 9, 2023
RESOLUTION 23-0372 (Con't)

maintenance of SR 303 in Hinckley Township, and when the property is annexed, the segment of SR 303 fronting the property will not change Hinckley Township's responsibilities. The segment of SR 303 in front of the annexed property would become the responsibility of the City upon annexation. Therefore, it does not appear to this Board that the extension of the City boundary to include the eastbound lane of SR 303 would create a maintenance problem.

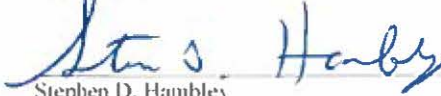
All things taken together, it appears to this Board that any road maintenance problems resulting from the segmentation of W. 130th Street are addressed and resolved by the Maintenance Agreement between the City of Brunswick and the County of Medina, and we further find that there is no maintenance problem created on SR 303 because Brunswick City's boundary and responsibility for the maintenance of SR 303 will extend from the existing boundary in a straight line without interruption.

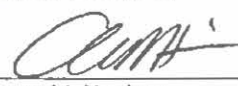
Therefore, this Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that although there is a segmentation of W. 130th street by this annexation, that the City of Brunswick has, through its existing agreement with the County of Medina adequately provided for the maintenance of 130th Street, and that the condition of division (A)(6) of section 709.033 has been met.

WHEREFORE, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, this Board hereby determines that each the conditions set forth in divisions (A)(1) to (6) of section 709.033 of the Revised Code have been met, and the Petition for the annexation of real property known as Medina County Permanent Parcel No. 017-03C-01-015, consisting of 5.1207 acres, is hereby granted.

The Clerk of this Board is hereby authorized and directed to send a certified copy of this resolution to the agent for the petitioners, the clerk of the legislative authority of the City of Brunswick, and the Fiscal Officer of the Township of Hinckley.

Voting AYE thereon:


Stephen D. Hambley


Aaron M. Harrison


Colleen M. Swedyk

Adopted: May 9, 2023

**Petition for Annexation
To the City of Brunswick
of 5.1207 acres, more or less
In the Township of Hinckley
(Regular Petition – O.R.C. §709.02)**

The undersigned ("Petitioner"), being the sole owner of the real property known as Medina County Permanent Parcel Number 017-03C-01-015, which parcel consists of 5.1207 acres as more fully described in Exhibit A attached hereto and made a part hereof ("Property") hereby petitions, pursuant to Ohio Revised Code Section 709.02, for the annexation of the Property to the City of Brunswick, Medina County, Ohio.

In support of its petition, Petitioner states as follows:

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

[Signatures appear on following page.]

REC'D MEDINA COUNTY CO
FEB 1 2023 PM 2:24

[Signature Page to Petition for Annexation]

Petitioner:

West 130th Route 303 LLC,
An Ohio limited liability company

By: TL - CL
Name: Thomas Lunt
Title: Director of Real Estate

Date: JAN. 31st, 2023

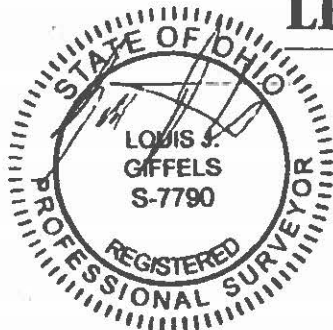
Acceptance of Appointment

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

D. P. Calvin
Daniel P. Calvin

Exhibit A
Legal Description

See attached.



LEWIS LAND PROFESSIONALS

INC.

Civil Engineering & Land Surveying

Legal Description for
Combination Parcel
5.1207 Acres
Project 22-282

Situated in the Township of Hinckley, County of Medina, State of Ohio, and known as being part of Lot 60 of said Township of Hinckley, also known as being all of the lands conveyed to Isomer Group, Inc. on November 7, 2022 in Document No. 2022OR023163 of the Medina County Recorder's records and being further bounded and described as follows:

COMMENCING at a 1" iron pin (capped "Medina Co.") in monument box found at the centerline intersection of Center Road (S.R. 303)-width varies and W. 130th Street (C.H. 17)-width varies, as shown on the ODOT Highway Plan MED-030-(6.67)(9.41), said point also being the northwesterly corner of said Lot 60; thence, **South 00°30'28" East**, along the centerline of said W. 130th St., also being the westerly line of said Lot 60, a distance of **60.81 feet** to a point; thence, **North 89°29'32" East**, a distance of **40.00 feet** to a 5/8" iron pin (capped "Gutoskey 7567") found, said point being the **TRUE PLACE OF BEGINNING** for the following described parcel;

thence, **North 53°10'09" East**, along the southerly right-of-way line of said Center Rd. as shown on the said ODOT Highway Plan, a distance of **18.57 feet** to a 5/8" iron pin (capped "Gutoskey 7567") found;

thence, **North 89°17'32" East**, continuing along the southerly right-of-way line of said Center Rd. as shown on the said ODOT Highway Plan, a distance of **432.14 feet** to a 5/8" iron pin (capped "Gutoskey 7567") found;

thence, **South 00°30'28" East**, along the westerly line of Sublot 1 of the Village at Hinckley Oaks as recorded in Instrument No. 2022PL000014 of the Medina County Recorder's records, passing over a 1" iron pipe found at 483.87 feet, a distance of **485.00 feet** to a point (witnessed by said 1" iron pipe found North 00°30'28" West, 1.13');;

thence, **South 89°17'32" West**, along a northerly line of said Sublot 1 of said Village at Hinckley Oaks, passing over a magnetic nail set at 457.10 feet, a distance of **487.10 feet** to a magnetic nail found;

thence, **North 00°30'28" West**, along the centerline of said W. 130th St., passing over a 1" iron pin (capped "Medina Co.") in monument box found at 35.00 feet, a distance of **135.00 feet** to a magnetic nail found;

thence, **North 89°29'32" East**, along a southerly right-of-way line of said W. 130th St. as shown on the said ODOT Highway Plan, a distance of **30.00 feet** to a 5/8" pin (capped "D.F. Sheehy") found;

thence, **North 02°40'20" East**, along the easterly right-of-way line of said W. 130th St. as shown on the said ODOT Highway Plan, a distance of **180.28 feet** to a 5/8" pin (capped "Gutoskey 7567") found;

thence, **North 00°30'28" West**, continuing along the easterly right-of-way line of said W. 130th St., as shown on the said ODOT Highway Plan, a distance of **159.19 feet** to the **PLACE OF BEGINNING**, containing **5.1207 acres** of land (0.0929 acres in right of way), more or less, as surveyed by Louis J. Giffels, Registered Surveyor No. 7790 in November 2022, for and on behalf of Lewis Land Professionals, Inc.

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

Exhibit B
Annexation Plat

See attached.

PLAT OF REGULAR ANNEXATION OF 5.1207 ACRES
FROM THE TOWNSHIP OF HINCKLEY TO THE CITY OF BRUNSWICK

Situated in the Township of Hinckley, County of Medina, State of Ohio,
and known as being part of Lot 60 of said Township of Hinckley

LEWIS LAND PROFESSIONALS, INC. CIVIL ENGINEERS, SURVEYORS

ACCEPTANCE

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.

WEST 130TH ROUTE 303 LLC - OWNER REPRESENTATIVE

PRINT NAME

STATE OF OHIO
MEDINA COUNTY

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED _____ WHO ACKNOWLEDGED THE MAKING OF THE FOREGOING INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE THEIR FREE ACT AND DEED. IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT _____ THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC

PER OHIO REVISED CODE 709.02



TOTAL AREA TO
BE ANNEXED
=5.1207 ACRES

SURVEYOR'S CERTIFICATION

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

Louis J. Giffels

Date: 01/09/2023

Reg. Ohio Surveyor No. PS-#7790



APPROVALS

This Annexation Plat was duly accepted by the Brunswick City Council at its regular meeting held on the _____ day of _____, 2023 by Ordinance No. _____.

President

Deputy Clerk of Council

Approved this _____ day of _____, 2023, by the Medina County Commissioners.

Commissioner

Commissioner

Commissioner

Approved for transfer this _____ day of _____, 2023, by the

Medina County Tax Map Office.

Tax Map Draftsman: _____

Received for transfer this _____ day of _____, 2023, by the

Medina County Auditor's Office.

County Auditor: _____

Received and Recorded this _____ day of _____, 2023, by the Medina County Recorder's Office and is recorded by Plat Document No. _____.

Recorder: _____


Lewis Land Professionals, Inc.

Civil Engineering & Surveying
8591 Wedgworth Rd. Suite 100 Wedgworth, Ohio 44281
Phone: (330) 335-8232
www.leadproinc.com

SHEET 1 OF 2

PROJ. No. 22-282 DRAWING NAME 22-282 Annex.dwg

Exhibit C
Property and Adjacent Tracts

Parcel Number	Name	Mailing Address
017-03C-01-015	West 130th Route 303 LLC	211 Commerce Drive Medina, OH 44256
017-03C-02-043	Hinckley Senior Apartments, LLC	2211 Medina Road, Suite 100 Medina, OH 44256
003-18D-06-073	Ronald and Rachel Ferrari	828 Center Road Hinckley, OH 44233
003-18D-06-062	LCG Enterprises, LLC	2786 Center Road Hinckley, OH 44233
017-03A-31-006	Aldi, Inc.	P.O. Box 460049, Dept. 501 Houston, TX 77056
003-18B-47-058	Sabatine BK Development, LLC	5700 Sixth Avenue, Tax Dep 212 Altoona, PA 16602

4880-4227-5138, v. 1

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 8-2023

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 5.1207 ACRE PARCEL OF LAND (PPN 017-03C-01-015) ON CENTER 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 a parcel of land be annexed from Hinckley 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 5.1207 acres of land on Center Road (PPN 017-03C-01-015), 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 April 11, 2023 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.

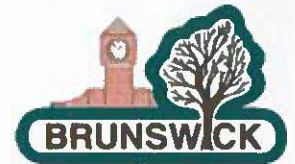
PASSED: 1st Reading February 13, 2023
2nd Reading February 27, 2023
3rd Reading March 13, 2023

ADOPTED: March 13, 2023 AYES 6 NAYS 0

ATTEST:


Clerk of Council
Laura E. Timura

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 2/13/2023

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. 8-2023** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 5.1207 acre parcel of land (PPN 017-03C-01-015) on Center Road - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

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 Hinckley Township to the City of Brunswick.

PURPOSE AND EXPLANATION: The approved legislation must be filed with the Medina County Commissioners' Office by March 22, 2023.

IMPLEMENTATION SCHEDULE: Emergency, three readings

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?
Emergency, three readings.

PROPOSED LEGISLATION



DATE: 6/9/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Robert Safran

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 46-2025** - An emergency ordinance amending Section 634.04 (i) of the City of Brunswick Codified Ordinances - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

BACKGROUND: An ordinance amending Section 634.04 (i) (1)

From:

- (i) Radios, Television Sets, Musical Instruments and Similar Devices. Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound:
 - (1) Between the hours of 9:00 p.m. (Sunday - Thursday) and 8:00 a.m., the following day and midnight (Friday and Saturday) and 8:00 a.m., the following day in such a manner as to create a noise disturbance across a residential real property boundary;

To:

- (i) Radios, Television Sets, Musical Instruments and Similar Devices. Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound:
 - (1) Between the hours of 9:00 p.m. (Sunday - Thursday) and 8:00 a.m., the following day and 10:00 p.m. (Friday and Saturday) and 8:00 a.m., the following day in such a manner as to create a noise disturbance across a residential real property boundary; or

PURPOSE AND EXPLANATION: Update the city ordinance and reduce by (2) two hours the time-frame that an amplified noise (music) is permitted to travel across a residential real property boundary, changing the time restriction on Friday and Saturday from midnight to 10:00 p.m.

IMPLEMENTATION SCHEDULE: As soon as possible to immediately address repeated noise violations being experienced in a residential area. This proposed change is being requested as an emergency 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?

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 46-2025

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

AN EMERGENCY ORDINANCE AMENDING SECTION 634.04(i) OF THE
CITY OF BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 634.04(i) of the Codified Ordinances is hereby amended to read as follows:

“(i) Radios, Television Sets, Musical Instruments and Similar Devices.
Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound:

(1) Between the hours of 9:00 p.m. (Sunday - Thursday) and 8:00 a.m., the following day and ~~midnight~~ 10:00 p.m. (Friday and Saturday) and 8:00 a.m., the following day in such a manner as to create a noise disturbance across a residential real property boundary; or

(2) In such a manner as to create a noise disturbance at fifty feet (fifteen meters) from such device, when operated in or on a motor vehicle on a public right-of-way or public space.”

SECTION 2: 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 immediately address noise issues affecting residential properties. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

PROPOSED LEGISLATION



DATE: 6/9/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Robert Safran

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 47-2025** - An emergency resolution authorizing the City Manager to purchase one (1) 2025 Ford Explorer with police equipment installed for the Division of Police from Montrose Ford in an amount not to exceed \$64,604.01. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Safran*)

BACKGROUND: The City belongs to the State of Ohio procurement program and Montrose Ford has agreed to sell this vehicle at or below the state bid price. This vehicle will replace Unit #9 which was destroyed during a crash on I-71 on April 17, 2025. There are currently (3) three vehicles with our matching key code available for purchase and we would be looking to purchase (1) one through this vendor. Current inventories are limited and the purchasing of vehicles has been challenging over the last 2-3 years.

PURPOSE AND EXPLANATION: This vehicle replaces a unit that was destroyed and determined to be non-repairable as a result of an accident.

IMPLEMENTATION SCHEDULE: Order as soon as possible pending vehicle availability. Due to a limited inventory currently available through Montrose Ford, this purchase is requested as an emergency.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The vehicle will be purchased with the Division of Police capital funds. Cost of the vehicle and upfit is not to exceed \$64,604.01. This will be charged to the Police Fund #114 capital account 961-0520-56252. Note- Insurance amount applied towards vehicle replacement is \$16,437.00.

The Finance Department also plans to propose an appropriation increase of the net amount of \$48,167.01 (64,604.01 less 16,437 insurance) to the Police Fund #114, account #961-0520-56252 for this purchase and the accident was not included in the original 2025 budget plan. The appropriation changes are expected to be included in a separate piece of legislation and presented to the Finance Committee and City Council in July. The Finance Director plans to do a mid-year budget review and incorporate city-wide budget amendment requests into one piece of legislation prior to City Council's scheduled August recess. This review should update the 2025 budget document accordingly and provide for

a more effective and efficient 2026 budget process.

**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 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 to allow for submission of the order as soon as possible due to supply chain issues and vehicle availability. 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. 47-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO PURCHASE ONE (1) 2025 FORD EXPLORER WITH POLICE
EQUIPMENT INSTALLED FOR THE DIVISION OF POLICE FROM
MONTROSE FORD IN AN AMOUNT NOT TO EXCEED \$64,604.01

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

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 one (1) 2025 Ford Explorer with police equipment
installed for the Division of Police from Montrose Ford in an amount not to
exceed \$64,604.01, 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 is hereby authorized to purchase one (1) 2025 Ford
Explorer with police equipment installed for the Division of Police from
Montrose Ford in an amount not to exceed \$64,604.01.

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 to allow for submission of the order as soon
as possible due to supply chain issues and vehicle availability. 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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 6/9/2025

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. 48-2025** - An emergency resolution authorizing the City Manager to enter into an agreement with the Medina County Commissioners and Set in Stone Contracting, LLC for the Randall-Sheri-Rose Improvement Project in an amount not to exceed \$463,795.00.
- **1st Reading** (To be brought from Services, Utilities, Technology Cable Committee, *Administration/Jenny Zoldak*)

BACKGROUND: Authorization for public bid granted by City Council motion on April 14, 2025. Bids were opened on May 29, 2025. Five bids were received. Set in Stone Contracting, LLC was the lowest and best bidder with a base bid of \$463,795.00.

PURPOSE AND EXPLANATION: The proposed project will remove and replace deteriorated concrete pavement joints, slabs, curbs and install a chip seal interlayer and asphalt overlay on Randall Drive, Sheri Drive and Rose Drive. The project is being administered by the Medina County Department of Planning Services and is partially funded by a \$156,600.00 Community Development Block Grant from the United States Department of Housing and Urban Development. The City of Brunswick's construction cost share will be an amount not to exceed \$307,195.00.

IMPLEMENTATION SCHEDULE: The project is anticipated to commence at the end of June and is scheduled for completion by the end of August.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The project is being partially funded by a grant through Medina County Community Development Block Grant funding in the amount of \$156,600.00. The City will pay for engineering, inspection and for the remaining construction amount not to exceed \$307,195.00. The CDBG grant portion of the project will be posted to the Road Improvement Fund account #333-0319-56880; whereas, the remaining City construction cost portion, not otherwise funded by the grant, will be posted to the Road Improvement Fund account #333-0319-56881.

RECOMMENDED ACTION:

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

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

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare and providing for the usual daily operation of a municipality.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 48-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE MEDINA COUNTY COMMISSIONERS AND SET IN STONE CONTRACTING, LLC FOR THE RANDALL-SHERI-ROSE IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$463,795.00.

WHEREAS: The City of Brunswick received five (5) bids for the Randall-Sheri-Rose Improvement Project (the "Project"), in accordance with public bidding requirements;

WHEREAS: The five (5) received public bids were opened on May 29, 2025 with Set in Stone Contracting, LLC determined to be the lowest and best bidder; and

WHEREAS: The Project will be administered by the Medina County Department of Planning Services and partially funded by a Community Development Block Grant issued by the US Department of Housing and Urban Development in the amount of \$156,600.00.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with the Medina County Commissioners and Set in Stone Contracting, LLC, the lowest and best bidder, for the Project in an amount not to exceed \$463,795.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Project during the 2025 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/9/2025

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. 49-2025** - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase of a Public Address System from Vasu Communications for the new Fire Station in an amount not to exceed \$39,060.07. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: The construction of the new fire station requires that the alerting system and PA system in the existing fire station be moved, as well as new and additional equipment be purchased and integrated into the new building.

PURPOSE AND EXPLANATION: To relocate and install new equipment at the fire station.

IMPLEMENTATION SCHEDULE: Dependent on construction timetable.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The purchase for an amount not to exceed \$39,060.07 is to be posted to the Fire Station Construction Fund #359, account #359-0437-56881.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Due to the construction timeline as well as the current supply chain issues, the purchases

need to be made in a timely manner.

**ADDITIONAL
INFORMATION:**

Reutilizing existing equipment plus purchasing new

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 49-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF A PUBLIC ADDRESS SYSTEM FROM VASU COMMUNICATIONS FOR THE NEW FIRE STATION IN AN AMOUNT NOT TO EXCEED \$39,060.07.

- WHEREAS: The City of Brunswick belongs to the Ohio Cooperative Purchasing Program under the direction of the Ohio Department of Administrative Services; and
- WHEREAS: The City of Brunswick is a member of the Sourcewell Purchasing Program as authorized by this Council and Ohio Revised Code Section 9.48; and
- WHEREAS: Ohio Revised Code Section 9.48(D) permits the City to purchase supplies or services from another party without competitive bidding and outside the purchasing programs authorized by Ohio Revised Code Section 9.48 if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through such authorized purchasing programs; and
- WHEREAS: The proposed purchase of a public address system from Vasu Communications in an amount not to exceed \$39,060.07, is upon equivalent terms, conditions and specifications and at a lower price than through the State Purchasing Program and/or Sourcewell Purchasing Program.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:
- SECTION 1: That the City Manager is hereby authorized, upon approval of the Law Director, to enter into an agreement for the purchase of a public address system from Vasu Communications for the new Fire Station in an amount not to exceed \$39,060.07.
- 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 to allow for submission of the order as soon as possible due to supply chain issues and to maintain the construction timeline for the new Fire Station. 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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/9/2025

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. 50-2025** - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase and installation of a video camera system with Vasu Communications for the new Fire Station in an amount not to exceed \$50,894.60. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: The construction of the new fire station requires that a video camera system be purchased and integrated into the new building.

PURPOSE AND EXPLANATION: To install equipment in the new fire station.

IMPLEMENTATION SCHEDULE: Dependent on construction timetable.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The purchase for an amount not to exceed \$50,894.60 is to be posted to the Fire Station Construction Fund #359, account #359-0437-56881.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Due to the construction timeline as well as the current supply chain issues, the purchases

need to be made in a timely manne

**ADDITIONAL
INFORMATION:**

Purchase of new equipment to outfit new fire station

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 50-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE AND INSTALLATION OF A VIDEO CAMERA SYSTEM WITH VASU COMMUNICATIONS FOR THE NEW FIRE STATION IN AN AMOUNT NOT TO EXCEED \$50,894.60.

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

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

WHEREAS: The proposed purchase and installation of the video camera system from Vasu Communications in an amount not to exceed \$50,894.60 is upon equivalent terms, conditions and specifications and at a lower price than through the State Cooperative 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 an agreement for the purchase and installation of a video camera system from Vasu Communications for the new Fire Station in an amount not to exceed \$50,894.60.

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 to allow for submission of the order as soon as possible due to supply chain issues and to maintain the construction timeline for the new Fire Station. 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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/9/2025

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. 51-2025** - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase of radio equipment from Vasu Communications for the new Fire Station in an amount not to exceed \$22,448.03. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: The construction of the new fire station requires that the existing radio equipment in the existing fire station be moved, as well as new and additional equipment be purchased and integrated into the new building.

PURPOSE AND EXPLANATION: To relocate and install new equipment at the fire station.

IMPLEMENTATION SCHEDULE: Dependent on construction timetable.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The purchase for an amount not to exceed \$22,448.03 is to be posted to the Fire Station Construction Fund #359, account #359-0437-56881.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Due to the construction timeline as well as the current supply chain issues, the purchases

need to be made in a timely manner.

**ADDITIONAL
INFORMATION:**

Reutilizing existing equipment plus purchasing new

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 51-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF RADIO EQUIPMENT FROM VASU COMMUNICATIONS FOR THE NEW FIRE STATION IN AN AMOUNT NOT TO EXCEED \$22,448.03.

WHEREAS: The City of Brunswick belongs to the Ohio State Procurement Program under the direction of the Ohio Department of Administrative Services; and

WHEREAS: The State contract under the State Procurement Program has been awarded to Vasu Communications.

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

SECTION 1: That the City Manager is hereby authorized, upon approval of the Law Director, to enter into an agreement for the purchase of radio equipment from Vasu Communications for the new Fire Station in an amount not to exceed \$22,448.03.

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 to allow for submission of the order as soon as possible due to supply chain issues and to maintain the construction timeline for the new Fire Station. 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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/9/2025

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. 52-2025** - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase and installation of a door security system with Vasu Communications for the new Fire Station in an amount not to exceed \$24,855.29. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: The construction of the new fire station requires a new door security system and electronic locks be purchased and integrated into the new building.

PURPOSE AND EXPLANATION: To install new equipment at the fire station.

IMPLEMENTATION SCHEDULE: Dependent on construction timetable.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The purchase for an amount not to exceed \$24,855.29 is to be posted to the Fire Station Construction Fund #359, account #359-0437-56881.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Due to the construction timeline as well as the current supply chain issues, the purchases

need to be made in a timely manner.

**ADDITIONAL
INFORMATION:**

Purchase of new equipment and software plus installation

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 52-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE AND INSTALLATION OF A DOOR SECURITY SYSTEM WITH VASU COMMUNICATIONS FOR THE NEW FIRE STATION IN AN AMOUNT NOT TO EXCEED \$24,855.29.

WHEREAS: The City of Brunswick is a member of the OMNIA Partners, Public Sector, joint purchasing program; and

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

WHEREAS: The proposed purchase and installation of the door security system from Vasu Communications in an amount not to exceed \$24,855.29 is upon equivalent terms, conditions and specifications and at a lower price than through the OMNIA Partners, Public Sector, joint purchasing program.

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

SECTION 1: That the City Manager is hereby authorized, upon approval of the Law Director, to enter into an agreement for the purchase and installation of a door security system from Vasu Communications for the new Fire Station in an amount not to exceed \$24,855.29.

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 to allow for submission of the order as soon as possible due to supply chain issues and to maintain the construction timeline for the new Fire Station. 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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/9/2025

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. 54-2025** - An emergency resolution authorizing the City Manager to enter into an agreement for the purchase of Cisco equipment from TEC Communications for the new Fire Station in an amount not to exceed \$39,960.00. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: The construction of the new fire station requires that the switching and phones be moved, as well as new and additional equipment be purchased and integrated into the new building.

PURPOSE AND EXPLANATION: To relocate and install new equipment at the fire station.

IMPLEMENTATION SCHEDULE: Dependent on construction timetable.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The purchase for an amount not to exceed \$39,960.00 is to be posted to the Fire Station Construction Fund #359, account #359-0437-56881.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Due to the construction timeline as well as the current supply chain issues, the purchases

need to be made in a timely manner.

**ADDITIONAL
INFORMATION:**

Reutilizing existing equipment plus purchasing new

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 54-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF CISCO EQUIPMENT FROM TEC COMMUNICATIONS FOR THE NEW FIRE STATION IN AN AMOUNT NOT TO EXCEED \$39,960.00.

WHEREAS: The City of Brunswick belongs to the Ohio State Procurement Program under the direction of the Ohio Department of Administrative Services; and

WHEREAS: The State contract under the State Procurement Program has been awarded to TEC Communications.

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

SECTION 1: That the City Manager is hereby authorized, upon approval of the Law Director, to enter into an agreement for the purchase of Cisco equipment from TEC Communications for the new Fire Station in an amount not to exceed \$39,960.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to allow for submission of the order as soon as possible due to supply chain issues and to maintain the construction timeline for the new Fire Station. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 6/9/2025

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. 55-2025** - An emergency resolution authorizing the City Manager to enter into an agreement with SCW for the purchase of a one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,905.00. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

BACKGROUND: The city utilize Microsoft O365 for mail and cloud services.

PURPOSE AND EXPLANATION: Maintain city email and cloud services

IMPLEMENTATION SCHEDULE: Upon passage

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The purchase for an amount not to exceed \$25,905.00 is to be posted to the Fire Station Construction Fund #359, account #359-0437-56881.

RECOMMENDED ACTION:

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

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

For the continuation of city email and cloud services, the services come due and are quoted 30 days before expiration.

ADDITIONAL

INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 55-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SCW FOR THE PURCHASE OF A ONE (1) YEAR MICROSOFT OFFICE 365 G1 SUBSCRIPTION IN AN AMOUNT NOT TO EXCEED \$25,905.00.

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

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

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

WHEREAS: The proposed purchase of the one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,905.00 is upon equivalent terms, conditions and specifications and at a lower price than through the State Cooperative Purchasing Program and Sourcewell 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 an Agreement with SCW for the purchase of a one (1) year Microsoft Office 365 G1 subscription in an amount not to exceed \$25,905.00.

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

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)844-2380 FAX(614)844-3186

TO

4518386		TRFO		CMC BUSINESS VENTURES LLC DBA SECRET AT CENTER 3511 CENTER RD UNIT D BRUNSWICK OH 44212
PERMIT NUMBER		TYPE		
10	01	2024		
ISSUE DATE				
05	02	2025		
FILING DATE				
D1		D2		
PERMIT CLASSES				
52	022	C	F33430	
TAX DISTRICT			RECEIPT NO.	

FROM 05/23/2025

8794011				TANGLED VINE LLC & PATIOS 3511 CENTER RD UNIT D BRUNSWICK OH 44212
PERMIT NUMBER		TYPE		
10	01	2024		
ISSUE DATE				
05	02	2025		
FILING DATE				
D1		D2		
PERMIT CLASSES				
52	022			
TAX DISTRICT			RECEIPT NO.	



MAILED 05/23/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/23/2025

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 TRFO 4518386

(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

**NOTICE TO LEGISLATIVE
AUTHORITY**

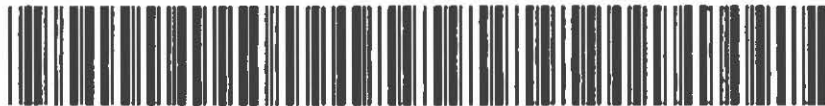
OHIO DIVISION OF LIQUOR CONTROL
8808 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)844-2360 FAX(614)844-3186

TO

4518386		NEW		CMC BUSINESS VENTURES LLC DBA SECRET AT CENTER 3511 CENTER RD UNIT D BRUNSWICK OH 44212
PERMIT NUMBER		TYPE		
ISSUE DATE				
05 02 2025				
FILING DATE				
D3				
PERMIT CLASSES				
52	022	C	E54687	
TAX DISTRICT		RECEIPT NO.		

FROM **05/23/2025**

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



MAILED **05/23/2025**

RESPONSES MUST BE POSTMARKED NO LATER THAN.

06/23/2025

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 4518386**

(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**