



BRUNSWICK CITY COUNCIL AGENDA

Brandon Lambert Ward 3	Kristy Piper At-Large	Tim Smith At-Large	Dennis Nevar Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Laura Timura Clerk of Council	Nicholas Hanek Ward 2	Michael Abella Jr. Ward 1	Joseph Delsanter At-Large	Keith Kuczma Ward 4
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JULY 14, 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 June 23, 2025
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending June 2025 will be posted on the website and added to the minutes for the record.
 - (b) Certificate of Appreciation recognizing Daniel Weber as a good neighbor
 - (c) Proclamation in recognition of Thomas Keppler Jr.'s Emerging Leader Award
 - (d) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Lambert

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

Services, Utilities, Technology & Cable Committee Minutes dated June 23, 2025

Finance Committee.....Mr. Hanek

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

Safety & Environment Committee Minutes dated June 23, 2025

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

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

Parks, Recreation & Community Committee Minutes dated June 23, 2025

Building & Building Code Committee.....Mr. Abella
8. Other Committees, Boards and Commissions

- (a) Committee-of-the-Whole Minutes dated June 23, 2025
9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

ORD. NO. 41-2025 - An emergency ordinance establishing Section 432.49 of the City of Brunswick Codified Ordinances titled "Prohibited Operation". - **3rd Reading** (Safety & Environment Committee, *Administration/Robert Safran*)

b. 2nd Reading(s)

c. 1st Reading(s)

RES. NO. 53-2025 - An emergency resolution authorizing the City Manager to enter into a sixty (60) month agreement with Charter Communications Operating, LLC to provide dark fiber INET services in an annual amount not to exceed \$43,200.00 plus any applicable State and/or Federal regulatory fees. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

ORD. NO. 62-2025 - An ordinance rezoning the 5.1207± acre parcel of real property located at 2736 Center Road/1423 W. 130th Street and presently identified as PPN 017-03Z-01-001 from the R-R Rural Residential District to the GW-C Gateway Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

RES. NO. 63-2025 - An emergency resolution authorizing the City Manager to enroll as a member with the Houston-Galveston Area Council to participate in its Cooperative Purchasing Program. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 64-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with Bryx for the purchase of an alerting system for the new Fire Station in an amount not to exceed \$35,100.00. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Rob Marok*)

ORD. NO. 65-2025 - An emergency ordinance authorizing the City Manager to forward a petition to conform boundaries to the Medina County Commissioner's Office for the purpose of adjusting the City boundary lines to include an annexation into the City of Brunswick of PPN 017-03Z-01-001. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

ORD. NO. 66-2025 - An emergency ordinance amending ordinances #104-2024, #8-2025 and #29-2025 to include amendments to the Appropriation Budget for the year

ending December 31, 2025, as incorporated in Exhibit “A” attached hereto. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 67-2025 - An emergency ordinance to transfer and advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 68-2025 - An emergency resolution authorizing the City Manager to enter into all necessary documents to acquire real property for municipal purposes in an amount not to exceed \$212,500.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

RES. NO. 69-2025 - An emergency resolution authorizing the City Manager to enter into all necessary documents to acquire real property for municipal purposes in an amount not to exceed \$387,500.00 - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, June 23, 2025

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

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

Correspondence Mrs. Timura read an email from Ray Hemeyer (4120 Canterbury Drive) in opposition to changes to the current noise ordinance.

Approval of Regular Council Meeting Minutes

Regular Council Meeting Minutes dated June 9, 2025:

Nicholas Hanek moved to approve the Regular Council Meeting Minutes dated June 9, 2025, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

Mayor's Report:

Proclamation in honor of Rito's Bakery:

Mayor Falconi presented a proclamation recognizing Rito's Bakery for serving the City of Brunswick for almost 24 years. They were wished fulfillment in retirement. Joseph Delsanter acknowledged that he was a patron of Rito's Bakery and was thankful for their contribution to the Brunswick Community.

Motion to reappoint Anthony Henderson to the Financial Audit, Review & Advisory Committee:

Joseph Delsanter moved to reappoint Anthony Henderston to the Financial Audit, Review & Advisory Committee, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

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

Council Committee Reports:

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

Economic Development Committee Minutes dated June 9, 2025:

Brandon Lambert moved to approve the Economic Development Committee Minutes dated June 9, 2025, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

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

Services, Utilities, Technology & Cable Committee Minutes dated June 9, 2025:

Michael Abella Jr. moved to approve the Services, Utilities, Technology & Cable Committee Minutes dated June 9, 2025, as written, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

Finance Committee.....Mr. Hanek:

Mr. Hanek had no formal reports this evening.

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

Safety & Environment Committee Minutes dated June 9, 2025:

Keith Kuczma moved to approve the Safety & Environment Committee Minutes dated June 9, 2025, as written, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

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

Mr. Delsanter had no formal reports this evening.

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

Mrs. Piper had no formal reports this evening.

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

Mr. Abella had no formal reports this evening.

Other Committees, Boards and Commissions

Committee-of-the-Whole Minutes dated June 9, 2025:

Nicholas Hanek moved to approve the Committee-of-the-Whole Minutes dated June 9, 2025, as written, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

Petitions from the Public on Legislation There were none.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

2nd Reading(s)

1st Reading(s)

ORD. NO. 56-2025 - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Laura Timura*):

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

Nicholas Hanek moved to adopt Ordinance Number 56-2025, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES NO. 57-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with Insight Pipe Contracting, LLC for the 2025 Storm Sewer Slip Lining Program in an amount not to exceed \$149,836.00. - **1st Reading** (To brought from Services, Utilities, Technology & Cable Committee, *Administration/Jenny Zoldak*):

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

Michael Abella Jr moved to adopt Resolution Number 57-2025, seconded by Keith Kuczma. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 58-2025 - An emergency resolution opposing House Bill 335. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*):

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

Nicholas Hanek moved to adopt Resolution Number 58-2025, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 59-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with Martin Public Seating for the purchase of furnishings for the new Fire Station in an amount not to exceed \$108,432.30. - **1st Reading** (To brought from Safety & Environment Committee, *Administration/Greg Glauner*):

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

Keith Kuczma moved to adopt Resolution Number 59-2025, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 60-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with MES for the purchase of a Rescue Intellitech SCBA Washer for the new Fire Station in an amount not to exceed \$34,800.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*):

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

Keith Kuczma moved to adopt Resolution Number 60-2025, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 61-2025 - An emergency resolution authorizing the City Manager and Finance Director to enter into a Change Order modifying Guaranteed Maximum Price Amendment No. 2 with RFC Contracting, LLC in order to increase the cost escalation contingency from \$50,000.00 to \$200,000.00 related to the new Fire Station Headquarters. - **1st Reading** (To be brought from Safety & Environment Committee, Administration/Greg Glauner):

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

Keith Kuczma moved to adopt Resolution Number 61-2025, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

City Manager's Report Mr. DeForest reminded the only legal fireworks in the City would occur on July 3 at approximately 10 p.m. behind the high school. The rain date would be July 6. He shared that residents could contact the Division of Police at the non-emergency number, 330-225-9111, to report any illegal discharging of fireworks. The holiday parade will be Sunday, July 6, at 2 p.m. at Brunswick Middle School. He remarked that candy should be handed out versus thrown. The City Hall and Recreation Center will be closed on July 4th in observance of Independence Day. Trash and recycling will be delayed and picked up on Saturday, July 5. Citywide cleanup will occur on Saturday, July 12, from 8 a.m. to 12 p.m. Dumpsters will be available at the Service Garage on 130th Street, the Recreation Center on Rt. 303, and behind Station #1 on Rt. 303.

Open Forum Joe Destro (4566 Baywood Drive) announced that he was in attendance as the President of the Medina County Veteran's Memorial Fund. He divulged that Ed Zachary was also in attendance as a key Board Member. He declared that on August 15-17 a Colors of Honor event would be held. The event will be held in front of the Tri-C Building. The goal would be to put up between 100-150 American flags to honor Medina County veterans as well as those who served in the Police and Fire Departments. The fund was established in 2015 to help veterans that the Veteran's Service Office could not assist. The county Veteran's Service Office assists with paying bills and mortgages. However, services such as vehicle repairs, chair lifts, and spouse medical assistance were not covered by the Veteran's Service Office. These services could be provided for by the Veteran's Memorial Fund. Monies are raised through fundraisers to offer assistance.

Ed Zachary (Medina) noted that in addition to the flags, there would be community events. A flyer was presented with information pertaining to the events. Their hope was to raise \$10,000.

Unfinished Business There was none.

New Business There was none.

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

There being no further business, the meeting adjourned at 7:25 p.m.

Respectfully submitted,



Laura Timura, CMC
Clerk of Council

Mayor Ron Falconi

Adopted

July 1, 2025

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

WAIVERS/COURT/BONDS

DEPOSITS (June) 31,001.11

DEBITS (June) (31,566.11)

Checks to be written in June:

Treasurer State of Ohio	\$ 5,073.50
City of Medina MIATF	\$ 75.00
City of Medina IDATF	\$ 115.50
City of Brunswick Finance Dept/Police Fund *	\$23,274.61
Misc.Checks (bond refunds & transfers/restitution)	<u>\$ 3,027.50</u>
TOTAL for the month	\$31,566.11

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

Service Charges/Fees for prior month	\$437.41
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MAYOR RONALD FALCONI



TERESA BENO, CLERK OF COURTS

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE
JUNE 23, 2025

IN ATTENDANCE: Committee Member Kristy Piper, Committee Member Michael Abella Jr., Nicholas Hanek, Keith Kuczma, Joseph Delsanter, Brandon Lambert, Fire Chief Greg Glauner, Assistant Fire Chief Brian Cyphert, Consulting Engineer Jenny Zoldak, Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:11 p.m.

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

DISCUSSION ITEMS:

- (a) RES NO. 57-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with Insight Pipe Contracting, LLC for the 2025 Storm Sewer Slip Lining Program in an amount not to exceed \$149,836.00. - 1st Reading (To brought from Services, Utilities, Technology & Cable Committee, Administration/Jenny Zoldak)

Ms. Zoldak read Resolution Number 57-2025 into the record.

Mrs. Piper moved Resolution Number 57-2025 to tonight's Council Agenda of June 23, 2025 as an emergency with suspension of the rules. Vote – 2 Ayes, 0 Nays

GENERAL DISCUSSION:

Mr. Kuczma asked if the fiber installation was complete.

Mrs. Zoldak responded no.

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn at 6:12 p.m. Vote – 2 Ayes, 0 Nays

Submitted Respectfully,



Tim Smith
Chairman

Safety & Environment Committee
June 23, 2025

IN ATTENDANCE: Chairman Keith Kuczma, Committee Member Joseph Delsanter, Committee Member Kristy Piper, Brandon Lambert, Nicholas Hanek, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Police Chief Robert Safran, Fire Chief Greg Glauner, Assistant Fire Chief Brian Cyphert, Parks and Recreation Director Taylor Petkovsek, Consulting Engineer Jenny Zoldak, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:00 p.m.

DISCUSSION ITEMS:

(a) Ordinance No. 41-2025 - Prohibited Operation

Mr. Kuczma reported that Ordinance No. 41-2025 has been updated to allow low speed vehicles as long as they meet certain guidelines including avoiding major roads and only permitted on roads with speed limits under 25mph.

Chief Safran respectfully reiterated his opinion from the previous meeting that allowing golf carts would be problematic due to the number of traffic incidents including 700 accidents per year in the city. He is not in favor of allowing golf carts.

Mr. Delsanter stated he respects the oversight and commitment of the administration and council regarding safety. But based upon the requirements these vehicles must meet to be legally on the road, very few of these vehicles currently exist in the city, specifically three. He also believes it is unlikely people will drive into the city on these vehicles from other communities.

Mr. Delsanter stated that he believes no legislation will fully protect Class 5 vehicle drivers.

Mr. Delsanter cited an example of ATV drivers on his street. He does not feel that law enforcement could have addressed the ATVs before the drivers left the scene. Mr. Delsanter also cited a recent motorcycle accident that in his view could not have been prevented by legislation. Mr. Delsanter does not consider golf carts are any more dangerous than other vehicles, such as ATVs or motorcycles.

Mr. Delsanter suggested that law enforcement cite those operating golf carts outside of the law and commented that golf cart drivers have committed to follow the rules.

Mrs. Piper advised she looked over the complaints and believes they were not related to street legal vehicles but different neighborhood issues that could be addressed in a different manner.

Mr. Delsanter moved Ordinance No. 41-2025 as amended by the committee to the Council Agenda of July 14, 2025 for 3rd reading. Vote – 3 Ayes, 0 Nays

- (b) RES. NO. 59-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with Martin Public Seating for the purchase of furnishings for the new Fire Station in an amount not to exceed \$108,432.30.
- 1st Reading (To brought from Safety & Environment Committee, Administration/Greg Glauner)
- (c) RES. NO. 60-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with MES for the purchase of a Rescue Intellitech SCBA Washer for the new Fire Station in an amount not to exceed \$34,800.00. -
1st Reading (To be brought from Safety & Environment Committee, Administration/Greg Glauner)

Mr. Kuczma asked if the next 2 resolutions could be discussed together. Mr. Nevar responded that 59-2025 and 60-2025 could be discussed together.

Chief Glauner stated that Resolution Number 59-2025 was for the purchase of furnishings from Martin Public Seating for the new fire station. This purchase does not require a bid due to Sourcewell pricing. It includes all furnishings except the kitchen table, beds and recliners. The kitchen table is being built by Chief Glauner from a felled tree sourced from the property. The beds and recliners are hopefully coming from Cleveland Furniture, a local vendor and hopefully one with the best price.

Resolution Number 60-2025 is to purchase from MES a decontamination device for self-contained breathing apparatus as well as helmets, boots and gloves to decrease the risk of cancer. Chief Glauner confirmed these purchases are coming from the new Fire Station Fund.

Mrs. Piper moved Resolution Numbers 59-2025 and 60-2025 to tonight's Council Agenda of June 23, 2025 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

- (d) RES. NO. 61-2025 - An emergency resolution authorizing the City Manager and Finance Director to enter into a Change Order modifying Guaranteed Maximum Price Amendment No. 2 with RFC Contracting, LLC in order to increase the cost escalation contingency from \$50,000.00 to \$200,000.00 related to the new Fire Station Headquarters. - 1st Reading (To be brought from Safety & Environment Committee, Administration/Greg Glauner)

Chief Glauner stated this amount should get the project to completion and that the previously approved contingency funds have been nearly depleted. One of the breathing air compressors was going to come from Pro Air Midwest. However, Sourcewell pricing is not available for the air compressor. RFC will be assisting with this purchase in the amount of approximately \$62,000.

Mr. Delsanter moved Resolution Number 61-2025 to tonight's Council Agenda of June 23, 2025 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

No discussion.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:10. 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 a long horizontal stroke extending to the right.

Keith Kuczma
Chairman

Parks, Recreation & Community Committee
June 23, 2025

IN ATTENDANCE: Chairwoman Kristy Piper, Committee Member Keith Kuczma, Joseph Delsanter, Brandon Lambert, Nicholas Hanek, Michael Abella Jr., Parks and Recreation Director Taylor Petkovsek, Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:12 p.m.

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

DISCUSSION:

(a) Freedom Celebration Events

Mrs. Petkovsek noted this year's concert and fireworks will be held on July 3 at Recreation Center. The concert will be 6-9 p.m. with fireworks following at approximately 10 p.m. in the same location as previous years despite the construction. Bon Appetit is the approved ice cream vendor for the concert.

Mrs. Petkovsek also noted on Sunday, July 6, at 2 p.m., the city will be participating in the second parade of the season. Brunswick resident and business owner, Sheila Watson, is spearheading the parade for the 2nd year and she expects approximately the same number of participants as last year. The parade should last 1 hour and take the same route as last year starting at the Middle School, down Manhattan then east on 303 finally exiting onto Boyer by the Recreation Center and the library. She is finalizing if the former exit from Willetts onto Hancock will be open because of construction. Parade participants will need to know where to go after the parade.

Mrs. Petkovsek concluded that the rain date for the concert and parade is also July 6. The band and creamery have already agreed to this rain date.

GENERAL DISCUSSION:

Mrs. Petkovsek reported that the consultants for the Master Plan suggested a Friends of Brunswick Parks group be started. This group currently has 3 members, Mrs. Petkovsek, the City Manager, Mr. Deforest, and Mr. Keppler from BAT TV. They cannot be directors or officers as they are employed by the City.

Mrs. Petkovsek continued that the current members have taken the development of the group as far as they can. The group has obtained its 501c3 and has a code of regulations in place which includes the number of directors and officers are required for the group. They are seeking 3-5 directors. The qualifications to be a director include Medina County residency, preferably past experience working with City of Brunswick and 501c3s, as well as parks and recreation experience.

Mrs. Petkovsek expounded directors can function as officers which include president, vice president, secretary and treasurer. The newly formed group still needs an EIN and a bank account that would need to be established by the president and treasurer of the group.

Mrs. Petkovsek revealed that an article was placed in the paper and a newsletter has been posted to promote interest in the group. She asked that any interested parties be directed to her.

Mrs. Petkovsek added that while there has been interest from 2 qualified candidates for director, most interest is from residents willing to help once the group is fully formed with directors and officers.

Mr. Delsanter asked if the group has a governing or advisory role for the park system.

Mrs. Petkovsek replied that the group would work in collaboration with the Parks and Recreation Department.

Mr. Hanek added that the group is a separate legal nonprofit. The directors and officers would have fiduciary responsibilities toward the group. He cited the example of the Friends of Medina Parks group building of the pier at Brunswick Lake based upon donations they received. The 501c3 can accelerate efforts of the City to enhance something already existing. The group is seeking people able to carry the ball for a new 501c3 forward.

Mrs. Petkovsek continued that the current code of regulations sets director terms at 3 years. The goal is to work together with the City. The 501c3 would allow for fundraising or volunteering that could be difficult for the City to manage.

Mr. Delsanter confirmed interested people do not go through Council or the City Manager.

Mrs. Petkovsek reiterated that she has 2 people with director qualifications who are interested but is looking to spur additional interest.

Mr. Delsanter suggested contacting the director of Tri-C Brunswick to see if they have anyone qualified to serve. She is looking for ways to broaden the impact of Tri-C in Brunswick.

Mr. Lambert stated that he hopes Council does a better job of oversight than of previous 501c3s.

Mr. Nevar reminded that the Council has no oversight of this 501c3 group.

Mr. Lambert reiterated concerns about previous 501c3s that did not live up to their stated obligations.

Mr. Hanek added that Council would have an advisory role over the group, for example determining whether an initiative is a good idea. The purpose of the group would be to help the City do cool things in the parks. He cited the example of when the city did not accept funds for the reading trail because of potential issues maintaining the trail.

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn at 6:22 p.m. Vote – 2 Ayes, 0 Nays

Submitted respectfully,

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

June 23, 2025

IN ATTENDANCE: Vice Mayor/President Nicholas Hanek, Pro Tem Joseph Delsanter, Keith Kuczma, Kristy Piper, Brandon Lambert, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Clerk of Council Laura Timura, News Media.

The meeting convened at 6:22 p.m.

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

DISCUSSION ITEMS:

No discussion items.

MOTION ITEMS:

- (a) A motion to allow the Administration to go out to bid for office supplies.

Mr. DeForest would like to seek bids for office supplies for 2026. The current contract with WB Mason expires in 2025. In 2023, the City spent \$32,000 and in 2024 spent \$35,000. Any expense over \$25,000 must go out for bid. Mr. DeForest estimates returning in September for approval of the best bid.

Mr. Lambert moved to allow the Administration to seek bids for office supplies. Vote – 6 Ayes, 0 Nays

REVIEW LEGISLATION:

- (a) ORD. NO. 56-2025 - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - 1st Reading (To be brought from Committee-of-the-Whole, Administration/Laura Timura)

Mrs. Timura confirmed that these are routine semiannual updates.

Mr. Delsanter moved Ordinance Number 56-2025 to tonight's Council Agenda of June 23, 2025 as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays

- (b) RES. NO. 58-2025 - An emergency resolution opposing House Bill 335. - 1st Reading (To be brought from Committee-of-the-Whole, Council/Nicholas Hanek)

Mr. Hanek explained this bill would eliminate inside millage, the amount of property tax automatically collected without a vote, which provides a steady and reliable source of income to municipalities and schools.

Mr. Hanek reports that this bill would take \$3,000,000 from the City's budget.

Mr. Hanek continued that all municipalities and school districts in Ohio have strongly opposed this measure.

Mr. Hanek concluded that his bill would negatively affect bond ratings because bond collateral includes the guaranteed income from inside millage. Without the guaranteed income, the bond ratings will be lowered. Lower bond ratings make it more expensive to borrow money for economic development.

Mr. Nevar added that this bill would put several things in immediate default such as general obligation bonds and would negatively affect the ability to get funding for future projects.

Mr. Delsanter stated that property taxes remain in place regardless of circumstances as opposed to income tax that stops when employment stops. He believes this bill was written recklessly.

Mr. Hanek added that while the bill allows for implementation of a sales tax, that sales tax would likely not cover the gap, especially for the schools.

Mr. Delsanter posited that rural areas in particular would suffer due to lack of opportunities to obtain sales tax. He continued that the State Assembly needs to go back to the drawing board.

Mr. Nevar added that while the General Assembly attempted to address the shortfall, they did not take into account the items that will immediately go into default and the time it would take to pass and implement other forms of income like sales tax.

Mr. Delsanter moved 58-2025 to tonight's Council Agenda of June 23, 2025 as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays

GENERAL DISCUSSION:

Mr. Delsanter revealed he has been receiving calls about unlicensed solicitors, particularly pest control.

Mr. DeForest responded that If solicitors do not have a permit, they are fined \$500 apiece and precluded from obtaining a soliciting permit for one year. Mr. DeForest mentioned Aptiv Pest Control specifically, who threatened to sue the City because they could not solicit.

Mr. DeForest added that solicitors should have the paper copy of their permit on hand; a copy on the phone is not sufficient. They also cannot solicit if the resident has a no soliciting sign.

Mr. DeForest continued that the City website has a list of companies with soliciting permits.

Mr. Lambert suggested banning all for profit soliciting.

Mr. Hanek stated that Brunswick already has relatively tight rules regarding solicitors.

Mr. Nevar indicated that it could be difficult to implement due to litigation from companies wanting to solicit, but he would look into banning for profit solicitors.

EXECUTIVE SESSION:

Mr. Delsanter moved to go into Executive Session to discuss the sale, purchase or lease of public property, seconded by Mr. Kuzcma. Ayes – 6, Nays – 0

Roll Call - Ayes – 6, Mr. Hanek, Mr. Lambert, Mr. Kuczma, Mr. Delsanter, Mrs. Piper, Mr. Abella. Nays – 0

Mr. Lambert moved to adjourn Executive Session. Ayes – 6, Nays – 0

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn Committee of the Whole at 6:57 p.m. Vote – 6 Ayes, 0 Nays

Submitted Respectfully,

Deborah Mullen
Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 7/14/2025

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. 41-2025** - An emergency ordinance establishing Section 432.49 of the City of Brunswick Codified Ordinances titled "Prohibited Operation". - **3rd Reading** (Safety & Environment Committee, *Administration/Robert Safran*)

BACKGROUND: This ordinance is in response to requests to drive "certified" golf carts on City streets. It would clearly identify prohibited vehicles and provide for the enforcement of violations.

PURPOSE AND EXPLANATION: This ordinance would establish the prohibited operation of a low-speed, under-speed, utility vehicle or mini-truck on any street or highway within the City.

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

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to immediately provide for the prohibitions contained

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 41-2025

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

AN EMERGENCY ORDINANCE ESTABLISHING SECTION 432.49 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES TITLED “PROHIBITED OPERATION”.

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

SECTION 1: That Section 432.49 of the Codified Ordinances is hereby established to read as follows:

“432.49 PROHIBITED OPERATION.

- (A) No person shall operate an under-speed, utility vehicle or mini-truck, all as defined in Ohio Revised Code Section 4501.01 as same may be amended from time to time, upon any street or highway within the City.
- (B) No person shall operate a low-speed vehicle, as defined in Ohio Revised Code Section 4501.01 as same may be amended from time to time, except as follows:
 - (1) The low-speed vehicle shall comply with all applicable legal requirements, including, without limitation, those provided in Ohio Revised Code Section 4511.215 as same may be amended from time to time.
 - (2) The low-speed vehicle shall be permitted to operate upon any street or highway within the City having an established speed limit of twenty-five miles per hour or less.
 - (3) The low-speed vehicle shall be permitted to cross (but not operate upon) any street or highway within the City having an established speed limit of thirty-five miles per hour or less. Crossings of any street or highway within the City that has more than three lanes (at the point of crossing) shall not be permitted except at an intersection controlled by traffic signalization.
- (C) Whoever violates this section shall be fined no less than fifty nor more than five hundred dollars, and imprisoned not more than thirty days, or both. In addition, if a person is found guilty under this section and was operating said vehicle in a reckless or wanton manner, the court, in addition to all other penalties provided in this section, may impose a class five suspension of the offender's driver's or commercial driver's license or permit of nonresident operating privilege from the range specified in division (A)(5) of Section 4510.02 of the Revised Code. Suspension of a commercial driver's license under this section shall be concurred with any period of suspension

disqualification under Sections 3123.58 or 4506.16 of the Revised Code.
No person whose commercial driver's license is suspended under this section shall be issued a driver's license under Chapter 4507 of the Revised Code during the period of the suspension."

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to immediately provide for the prohibitions contained herein. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 7/14/2025

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. 53-2025** - An emergency resolution authorizing the City Manager to enter into a sixty (60) month agreement with Charter Communications Operating, LLC to provide dark fiber INET services in an annual amount not to exceed \$43,200.00 plus any applicable State and/or Federal regulatory fees. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: This is a replacement of an existing contract that maintains the dark fiber known as the INET at the city buildings. This contract needs to be changed to incorporate the new fire station location. Spectrum is co-owner of the INET fiber and would be the sole source. The other option would be to obtain lit fiber at each location, but the cost would essentially be higher and unavailable to some of the municipal locations.

PURPOSE AND EXPLANATION: This dark fiber provides the city with the ability to maintain firewalls and communication at two locations and have all the other buildings served off of the main city hall server room and for communication and data.

IMPLEMENTATION SCHEDULE: Dependant on construction timetable

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Under this agreement, the fiber would be extended to 8 outside locations. Each outside location's cost is a monthly fee of \$450 + any applicable state/federal fees, which are currently being estimated at \$15 per location. Based on the locations and current use of those locations, the Finance Director has compiled a breakdown of estimated costs by fund & account as noted below:

	Summary of Expenses by Fund/Account
Fund/Account	
001-0880-	5,580.00

54270	
115-0510-	16,740.00
54270	
117-0420-	5,580.00
54270	
123-0460-	5,580.00
54270	
127-0810-	5,580.00
54271	
131-0830-	5,580.00
54270	
Total	44,640.00
Estimated	
Annual Costs	

Please note that the original 2025 budget did not include this budget activity to match this proposed agreement and calculated estimated costs. As a result, a separate piece of legislation to amend the budget to include these appropriated costs would be required. On July 14, 2025, the plan is to present legislation to the Finance Committee and City Council to amend the 2025 budget to include these estimated costs for the first 12 months of the agreement. Each subsequent 12-month period of time would require sufficient Council appropriations to be in place by fund and account to continue the agreement.

Furthermore, any changes in the use or description of each location over the term of the agreement may also necessitate legislative changes in appropriations by fund/account.

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
This is to keep with the construction of the new fire station.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 53-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIXTY (60) MONTH AGREEMENT WITH CHARTER COMMUNICATIONS OPERATING, LLC TO PROVIDE DARK FIBER INET SERVICES IN AN ANNUAL AMOUNT NOT TO EXCEED \$43,200.00 PLUS ANY APPLICABLE STATE AND/OR FEDERAL REGULATORY FEES.

WHEREAS: Charter Communications Operating, LLC is the owner of the dark fiber INET system and is the sole source provider thereof.

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

SECTION 1: That the City Manager is hereby authorized, with the approval of the Law Director, to enter into a sixty (60) month agreement with Charter Communications, LLC, the sole source provider, for the provision of dark fiber INET services to multiple locations in the City in an annual amount not to exceed \$43,200.00 plus any applicable State and/or Federal regulatory fees, subject to annual appropriations by City Council as required by law.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to provide dark fiber INET services to 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: 7/14/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 62-2025** - An ordinance rezoning the 5.1207± acre parcel of real property located at 2736 Center Road/1423 W. 130th Street and presently identified as PPN 017-03Z-01-001 from the R-R Rural Residential District to the GW-C Gateway Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: The Planning Commission held a public hearing on June 19, 2025 and recommended approval to City Council to rezone a 5.1207-acre parcel located at 2736 Center Road/1423 W. 130th Street in the R-R Rural Residential District to the GW-C Gateway Commercial District.

PURPOSE AND EXPLANATION: The annexation of the property located at 2736 Center Road/1423 W. 130th Street in Hinckley Township was accepted by City Council on June 9, 2025, Ordinance No. 45-2025. Pursuant to Section 6.02(c)(6) of the City Charter, City Council approval of the rezoning is required.

IMPLEMENTATION SCHEDULE: First reading on July 14, 2025.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No

Suspension of Rules No

If emergency or suspension of the rules, why the request?
Recommend approval.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 62-2025

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

AN ORDINANCE REZONING THE 5.1207± ACRE PARCEL OF REAL PROPERTY LOCATED AT 2736 CENTER ROAD/1423 W. 130TH STREET AND PRESENTLY IDENTIFIED AS PPN 017-03Z-01-001 FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE GW-C GATEWAY COMMERCIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the 5.1207± acre parcel of real property located at 2736 Center Road/1423 W. 13th Street and further identified as PPN 017-03Z-01-001 (the “Property”) from the R-R Rural Residential District to the GW-C Gateway Commercial District, on June 19, 2025, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On June 19, 2025, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the Property from the R-R Rural Residential District to the GW-C Gateway Commercial District.

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

SECTION 1: That upon application of the property owner, the 5.1207± acre parcel of real property located at 2736 Center Road/1423 W. 13th Street and further identified as PPN 017-03Z-01-001 is hereby rezoned from the R-R Rural Residential District to the GW-C Gateway Commercial District.

SECTION 2: Upon the effective date of this Ordinance, the City Engineer shall cause the Official Zoning Map of the City of Brunswick to be revised to reflect such rezoning.

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

CITY OF BRUNSWICK

MAYOR
RON FALCONI

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

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

June 20, 2025

Tom Lunt
Discount Drug Mart
211 Commerce Drive
Medina, Ohio 44256

RE: Discount Drug Mart rezoning
3739 Center Road, Brunswick Ohio.

Dear Mr. Lunt:

The Brunswick City Planning Commission, at their meeting on June 19, 2025, voted to **recommend approval** to City Council for a map amendment to rezone the subject property, located at 3739 Center Road, Brunswick, to the GW-C Gateway Commercial District.

Pursuant to Section 6.02(c)(6) of the City Charter, three readings of the proposed legislation are required by City Council; the ordinance will become effective thirty (30) days after the third reading. The first reading on the proposed map amendment is scheduled for City Council's meeting on Monday July 14, 2025. Please contact Laura Timura, Clerk of Council, at (330) 558-6845 regarding City Council meeting time.

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

Sincerely,



Jennie Lods,
Planning & Zoning Coordinator

c: City Council
Carl Deforest, City Manager
Dennis Nevar, Law Director
Jenny Zoldak, City Engineer
James Urankar, C.B.O.



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

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

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

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

PASSED: 1st Reading June 9, 2025

RULES SUSPENDED:

AYES 7

NAYS 0

ADOPTED: June 9, 2025

AYES 7

NAYS 0

ATTEST:

Laura Timura

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
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:**

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 and correct copy of the resolution adopted by said Board on 5/9/23

Ryan A. Hollister

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
RESOLUTION 23-0372 (Con't)

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

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

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
RESOLUTION 23-0372 (Con't)

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.

REGULAR MEETING – TUESDAY, MAY 9, 2023
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.

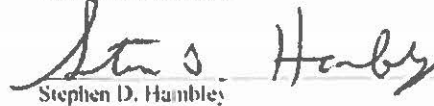
All things taken together, it appears to this Board that any road maintenance problems resulting from the segmentation of W. 130th Street are addressed and resolved by the Maintenance Agreement between the City of Brunswick and the County of Medina, and we further find that there is no maintenance problem 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 PM2:24

 **COPY**

[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

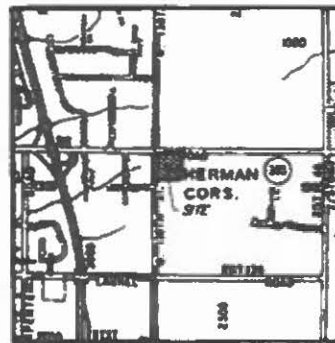
PRINT NAME

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



LOCATION MAP
NOT TO SCALE

TOTAL AREA TO
BE ANNEXED
=5.1207 ACRES

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: _____

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 graphic 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: 01/08/2023

Reg. Ohio Surveyor No. PS-87730



Lewis Land Professionals, Inc.

Civil Engineering & Surveying
8891 Wadsworth Rd., Suite 100 Wadsworth, Ohio 44221

Phone: (330) 333-4232

www.lewislandpros.com

SHEET 1 OF 2

PROJ. No. 22-362 DRAWING NAME 22-362 Annexation

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: Laura Timura
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.

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 7/14/2025

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. 63-2025** - An emergency resolution authorizing the City Manager to enroll as a member with the Houston-Galveston Area Council to participate in its Cooperative Purchasing Program. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: The City found that the Houston-Galveston Area Council had the best bid price on alerting system for the new fire station

PURPOSE AND EXPLANATION: The cooperative program offered the best bid price on fire alerting software and hardware

IMPLEMENTATION SCHEDULE: Install into the new fire station when construction point is available with immediate purchase

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?
To maintain purchasing and fire station construction

ADDITIONAL This is for both hardware and software needed for new fire station construction.

INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 63-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENROLL AS A MEMBER WITH THE HOUSTON-GALVESTON AREA COUNCIL TO PARTICIPATE IN ITS COOPERATIVE PURCHASING PROGRAM.

WHEREAS: The Houston-Galveston Area Council has instituted a cooperative purchasing program that creates and manages joint purchasing programs in accordance with applicable law, which is similar to the Ohio Cooperative Purchasing Program; and

WHEREAS: There are no fees or dues to participate in Houston-Galveston Area Council cooperative purchasing program.

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

SECTION 1: That the City Manager is hereby authorized to execute all necessary documents to enroll as a member with the Houston-Galveston Area Council to participate in its cooperative purchasing program.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to allow for immediate participation in the cooperative purchasing program through the Houston-Galveston Area Council. 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: _____
Laura E. Timura, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 7/14/2025

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. 64-2025** - An emergency resolution authorizing the City Manager to enter into an agreement with Bryx for the purchase of an alerting system for the new Fire Station in an amount not to exceed \$35,100.00. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Rob Marok*)

BACKGROUND: The construction of the Fire station was designed for a redundant alerting system that will alert the fire station as well as the fire personnel and integrate with the dispatch center's software.

Purchase quote through Houston-Galveston Area Council cooperative purchasing program

PURPOSE AND EXPLANATION: The purchase will allow for both in-station and mobile alerting of fire personnel.

IMPLEMENTATION SCHEDULE: When construction allows, but purchasing will be immediately upon passage

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This purchase relates to the construction and equipping of the new fire station and will be charged to the Fire Station Construction Fund #359 account#359-0437-56881.

RECOMMENDED ACTION:

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

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

To allow for this system to be installed as part of the new fire station construction.

**ADDITIONAL
INFORMATION:**

With the timeframe for construction and availability of products.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 64-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BRYX FOR THE PURCHASE OF AN ALERTING SYSTEM FOR THE NEW FIRE STATION IN AN AMOUNT NOT TO EXCEED \$35,100.00.

WHEREAS: The City of Brunswick is a member of the Houston-Galveston Area Council (“HGAC”) cooperative purchasing program as authorized by this Council and Ohio Revised Code Section 9.48; and

WHEREAS: The proposed purchase of the Bryx alerting system for the new Fire Station is through the HGAC cooperative 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 with Bryx for the purchase of an alerting system for the new Fire Station in an amount not to exceed \$35,100.00.

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 to allow for placement of the order at current prices and for timely delivery. 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: 7/14/2025

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. 65-2025** - An emergency ordinance authorizing the City Manager to forward a petition to conform boundaries to the Medina County Commissioner's Office for the purpose of adjusting the City boundary lines to include an annexation into the City of Brunswick of PPN 017-03Z-01-001. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Dennis Nevar*)

BACKGROUND: A Petition for Annexation of certain territory in Hinckley Township was duly filed by a property owner relative to the property formerly identified as PPN 017-03C-01-015 and presently identified as PPN 017-03Z-01-001 (the "Property"). The Board of County Commissioners certified the transcript of this proceeding. The City of Brunswick passed legislation accepting the proposed annexation per Resolution No. 45-2025, adopted on June 9, 2025.

PURPOSE AND EXPLANATION: Authorize the City Manager to forward a petition to conform boundaries to the Medina County Commissioner's Office.

IMPLEMENTATION SCHEDULE: Immediately following first reading.

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?

Immediate passage is necessary to properly adjust the boundaries of the City and Township to reflect the annexation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 65-2025

BY: Committee-of-Whole

AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO FORWARD A PETITION TO CONFORM BOUNDARIES TO THE MEDINA COUNTY COMMISSIONER’S OFFICE FOR THE PURPOSE OF ADJUSTING THE CITY BOUNDARY LINES TO INCLUDE AN ANNEXATION INTO THE CITY OF BRUNSWICK OF PPN 017-03Z-01-001.

WHEREAS: A Petition for Annexation of certain territory in Hinckley Township was duly filed by a property owner relative to the property formerly identified as PPN 017-03C-01-015 and presently identified as PPN 017-03Z-01-001 (the “Property”);

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

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

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

WHEREAS: The City of Brunswick passed legislation accepting the proposed annexation per Resolution No. 45-2025 adopted on June 9, 2025; and

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

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

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

SECTION 2: The annexation to be included in the boundary adjustment is contained in Resolution No. 45-2025. A copy of said Resolution is attached hereto as Exhibit “B”.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or

welfare, and for the additional reason that immediate passage is necessary to properly adjust the boundaries of the City and Township to reflect the annexation. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED:	1st Reading _____		
	Rules Suspended:	AYES _____	NAYS _____
ADOPTED:	_____	AYES _____	NAYS _____
ATTEST:	_____		
	Clerk of Council		
	Laura E. Timura, CMC		

PETITION TO CONFORM BOUNDARIES
Ohio Revised Code Section 503.07

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

1. The undersigned is the City Manager for the City of Brunswick and has been authorized by the Brunswick City Council to forward this Petition to the Board of County Commissioners for the purpose of adjusting the boundary lines of the City of Brunswick and Hinckley Township to reflect an annexation of real property to the City of Brunswick in accordance with Ohio Revised Code Chapters 503 and 709.
- 2) A copy of Ordinance No. ____-2025 authorizing the City Manager to forward this Petition to the Board of County Commissioners is attached hereto as Exhibit “1” and incorporated herein by reference.
- 3) The annexation of the subject property is as detailed in Resolution No. 45-2025, as attached hereto as Exhibit “2” and incorporated herein by reference.
- 4) A copy of a map of the City of Brunswick indicating the annexation and change in boundary lines is attached hereto as Exhibit “3” and incorporated herein by reference.
- 5) Ohio Revised Code Section 503.07 states that:

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

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

Carl S. DeForest, City Manager

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

SWORN TO BEFORE ME and subscribed in my presence this ____ day of July, 2025.

NOTARY PUBLIC

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

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

PASSED: 1st Reading June 9, 2025

RULES SUSPENDED:

AYES 7

NAYS 0

ADOPTED: June 9, 2025

AYES 7

NAYS 0

ATTEST:

Laura Timura

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
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:**

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 and correct copy of the resolution adopted by said Board on 5/9/23

Ryan A. Hollister

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
RESOLUTION 23-0372 (Con't)

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

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

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
RESOLUTION 23-0372 (Con't)

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.

REGULAR MEETING – TUESDAY, MAY 9, 2023
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.

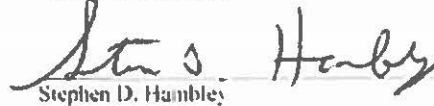
All things taken together, it appears to this Board that any road maintenance problems resulting from the segmentation of W. 130th Street are addressed and resolved by the Maintenance Agreement between the City of Brunswick and the County of Medina, and we further find that there is no maintenance problem 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.

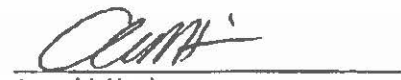
Therefore, this Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that although there is a segmentation of W. 130th street by this annexation, that the City of Brunswick has, through its existing agreement with the County of Medina adequately 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 PM2:24

 **COPY**

[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

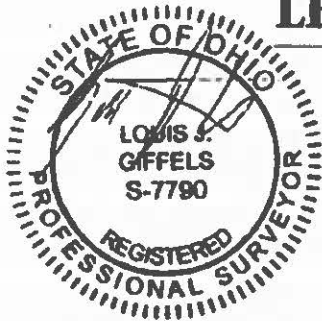
Acceptance of Appointment

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 1.30TH 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



LOCATION MAP
NOT TO SCALE

TOTAL AREA TO
BE ANNEXED
=5.1207 ACRES

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: _____

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 graphic 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-97730



Lewis Land Professionals, Inc.

Civil Engineering & Surveying
8891 Wadsworth Rd., Suite 100 Wadsworth, Ohio 44221

Phone: (330) 333-4232

www.lewislandpros.com

SHEET 1 OF 2

PROJ. No. 22-362 DRAWING NAME 22-362 Annexation

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: Laura Timura
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

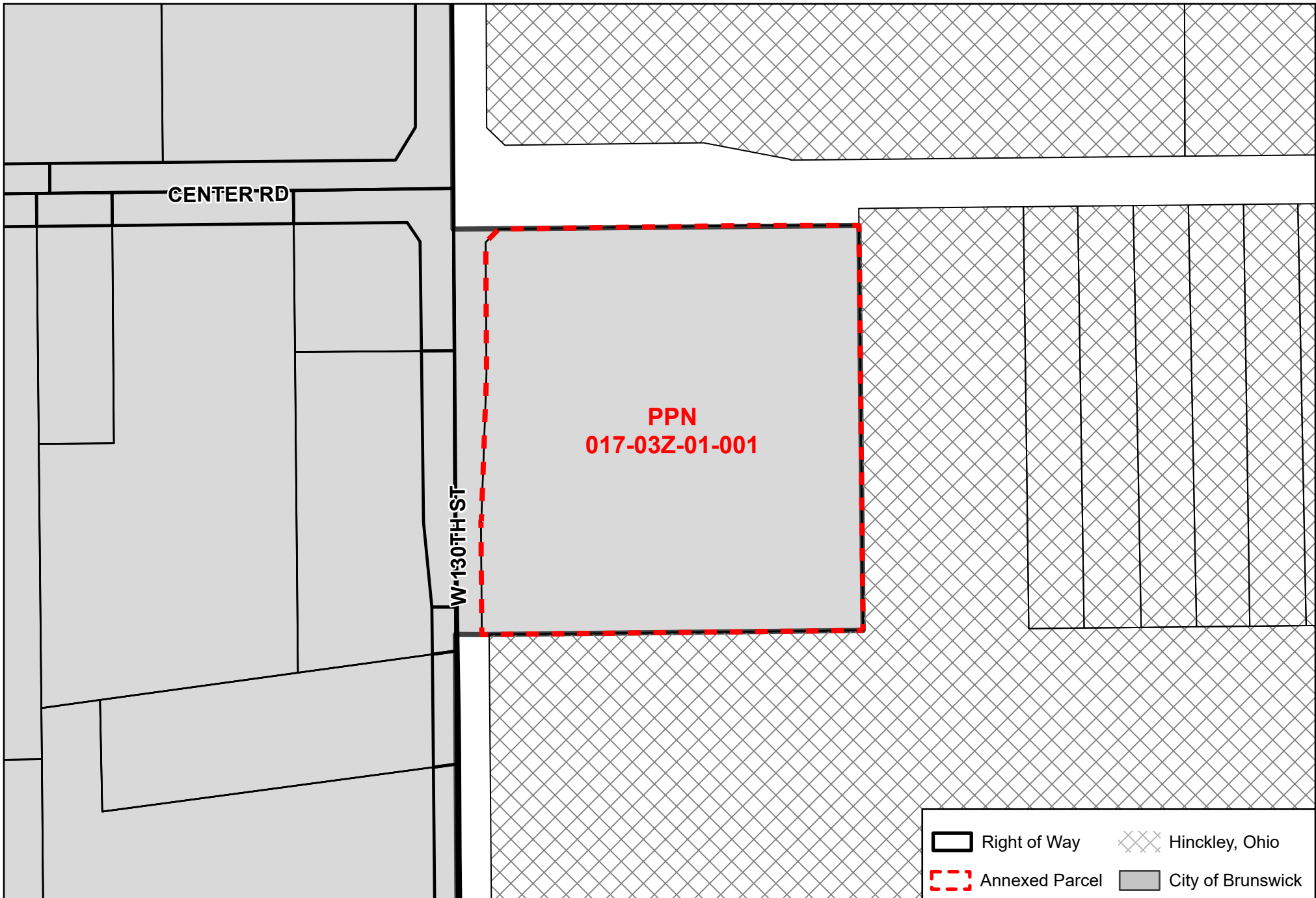
FINANCIAL INFORMATION:

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: 7/14/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 66-2025** - An emergency ordinance amending ordinances #104-2024, #8-2025 and #29-2025 to include amendments to the Appropriation Budget for the year ending December 31, 2025, as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705, any and all activity of the City must be included in the budget. As actual information is obtained and compared to estimates or new items are requested to be added or deleted by the respective departments, it is necessary and required to present the proposed budget amendments to Council for approval. This process is required by law and audited under the direction of the Auditor of State for compliance every year.

PURPOSE AND EXPLANATION: See the fiscal section and related attachments for additional information.

IMPLEMENTATION SCHEDULE: Discuss at the July 14, 2025, Finance Committee meeting and move to the July 14, 2025, Council agenda as an emergency with the suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The total financial impact of this legislation is a net increase to the overall City appropriation budget by \$1,040,861.27. The largest components of the net increase, in no particular order, relate to:

- 1) \$550,000 in total transfers from the General Fund to the Capital Improvement Fund. Transfers are budgeted but are not an expenditure of funds. Transfers are merely a movement of money from one fund to another. These transfers will provide capital funding for future capital improvements and/or purchase of property.
- 2) \$550,000 allotment for future capital improvement or purchase of property from the Capital Improvement Fund #300. The original source of those funds is projected to be from the General Fund transfer as noted above.

3) \$234,666.21 reduction in appropriations for road projects. The Magnolia Drive Phase II project was completed and closed, and the City is amending its budget after certain 2025 road project bids were received and awarded. This combined reduction is, however, reported in two separate funds on Exhibit B (Road Improvement Fund #333 and the OPWC Magnolia Drive Improvement Fund #374).

All other items are not specifically listed in this summary, but are detailed with a description of the amount listed in the attached Exhibit B.

Exhibit A is the legal document required to be reviewed and adopted by Council pursuant to Ohio Revised Code Section 5705 for these budget amendments to be adopted.

Exhibit B is provided for informational and review purposes only.

It's important to note that this legislation only has a budgetary impact and actual expenditures are still subject to state and local laws.

**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?

Recommended approval as an emergency with the suspension of the rules. The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, allowing for the daily operations of the City of Brunswick to continue without interruptions and to keep the budget as up-to-date as possible in order to provide accurate accountability to the City's financial readers and interested parties.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 66-2025

By: Mr. Hanek, Mr. Abella, and Mr. Lambert

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #104-2024, #8-2025 AND #29-2025 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2025 AS INCORPORATED IN EXHIBIT “A” ATTACHED HERETO.

WHEREAS: Ordinance #104-2024 adopted appropriations for 2025; and Ordinances #8-2025 and #29-2025 regarding amendments to the 2025 appropriation budget, were previously adopted by Council; and

WHEREAS: “Exhibit A” reflects the appropriations as required by the Ohio Revised Code Section 5705.38(C); and

WHEREAS: The amendments are described in detail and attached hereto as “Exhibit B” for informational purposes only; and

WHEREAS: In order to properly budget in accordance with State law for expenditures presently anticipated it is necessary to amend Ordinances #104-2024, #8-2025 and #29-2025.

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

SECTION 1: Ordinances #104-2024, #8-2025 and #29-2025 are hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit “A.”

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the usual daily operation of a municipal government and for the additional reason that Council wishes to maintain accurate appropriations. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES ____ NAYS ____

ADOPTED: _____ AYES ____ NAYS ____

ATTEST: _____
Clerk of Council
Laura E. Timura

EXHIBIT A

July 14, 2025

Fund Number		Fund Name / Department	Personal Service	Other	Total
General Fund					
001		General Fund			
		City Council	201,137.00	104,260.00	\$ 305,397.00
		Mayor	113,063.00	119,910.00	\$ 232,973.00
		City Manager	206,437.00	137,919.00	\$ 344,356.00
		Information Technologies	198,768.00	460,306.00	\$ 659,074.00
		Engineering	26,208.00	569,772.00	\$ 595,980.00
		Building Department	412,499.00	312,546.00	\$ 725,045.00
		Cemetery Maintenance	-	25,690.00	\$ 25,690.00
		Janitorial Contract	-	23,087.16	\$ 23,087.16
		City Hall Building & Grounds	6,077.00	91,826.00	\$ 97,903.00
		Administrative Services	99,935.00	63,374.00	\$ 163,309.00
		Economic Development	125,338.00	288,145.00	\$ 413,483.00
		Animal Control	84,268.00	78,421.00	\$ 162,689.00
		Law Department	192,374.00	326,022.00	\$ 518,396.00
		Finance Department	295,747.00	258,346.00	\$ 554,093.00
		Income Tax Department	232,251.00	294,803.00	\$ 527,054.00
		Parks & Recreation Director	90,551.00	72,073.00	\$ 162,624.00
		General Fund Administration	-	1,478,658.52	\$ 1,478,658.52
		Planning Division/Community Development	85,209.50	108,520.14	\$ 193,729.64
		Board of Building Appeals	764.00	1,266.00	\$ 2,030.00
		Board of Zoning Appeals	1,337.00	4,670.00	\$ 6,007.00
		Board of Civil Service	12,281.00	47,185.00	\$ 59,466.00
		Board of Ethics	3,540.00	4,555.00	\$ 8,095.00
		Board of Charter Review	3,600.00	6,956.00	\$ 10,556.00
		Board of Commemorative Affairs	-	37,500.00	\$ 37,500.00
		General Fund Transfers / Advances	-	32,293,678.31	\$ 32,293,678.31
001		Total General Fund	\$ 2,391,384.50	\$ 37,209,489.13	\$ 39,600,873.63
Special Revenue Funds:					
110		Court Computerization Fund	5,933.00	16,109.00	\$ 22,042.00
114		Police Fund	5,275,610.49	5,508,005.70	\$ 10,783,616.19
115		Fire Fund	3,081,046.00	6,129,202.18	\$ 9,210,248.18
117		Street Repair & Maintenance Fund	1,408,038.00	2,822,048.16	\$ 4,230,086.16
118		State Highway Fund	-	144,491.00	\$ 144,491.00
119		Law Enforcement Fund	-	6,200.00	\$ 6,200.00
120		Brunswick Transit Alternative (BTA) Fund	-	45,000.00	\$ 45,000.00
123		Brunswick Area Television (BAT) Fund	169,049.00	237,325.01	\$ 406,374.01
127		Parks Fund	223,520.00	462,218.10	\$ 685,738.10
129		Department of Justice Federal Grant Fund	-	-	\$ -
130		DUI Enforcement & Education Fund	-	10,500.00	\$ 10,500.00
131		Recreation Center Fund	461,093.00	731,997.08	\$ 1,193,090.08
133		Home Improvement Grant Fund (CDBG)	-	5,329.00	\$ 5,329.00
141		Opioid Settlement Fund	-	114,076.53	\$ 114,076.53
Enterprise Funds:					
223		Refuse Fund	78,016.00	3,383,010.20	\$ 3,461,026.20
224		Storm Water Management Fund	37,533.00	1,016,802.73	\$ 1,054,335.73
Capital Improvement Funds:					
300		General Permanent Improvement Fund	-	3,267,038.39	\$ 3,267,038.39
332		Road Levy Fund	-	2,534,200.00	\$ 2,534,200.00
333		Road Improvement Fund	-	7,497,610.71	\$ 7,497,610.71
336		City Building Improvement Fund	-	336,785.00	\$ 336,785.00
337		EPA Grant Fund	-	2,352,800.00	\$ 2,352,800.00
339		Fire Improvement Fund	-	79,618.16	\$ 79,618.16

341	Park Improvement Fund	-	1,200,000.00	\$	1,200,000.00
345	U.S. Army Corp of Engineer's Grant Fund	-	2,255,000.00	\$	2,255,000.00
347	North Carpenter Road Improvement Fund	-	443,083.44	\$	443,083.44
348	Boston Road Improvement Fund	-	-	\$	-
359	Fire Station Construction Fund	-	1,450,722.93	\$	1,450,722.93
360	Brunswick Lake Improvement Fund	-	-	\$	-
371	OPWC Laurel/Maxwell Intersection Improvement Fund	-	1,440,000.00	\$	1,440,000.00
374	OPWC Magnolia Drive Improvement Fund	-	800,967.05	\$	800,967.05
375	OPWC Pepperwood Drive Improvement Fund	-	887,691.22	\$	887,691.22
Self Insurance Fund:					
600	Self Insurance Fund	-	4,179,516.00	\$	4,179,516.00
Debt Service Funds:					
771	General Obligation Bond Retirement Fund	-	-	\$	-
772	General Obligation Fire Station Bond Retirement Fund	-	987,500.00	\$	987,500.00
782	Special Assessment BRF: Laurel Road (2006)	-	33,887.50	\$	33,887.50
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,948.80	\$	18,948.80
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,826.18	\$	11,826.18
Agency Funds:					
881	General Trust Agency Fund	-	750,000.00	\$	750,000.00
882	Unclaimed Money Agency Fund	-	20,000.00	\$	20,000.00
885	Flexible Spending Agency Fund	-	140,000.00	\$	140,000.00
886	Non-Residential 3% Building Permit Agency Fund	-	47,707.00	\$	47,707.00
887	Residential 1% Building Permit Agency Fund	-	10,000.00	\$	10,000.00
Grand Total				\$	101,717,929.19

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #3 - For informational purposes only
For the Budget Year Ending December 31, 2025

7/14/2025

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
General (#001)			
BUILDING REPAIR & MAINTENANCE	001-0450-54243	24,968.00	Air balancing of the ductwork and HVAC System @ City Hall and the Division of Police
UTILITIES & PHONE	001-0880-54270	5,580.00	Fiber agreement estimated costs for a 12 month period of time for sign board location.
COUNTY AUDITOR/ELECTION FEES	001-0880-54278	37,050.72	City election expenses (Fire Station Bond Levy - 05/7/2023) & (Road Levy & Municipal Court share - 11/7/2023) assigned by Medina Cnty Board of Elections.
NO MEDICAL COVERAGE - COMM DEV	001-0900-52225	250.00	Qualifying event to switch from single to family medical insurance employee effective June 1, 2025. Employee eligible for 5/12 of \$600 stipend.
HOSPITALIZATION	001-0900-52275	(8,259.86)	Qualifying event to switch from single insurance to family insurance did not occur until effective date of June 1, 2025 per budget. Amend budget accordingly.
PROFESSIONAL SERVICES	001-0900-54218	12,000.00	Additional costs associated with planning code updates and engineer reviews per Matt Jones's quote & 03/24/2025 email to Grant Aungst.
TRANSFER OUT TO CAPITAL IMPROV FUND #300	001-0999-99947	550,000.00	Transfer Out to Capital Improvement Fund #300 for the purposes of future capital improvements or purchase of property.
General Fund Total		621,588.86	
Police Fund (#114)			
POLICE OVERTIME	114-0520-51198	1,660.49	Amend Budget due to increase in the MCDAC Grant award for the period of July 1, 2025 thru December 31, 2025. Overtime for School Resource Officers.
MEDITAX	114-0520-52226	24.08	Estimated mediatx requirements on school resource officer overtime for MCDAC grant award. Benefit costs are to be locally funded.
POLICE OP&F PENSION	114-0520-52227	527.21	Estimated pension requirements on school resource officer overtime for MCDAC grant award. Benefit costs are to be locally funded.
WORKER'S COMP	114-0520-52274	45.66	Estimated workers comp requirements on school resource officer overtime for MCDAC grant award. Benefit costs are to be locally funded.
REPAIR & MAINTENANCE	114-0520-54243	5,250.00	Installation of various regulators on HVAC rooftop units & various equipment as a result of larger generator size/gas line in the Division of Police.
POLICE CAPITAL	961-0520-56252	9,000.00	2 radios for 2 new patrol officers.
POLICE CAPITAL	961-0520-56252	48,167.01	New Ford Explorer Vehicle to replace the totaled Police Cruiser on I-71. Amount requested is less the \$16,437 expected to be reimbursed from insurance.
CAPITAL OUTLAY-DONATIONS EAGLES	961-0520-56253	1,750.00	Budget \$1,750 receipts & appropriations for donation received from Church of Saint Collette's to be used for capital items for Division of Police.
Police Fund Total		66,424.45	
Fire Fund (#115/952)			
RESCUE COLLECTION FEES	115-0510-54260	4,335.86	Increase rescue collection expenses per revised \$995,000 annual revenue estimate and the City's contract with Medcount to provide billing services.
UTILITIES & PHONE	115-0510-54270	26,740.00	Fiber agreement estimated costs for a 12 month period of time for Fire Station #1, Fire Station #2 & Centralized Fire Station locations + \$10K max capital.
INSURANCE	115-0510-54272	3,200.00	Estimated Costs for Builder's risk insurance coverage for ongoing Fire Station Construction Project 7/29/2025-10/20/2025 (estimated completion date).
CAPITAL OUTLAY-DONATIONS	952-0510-56253	1,750.00	Budget \$1,750 receipts & appropriations for donation received from Church of Saint Collette's to be used for capital items for Division of Fire.
Fire Fund Total		36,025.86	
Street R & M Fund (#117)			
UTILITIES & PHONE	117-0420-54270	5,580.00	Fiber agreement estimated costs for a 12 month period of time for service garage location.
Street R & M Fund Total		5,580.00	
Cable TV Fund (#123/#956)			
UTILITIES & PHONE	123-0460-54270	5,580.00	Fiber agreement estimated costs for a 12 month period of time for Cable Office location.
Cable TV Fund Total		5,580.00	
Parks Fund (#127/960)			
UTILITIES - NATURE CENTER	127-0810-54271	5,580.00	Fiber agreement estimated costs for a 12 month period of time for Nature Center location.
CAPITAL OUTLAY	960-0810-56252	(11,583.79)	Parks garage renovations were done in-house versus a contractor. Parks & Rec Director's 03/17/2025 email to Jeanne to liquidate PO#202357752.
Parks Fund Total		(6,003.79)	
Rec. Center Fund (#131)			
REC CENTER INSTRUCTORS PT	131-0830-51191	3,300.00	To include estimated costs and updated receipts for a private swimming lesson program in Sept-Nov 2025 not included in original budget plan.
REC. PERS	131-0830-52223	462.00	To include estimated costs and updated receipts for a private swimming lesson program in Sept-Nov 2025 not included in original budget plan.
MEDITAX	131-0830-52226	48.00	To include estimated costs and updated receipts for a private swimming lesson program in Sept-Nov 2025 not included in original budget plan.
WORKER'S COMP	131-0830-52274	91.00	To include estimated costs and updated receipts for a private swimming lesson program in Sept-Nov 2025 not included in original budget plan.
REPAIR AND MAINTENANCE	131-0830-54243	8,000.00	Increase repair & maintenance budget allotment by approx 10% from original budget to establish contingency for unexpected items.
UTILITIES & PHONE	131-0830-54270	5,580.00	Fiber agreement estimated costs for a 12 month period of time for Recreation Center location.
Rec. Center Total		17,481.00	

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #3 - For informational purposes only

For the Budget Year Ending December 31, 2025

7/14/2025

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
Opioid Settlement Fund (#141)			
JANSEN OPIOID SETTLEMENT PURCH SERVICES	141-0439-54254	12,195.53	Increase budget by (Janssen) Opioid settlement received in June 2025 as not included in original budget.
ALLERGAN,TEVA,WALMART,CVS,WALGREENS	141-0439-54256	3,148.40	Increase budget by (Allergan,Teva,Walmart,CVS,Walgreens) Opioid settlement received in Jan-April 2025 as not included in original budget.
Total Opioid Settlement Fund		15,343.93	
Refuse Fund (#223)			
CONTRACTED REFUSE COLLECTION SERVICES	223-0710-54260	(36,492.83)	Reduce appropriations as variable costs were less than originally expected through first 6 months of the year/purchase order.
Total Refuse Fund		(36,492.83)	
Capital Projects Improvement Fund (#300)			
PROPERTY ACQUISITION	300-0522-56000	550,000.00	Increase appropriations for the purposes of purchase of property or future capital improvements.
Capital Projects Improvement Fund Total		550,000.00	
Road Capital Projects Fund (#333)			
ENGINEERING - MAGNOLIA DR PH II	333-0556-56883	(88,314.04)	The latest OPWC Magnolia Drive project PH II has been completed and closed. Per notification received from Consulting Engineer on July 1, 2025.
CONTINGENCY MAGNOLIA DR PH II	333-0556-56884	(4,063.26)	The latest OPWC Magnolia Drive project PH II has been completed and closed. Per notification received from Consulting Engineer on July 1, 2025.
CONCRETE/ ASPHALT REPAIR	333-0474-56870	(100,000.00)	After the bidding and awards of neighborhood road program move a portion of remainder to 2026 year and related plans.
Road Capital Projects Fund Total		(192,377.30)	
OPWC Magnolia Drive Improvement Fund (#374)			
ENGINEERING	374-0556-56883	(24,032.95)	The latest OPWC Magnolia Drive project PH II has been completed and closed. Per notification received from Consulting Engineer on July 1, 2025.
CONTINGENCY	374-0556-56884	(18,255.96)	The latest OPWC Magnolia Drive project PH II has been completed and closed. Per notification received from Consulting Engineer on July 1, 2025.
Total Magnolia Dr Improvement Fund		(42,288.91)	

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?

Recommended approval as an emergency with suspension of the rules. Emergency clause necessary to allow funding to be in place to administer plans and/or purchase orders for various capital projects, grants, purchase of land, etc.

**ADDITIONAL
INFORMATION:**

None.



CITY OF BRUNSWICK, OHIO

ORDINANCE NO. 67-2025

By: Mr. Hanek, Mr. Abella, and Mr. Lambert

AN EMERGENCY ORDINANCE TO TRANSFER AND ADVANCE FUNDS

WHEREAS: The City of Brunswick wishes to transfer remaining fund balance from the North Carpenter Road Fund #347 to the Road Capital Projects Fund #333 pursuant to Ohio Revised Code Section 5705.14 (B), and;

WHEREAS: The City of Brunswick wishes to transfer funds from the General Fund #001 to the Capital Projects Improvement Fund #300 for the purchase of property or various capital improvements as may be authorized by Council, and;

WHEREAS: The City of Brunswick wishes to return previously advanced monies from the City Hall Expansion Fund #336 to the General Fund since the 2024 NOPEC grant is completed and reimbursements have been received, and;

WHEREAS: The City of Brunswick wishes to return previously advanced monies from the OPWC Magnolia Dr. Improvement Fund #374 to the General Fund #001 since the Magnolia Drive OPWC improvement project has been completed and all grant reimbursements have been received.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following funds are hereby transferred:

FROM: North Carpenter Road Fund (#347)
TO: Road Capital Projects Fund (#333)
AMOUNT: \$83,395.07

FROM: General Fund (#001)
TO: Capital Projects Improvement Fund (#300)
AMOUNT: \$550,000.00

SECTION 2: That the following funds are hereby advanced:

FROM: City Hall Expansion Fund (#336)
TO: General Fund (#001)
AMOUNT: \$80,991.00

FROM: OPWC Magnolia Drive Improvement Fund (#374)
TO: General Fund (#001)
AMOUNT: \$825,000.00



CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 67-2025

SECTION 3: This ordinance 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 municipal department, and for the further reason that proper funding sources be transferred and advanced. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

Rules Suspended: AYES ____ NAYS ____

ADOPTED: _____ AYES ____ NAYS ____

ATTEST: _____
Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 7/14/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 68-2025** - An emergency resolution authorizing the City Manager to enter into all necessary documents to acquire real property for municipal purposes in an amount not to exceed \$212,500.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: The City has the opportunity to acquire the real property located at 3321 Grafton Road, Brunswick Hills, Ohio, consisting of approximately 3.08 acres, which is immediately adjacent to additional real property proposed to be acquired by the City which, when acquired, will all be adjacent to the City property.

PURPOSE AND EXPLANATION: By purchasing this approximately 3.08 acres, the City of Brunswick may be able to develop this land for future recreational purposes.

IMPLEMENTATION SCHEDULE: As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Sufficient funds exist for this purchase. However, additional appropriations in the Capital Improvement Fund #300, account #300-0522-56000 are needed. Ordinance #66-2025 would establish the remaining and necessary appropriations needed for this purchase if adopted the same evening on July 14, 2025.

RECOMMENDED ACTION:

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

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

To enable the City Administration to proceed with securing the right to purchase the property.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 68-2025

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO ALL NECESSARY DOCUMENTS TO ACQUIRE REAL PROPERTY FOR MUNICIPAL PURPOSES IN AN AMOUNT NOT TO EXCEED \$212,500.00.

WHEREAS: The City is the record owner of five (5) contiguous vacant parcels of real property located on N. Carpenter Road as further identified as PPNs 003-18B-15-192, 003-18B-15-193, 003-18B-15-194, 003-18B-15-196 and 003-18B-15-199 (collectively the "City Property").

WHEREAS: The City has the opportunity to acquire the real property located at 3321 Grafton Road, Brunswick Hills, Ohio and further identified as PPN 001-02B-11-003 (the "Property") and consisting of approximately 3.08 acres for a purchase price of \$210,000.00, subject to prorations and expenses identified therein.

WHEREAS: The subject Property is immediately adjacent to additional real property proposed to be acquired by the City which, when acquired, will all be adjacent to the City Property.

WHEREAS: The purchase of the subject Property is for municipal purposes.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized to execute all necessary documents to effectuate the purchase of the subject Property.

SECTION 2: That the Finance Director is authorized to remit payment for the purchase of the subject Property in an amount not to exceed \$212,500.00, such additional amount as may be required to account for expenses to be incurred by the City pursuant to the purchase documents.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to secure the City's rights to purchase the Property. 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: 7/14/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 69-2025** - An emergency resolution authorizing the City Manager to enter into all necessary documents to acquire real property for municipal purposes in an amount not to exceed \$387,500.00 - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: The City has the opportunity to acquire the real property located at 507 North Carpenter Road, Brunswick Hills, Ohio, consisting of approximately 4.24 acres, which is contiguous with vacant land on North Carpenter Road that the City of Brunswick currently owns.

PURPOSE AND EXPLANATION: By purchasing this approximately 4.24, which is immediately adjacent to vacant City property on North Carpenter Road, the City of Brunswick may be able to develop this land for future recreational purposes.

IMPLEMENTATION SCHEDULE: As soon as allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Sufficient funds exist for this purchase. However, additional appropriations in the Capital Improvement Fund #300, account #300-0522-56000 are needed. Ordinance #66-2025 would establish the remaining and necessary appropriations needed for this purchase if adopted the same evening on July 14, 2025.

RECOMMENDED ACTION:

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

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

To enable the City Administration to proceed with securing the right to purchase the property.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 69-2025

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO ALL NECESSARY DOCUMENTS TO ACQUIRE REAL PROPERTY FOR MUNICIPAL PURPOSES IN AN AMOUNT NOT TO EXCEED \$387,500.00.

WHEREAS: The City is the record owner of five (5) contiguous vacant parcels of real property located on N. Carpenter Road as further identified as PPNs 003-18B-15-192, 003-18B-15-193, 003-18B-15-194, 003-18B-15-196 and 003-18B-15-199 (collectively the "City Property").

WHEREAS: The City has the opportunity to acquire the real property located at 507 North Carpenter Road, Brunswick Hills, Ohio and further identified as PPNs 001-02B-07-037, 001-02B-07-039 and 001-02B-11-001 (collectively the "Property") and consisting of approximately 4.24 acres for a purchase price of \$385,000.00, subject to prorations and expenses identified therein.

WHEREAS: The subject Property is immediately adjacent to the City Property.

WHEREAS: The purchase of the subject Property is for municipal purposes.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized to execute all necessary documents to effectuate the purchase of the subject Property.

SECTION 2: That the Finance Director is authorized to remit payment for the purchase of the subject Property in an amount not to exceed \$387,500.00, such additional amount as may be required to account for expenses to be incurred by the City pursuant to the purchase documents.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to secure the City's rights to purchase the Property. 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