



BRUNSWICK CITY COUNCIL AGENDA

Brandon Lambert Ward 3	Kristy Piper At-Large	Tim Smith At-Large	Dennis Nevan Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Laura Timura Clerk of Council	Nicholas Hanek Ward 2	Michael Abella Jr. Ward 1	Joseph Delsanter At-Large	Keith Kuczma Ward 4
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JULY 28, 2025

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes
 - (a) Regular Council Meeting Minutes dated July 14, 2025
5. Mayor's Report:
 - (a) 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
 - Finance Committee.....Mr. Hanek
 - Finance Committee Minutes dated July 14, 2025
 - Safety & Environment Committee.....Mr. Kuczma
 - Safety and Environment Committee Minutes dated July 14, 2025
 - Planning & Zoning Committee.....Mr. Delsanter
 - Planning & Zoning Committee Minutes dated July 14, 2025
 - Parks, Recreation & Community Committee.....Mrs. Piper
 - Building & Building Code Committee.....Mr. Abella
8. Other Committees, Boards and Commissions
 - (a) Committee-of-the-Whole Minutes dated July 14, 2025
9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

ORD. NO. 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. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

c. 1st Reading(s)

RES. NO. 70-2025 - An emergency resolution authorizing the City Manager and City Engineer to submit a Grant and Loan Application to the Ohio Public Works Commission Issue 1 Program for the Nationwide Parkway Improvement Project and, if awarded, authorizing the City Manager to execute all necessary documents to accept such grant award. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Jenny Zoldak*)

RES. NO. 71-2025 - A resolution authorizing the City Manager to enter into a three (3) year agreement with two (2) separate one (1) year options with AJ's Property Maintenance LLC to provide Cemetery Maintenance and Caretaker Services in an annual amount not to exceed submitted bid prices. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

RES. NO. 72-2025 - A resolution authorizing the City Manager to enter into a three (3) year agreement with Always Green Landscaping, LLC to provide grass/weed mowing, debris clean-up services and branch trimming in an annual amount not to exceed \$63,700.00 pursuant to submitted bid prices. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

RES. NO. 73-2025 - An emergency resolution authorizing the City Manager to enter into an agreement with VASU Communications Inc. for the purchase of an in-building repeater for the new Fire Station in an amount not to exceed \$44,000.00. – **1st Reading** (Safety & Environment Committee, *Administration/Rob Marok*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, July 14, 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 showed the following Council Members present: Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper.

Others Present: Mayor Ron Falconi, City Manager/Safety Director Carl DeForest, Law Director Dennis Nevar, Acting Clerk of Council Jennie Lods.

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

Correspondence There was none.

Approval of Regular Council Meeting Minutes

Regular Council Meeting Minutes dated June 23, 2025:

Nicholas Hanek moved to approve the Regular Council Meeting Minutes dated June 23, 2025, as written, seconded by Kristy Piper. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Abstain - 1 (Tim Smith). Nays - 0. Motion Carried.

Mayor's Report:

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.

Certificate of Appreciation recognizing Daniel Weber as a good neighbor:

Mayor Falconi recognized Daniel Weber as a good neighbor in Brunswick. Emily Dodson, Office Manager for Excel Automation divulged that Daniel Weber went out of his way for customers and was kind and helpful to the company employees. They had asked that he be recognized for all that he had done for the City, customers, and staff. Mr. Weber relayed that Excel Automation had been a distributor of automation products in the City of Brunswick since 2012. He felt honored to accept the award and to work in Brunswick.

Proclamation in recognition of Thomas Keppler Jr.'s Emerging Leader Award:

Mayor Falconi recognized Thomas Keppler, Cable Manager for the City of Brunswick, for his achievement of the Emerging Leader Award from the Alliance for Community Media. Mr. Keppler revealed that he was honored to receive the national award and proclamation from his municipality. He added that his favorite strategy as a leader is to lean into the strengths of the BAT staff. He recognized the members of the BAT staff for their contributions. Mr. Keppler concluded that community media is not about one person. It is about everyone having the opportunity to share their talents, passions, opinions and stories. He thanked everyone who played a role in BAT's flourishing success.

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

Council Committee Reports:

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

Mr. Lambert had no formal reports this evening.

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

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

Mrs. Piper moved to approve the Services, Utilities, Technology & Cable Committee Minutes dated June 23, 2025, as written, seconded by Mr. Hanek. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Abstain - 1, Tim Smith. 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 23, 2025:

Keith Kuczma moved to approve the Safety & Environment Committee Minutes dated June 23, 2025, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Abstain - 1, Tim Smith. Nays - 0. Motion Carried.

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

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

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

Kristy Piper moved to approve the Parks, Recreation & Community Committee Minutes dated June 23, 2025, as written, seconded by Keith Kuczma. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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 23, 2025:

Nicholas Hanek moved to approve the Committee-of-the-Whole Minutes dated June 23, 2025, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Petitions from the Public on Legislation There were none.

Reading of Legislation and Action on Legislation:

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*):

Keith Kuczma moved to adopt Ordinance Number 41-2025, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

2nd Reading(s)**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*):

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

Keith Kuczma moved to adopt Resolution 53-2025, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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*):

Mr. Delsanter moved this ordinance to second reading.

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*):

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

Keith Kuczma moved to adopt Resolution Number 63-2025, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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*):

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

Keith Kuczma moved to adopt Resolution Number 64-2025, seconded Tim Smith. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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*):

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

Nicholas Hanek moved to adopt Ordinance Number 65-2025, seconded by Keith Kuczma. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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*):

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

Nicholas Hanek moved to adopt Ordinance Number 66-2025, seconded by Keith Kuczma. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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

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

Nicholas Hanek moved to adopt Ordinance Number 67-2025, seconded by Keith Kuczma. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 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*):

Mr. Hanek informed Resolutions 68-2025 and 69-2025 were related to the acquisition of real property on Grafton and North Carpenter. This would result in the first new park in the City within the last 22 years. Council and the Administration were very proud to have the ability to add to the City's parks. He noted that there was a tremendous need for baseball and softball fields in the community. Many were lost due to adjustments the schools made to their properties. The goal would be to enhance the neighborhood and work through the process, including addressing the need for parking.

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

Nicholas Hanek moved to adopt Resolution Number 68-2025, seconded by Tim Smith. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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*):

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

Nicholas Hanek moved to adopt Resolution Number 69-2025, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

City Manager's Report Mr. DeForest thanked everyone who organized and participated in the parade last Sunday. He added that the next quarterly newsletter would reach resident homes soon. Information concerning National Night Out would be included in the newsletter. Trike and Bike sign-ups would be hosted on September 19, 2025, at 6 p.m. at the Brunswick High School. The Veteran's Breakfast would be October 25, 2025 at St. Ambrose Church. Mr. DeForest congratulated Tom Keppler and recognized his growth in leadership and management skills.

Open Forum Jennifer Scibana (3022 Grafton Road) felt the current baseball field situation was unacceptable and embarrassing. She relayed that the bathrooms were dangerous and a mess. After calling Parks and Recreation, she was told that the fields were being taken over by an organization. Ms. Scibana explained that the travel team could not find a place to practice and noted that they were not allowed to use Pumpkin Ridge Park. She cited that some of the home games were played in Seven Hills and Brecksville, because there was not a park available to them in Brunswick. Her hope was that a solution could be derived and that none of the parks would be shut down.

Unfinished Business There was none.

New Business Mr. Hanek thanked Planning & Zoning Coordinator, Jennie Lods, for covering the meeting for Council Clerk, Laura Timura. He acknowledged that she had done a great job.

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

There being no further business, the meeting adjourned at 7:33 p.m.

Respectfully submitted,

Laura Timura, CMC
Clerk of Council

Mayor Ron Falconi

Adopted

Finance Committee
July 14, 2025

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Michael Abella Jr., Committee Member Brandon Lambert, Kristy Piper, Joseph Delsanter, Keith Kuczma, Tim Smith, Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Community & Economic Director Grant Aungst, Finance Director Todd Fischer, Service Director Paul Magovac, Information Technology & Security Officer Robert Marok, Consulting Engineer Jenny Zoldak, Acting Clerk of Council Jennie Lods, News Media.

The meeting convened at 6:13 p.m.

DISCUSSION ITEMS:

- a) 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)*

Mr. Fischer explained that Ordinance Number 66-2025 was for budget amendments and requested it be brought to Council with suspension of the rules to keep the budget up to date. The overall budget would be increased by \$1,040,861.27 with \$550,000 moved from the general fund to the capital improvement fund as per Ohio Revised Code. Updates include reductions due to closed road projects. Mr. Fischer reminded that all specific budget changes were listed in Exhibit "A".

Mr. Lambert moved that Ordinance Number 66-2025 be brought to tonight's Council Agenda of July 14, 2025 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays

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

Mr. Fischer expounded that Ordinance Number 67-2025 was to execute the transfer and advances of the funds. Mr. Fischer continued that the North Carpenter Road project is complete and the monies are being transferred back to the Road Capital Project Fund from the North Carpenter Project Fund as required by Ohio Revised Code 5705.14B. Mr. Fischer reiterated that \$550,000 was being transferred from the General Fund to the Capital Projects Fund as discussed earlier. Mr. Fischer added that \$80,991 was being advanced back to the General Fund as the NOPEC grant was completed. Mr. Fischer concluded that \$825,000 was being advanced back to the OPWC from the Magnolia Drive Fund as the Magnolia Drive Project was completed.

Mr. Lambert moved that Ordinance Number 67-2025 be brought to tonight's Council Agenda of July 14, 2025 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays

GENERAL DISCUSSION:

Mr. Fischer stated that the State Audit post audit meeting was held last Thursday and results are confidential until their release by the State. The State is running behind and will likely not release the report until August.

Mr. Fischer continued that June reports have been emailed out and that any questions can be directed to the Assistant Finance Director Lynette Ozanich or him.

Mr. Delsanter asked about the unfinished portion of the project on Magnolia Drive.

Mr. Fischer confirmed that phase 2 of the Magnolia Drive Project has been completed, but he has no information on the next phase of the project at this time.

Mr. Hanek confirmed that there is no Services Committee meeting this evening.

ADJOURNMENT:

Being no further business, Mr. Lambert moved to adjourn at 6:19 p.m. Vote – 3 Ayes, 0 Nays

Submitted Respectfully,

A handwritten signature in black ink, appearing to read 'M. Hanek', with a long horizontal flourish extending to the right.

Nicholas Hanek
Chairman

Safety and Environment
July 14, 2025

IN ATTENDANCE: Chairman Keith Kuczma, Committee Member Joseph Delsanter, Committee Member Kristy Piper, Nicholas Hanek, Brandon Lambert, Tim Smith, Michael Abella Jr., Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Community & Economic Director Grant Aungst, Finance Director Todd Fischer, Service Director Paul Magovac, Information Technology & Security Officer Robert Marok, Consulting Engineer Jenny Zoldak, Acting Clerk of Council Jennie Lods, News Media.

The meeting convened at 6:19 p.m.

DISCUSSION ITEMS:

- a) 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*)

Mr. Marok explained that Resolution Number 53-2025 refers to dark fiber that is not public fiber but rather what goes between the City buildings. The current agreement covers all existing buildings. Because of the new Fire Station, a new agreement is required. The Brunswick School System relinquished the old Willetts lines to the City so existing lines can be used to include the Fire Station decreasing the cost.

Mr. Marok also indicated a suspension of the rules was requested due to timing issues.

Mr. Delsanter asked who would be moving the line.

Mr. Marok confirmed that Charter and Spectrum staff will be moving the lines.

Mr. Delsanter moved that Resolution Number 53-2025 be brought to tonight's Council Agenda of July 14, 2025 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays

- b) 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*)

Mr. Marok requested Resolution Number 63-2025 as the Houston-Galveston Area Council Cooperative Purchasing Program has better pricing available to them. By joining their group, Brunswick has access to this better pricing. This pricing was reflected in the next item on the agenda.

Mrs. Piper moved that Resolution Number 63-2025 be brought to tonight's Council Agenda of July 14, 2025 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays

- c) 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)

Mr. Marok continued that Resolution Number 64-2025 was requested to purchase the Bryx system, an alerting system for the new Fire Station. This alarm system was needed because two alarms are required by ISO regulations for the new Fire Station. Two alarms ensure fire fighters are awakened at night. Should radio communications go down this bedside alarm system is a second alarm. It also color codes the alarm lights to assist them in determining what vehicle they need to take.

Mr. Fischer added that had Resolution Number 63-2025 not been approved Resolution Number 64-2025 would be moot because the pricing they are receiving is through the Houston-Galveston Area Council Cooperative Purchasing Program.

Mr. Delsanter moved that Resolution Number 64-2025 be brought to tonight's Council Agenda of July 14, 2025 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays

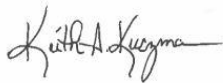
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mrs. Piper moved to adjourn at 6:24 p.m. Vote – 3 Ayes, 0 Nays

Submitted respectfully,



Keith Kuczma
Chairman

Planning and Zoning Committee
July 14, 2025

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Brandon Lambert, Committee Member Keith Kuczma, Kristy Piper, Nicholas Hanek, Tim Smith, Michael Abella Jr., Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Community & Economic Director Grant Aungst, Finance Director Todd Fischer, Service Director Paul Magovac, Information Technology & Security Officer Robert Marok, Consulting Engineer Jenny Zoldak, Acting Clerk of Council Jennie Lods, News Media.

The meeting convened at 6:10 p.m.

DISCUSSION ITEMS:

- a) 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*)

Mr. Aungst explained that when property is annexed to the City it comes in as an R-R District. The applicant can then petition for the property be moved to a different district if that district aligns with the location of the property. The applicant has petitioned a move to the GW-C Gateway Commercial District which aligns with the City's overall plan for the district. The Administration agrees with the Planning Commission and recommends three readings for this ordinance.

Mr. Delsanter acknowledged the significant work and discussion done to get this property approved for annexation.

Mr. Kuczma moved that Ordinance Number 62-2025 be brought to tonight's Council Agenda of July 14, 2025 with three readings. Vote – 3 Ayes, 0 Nays

GENERAL DISCUSSION:

Mr. Delsanter asked about the progress of the Special Planning District No. 9.

Mr. Aungst stated that they are working through the final plans to present to the Planning Commission for the buildings and structures. Mr. Aungst continued that they know how most of the building plans are going to look as they were presented previously. As it is a large multi-year project, Mr. Aungst expects them to be ready to present their plans to the Planning Commission in September or October with groundbreaking sometime in mid to late 2026.

Mr. Delsanter volunteered to fill in for any committees that meet during the August recess.

ADJOURNMENT:

Being no further business, Mr. Lambert moved to adjourn at time 6:13 p.m. Vote – 3 Ayes, 0 Nays

Submitted Respectfully,

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

Joseph Delsanter
Chairman



Committee of the Whole

July 14, 2025

IN ATTENDANCE: Nicholas Hanek Vice Mayor/President, Joseph Delsanter Pro Tem, Brandon Lambert, Keith Kuczma, Kristy Piper, Tim Smith, Michael Abella Jr., Mayor Ron Falconi, Law Director Dennis Nevar, City Manager/Safety Director Carl DeForest, Community & Economic Director Grant Aungst, Finance Director Todd Fischer, Service Director Paul Magovac, Consulting Engineer Jenny Zoldak, Acting Clerk of Council Jennie Lods, News Media.

The meeting convened at 6:24 p.m.

DISCUSSION ITEMS:

There were none.

MOTIONS:

- a) Motion authorizing a change order in the amount not to exceed \$7,551.73 to Set in Stone Contracting, LLC for the North Industrial Parkway Project.

Mr. Delsanter asked why this change was needed.

Mrs. Zoldak responded that this is the final bill with the contractor due to additional asphalt.

Mr. Delsanter moved to authorize a change order in the amount not to exceed \$7,551.73 to Set in Stone Contracting, LLC for the North Industrial Parkway Project. Vote – 7 Ayes, 0 Nays

- b) Request a motion authorizing the City Manager to file a Waiver Form to the Board of County Commissioners to remove the City of Brunswick from the established facility designations contained in the "Medina County Solid Waste Management District Plan" dated February 11, 2021.

Mr. Hanek explained this motion. Brunswick's trash must go to the waste processing plant located in the southern part of the County due to a process known as "flow control". This adds cost to the City of Brunswick. The Medina County Solid Waste District is working on an updated plan over which the City of Brunswick has veto power. If Brunswick were to veto the plan, the Ohio EPA would then take over development of the plan. They would likely include curbside recycling to the rest of the County that Brunswick already has. Adding curbside recycling to the rest of the County would have a large financial impact on them. Brunswick is hoping to use this leverage to negotiate a more advantageous deal for Brunswick. This motion will start that process.

Mr. Lambert moved to authorize the City Manager to file a Waiver Form to the Board of County Commissioners to remove the City of Brunswick from the established facility designations contained



in the "Medina County Solid Waste Management District Plan" dated February 11, 2021. Vote – 7 Ayes, 0 Nays

REVIEW LEGISLATION:

- a) 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*)

Mr. Nevar explained that he has been working with the County to streamline the process of conforming the boundaries when parcels are added to the City. All future petitions for conforming boundaries will be submitted with a suspension of the rules.

Mr. Delsanter moved Ordinance Number 65-2025 to tonight's Council Agenda of July 14, 2025 as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays

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

- b) 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*)
- c) 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*)

Mr. Hanek explained that both resolutions are regarding acquisition of property and thanked the City Manager and Administration for all the work on this property acquisition.

Mr. Hanek continued that the process of improving existing parks with a park planning process resulted in the completion of Phase 3 of the Plum Creek Trail Greenways Project. During this park planning process, one of the needs that arose was a lack of ballfields. He has received many inquiries about the use of ballfields for baseball and even cricket.

Mr. Hanek acknowledged the City Manager's proactiveness as he drove the process when the opportunity arose to acquire property adjacent to land the City already owns. The hope for this property is to create a nice ballpark facility for baseball and softball with parking, restrooms, and concessions. There is a planning process that needs to be gone through for this development so it will work with the neighborhood around it.

Mr. Lambert was excused from the meeting at 6:31 pm.



Mr. DeForest relayed that these four parcels are a horseshoe shape with one parcel left in the middle at the bottom and currently are in the Township. He further explained that the City happened to find out about the sale of this property, adjacent to property already owned by the City, before it was listed. The City offered to name the ballfields after the family should the sale go through. The family agreed to sell the property to the City at an advantageous price for the City with the caveat that the ballpark be named for their family which has been a part of Brunswick since after the Civil War. The owner said he would have listed it for more money without that caveat.

Mr. DeForest acknowledged Mr. Nevar and Mr. Hanek for their work with this property acquisition as well as Mr. Fischer. Mr. DeForest continued that the City received the agreements this morning which are ready for signature.

Mr. DeForest added there is a small parcel in the back 507 of North Carpenter with a cell tower not currently in use. The lease for this tower runs through 2058 bringing in \$950.00 per month to the current property owner. This lease would transfer to the new property owner. The American Tower Company has 45 days to ensure the transfer of the property is not to a telecommunications company, which Brunswick is not. Therefore, the property likely will not transfer until September.

Mr. DeForest reiterated the Administration did a lot of work in a short time and assured a careful planning process for two ballfields with parking and an extra lot. He expounded that there should not be any need to park on the side streets west of North Carpenter, Hanover or Abbingtion. The four parcels are in the Township so there will be a process to annex them to the City.

Mr. DeForest stated that Mr. Fischer has a bit more work to do with the budget regarding development of the City owned parcel to the north of this parcel.

Mr. Nevar stated that the total not to exceed amount on these resolutions includes an additional \$2,500.00 to account for any additional fees required for the acquisition.

Mr. Smith asked about the number of acres.

Mr. Nevar replied the two parcels equal 7.32 total acres.

Mr. Hanek exercised his discretion to allow public comment during this meeting regarding the purchase of these two parcels and directed Alastair Mayo (3460 Abbingtion Court) to express his comments on Resolution Number 68-2025 and Resolution Number 69-2025.

Mr. Mayo expressed his concerns about the west side of the property, in particular the parking plan and its effect on the side streets of Lexington, Hanover, and Abbingtion. He noticed the budget allocation proposed is only for the acquisition of the parcel and was hoping to see monies specifically allocated for parking.

Mr. Hanek explained this was not a planned property purchase, but one of opportunity. The new Fire Station property was purchased similarly. Further a lack of baseball fields has been a problem in Brunswick for quite some time.

Mr. Hanek reiterated to the Administration the importance of acknowledging the selling family in naming the ballfields for that family.



Mr. Hanek continued that parking is not specifically allocated for here. But, as he represents the part of the City with the municipal fields, Council has learned about many parking lot issues they would change if the municipal lot were being built today and many of those issues are being addressed.

Mr. Hanek also stated that there is a parks budget to which money will be allocated for the development of the ballpark.

Mr. DeForest expounded that this will be a multi-phase project. Beginning in 2026, dirt will be moved in preparation for building the fields and parking lot. He added that department heads have been notified of the need to budget an additional \$1,000,000.00 for park improvements, adding it to the \$1,200,000.00 already budgeted. The project will take two to three years in order to plant seed and allow it to take hold as well as building the parking lot. Once that is complete the area will be assessed for what space is available for concessions and bathrooms. The goal is to have this development be inclusive of all the needs of the fields as well as avoiding a need to cross North Carpenter. The City Engineer will be integral in the development of this project.

Mr. DeForest stated that preliminary research shows two ballfields should fit and plan to avoid ingress and egress on Grafton. Mr. DeForest invited the residents around this area to give feedback the project.

Mr. Hanek confirmed with the City Manager that the park would be well integrated into the surrounding community. He added that property values are improved by parks.

Mr. Delsanter relayed that the last park added to Brunswick was when Brunswick Lake was created over 23 years ago. He ensured that there will be an ample parking plan before this project gets under way. He also stated he does not expect Concord Meadows to be negatively affected except by some increased traffic.

Mr. DeForest added that both resolutions are emergencies with suspension of the rules and the monies for both were included in the previous budgeting legislation.

Mrs. Piper moved Resolution Number 68-2025 and Resolution Number 69-2025 to tonight's Council Agenda of July 14, 2025 as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:45 p.m. Vote – 6 Ayes, 0 Nays

Submitted Respectfully,

Deborah Mullen
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 7/28/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 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. - **2nd Reading** (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 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.

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RESOLUTION 23-0372 (Con't)

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

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

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

- b. *Whether the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted:*

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

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

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

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

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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.

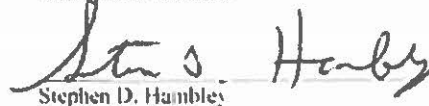
All things taken together, it appears to this Board that any road maintenance problems resulting from the segmentation of W. 130th Street are addressed and resolved by the Maintenance Agreement between the City of Brunswick and the County of Medina, and we further find that there is no maintenance problem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

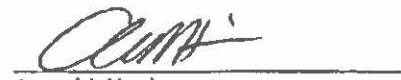
Therefore, this Board finds, based on a preponderance of the substantial, reliable, and probative evidence on the whole record, that although there is a segmentation of W. 130th street by this annexation, that the City of Brunswick has, through its existing agreement with the County of Medina adequately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

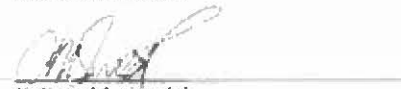
WHEREFORE, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, this Board hereby determines that each the conditions set forth in divisions (A)(1) to (6) of section 709.033 of the Revised Code have been met, and the Petition for the annexation of real 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

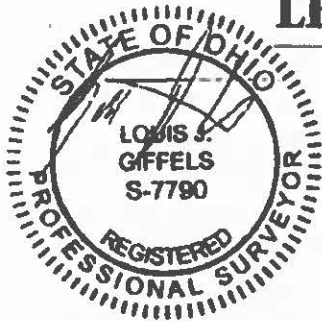
Acceptance of Appointment

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: 01/08/2023

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.

PROPOSED LEGISLATION



DATE: 7/28/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Magovac

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 70-2025** - An emergency resolution authorizing the City Manager and City Engineer to submit a Grant and Loan Application to the Ohio Public Works Commission Issue 1 Program for the Nationwide Parkway Improvement Project and, if awarded, authorizing the City Manager to execute all necessary documents to accept such grant award. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Jenny Zoldak*)

BACKGROUND: The proposed project includes concrete slab and joint repairs on Nationwide Parkway, beginning at the intersection of North Industrial Parkway and Nationwide Parkway, proceeding east to West 130th Street. The project includes slab and joint base repairs along the entirety of the project area along with the installation of an asphalt overlay for the entirety of the project area.

PURPOSE AND EXPLANATION: In the event, Grant and/or Loan Funds are awarded for the project and this Council appropriates all necessary amounts to meet the Grant and/or Loan Funds contribution, the City Manager is hereby authorized, upon approval of the Law Director, to execute all necessary documents as required to accept such grant funds.

IMPLEMENTATION SCHEDULE: The application deadline is early September 2025. Should the application be successful, detailed design would commence in 2026. The project construction cannot occur until after agreements are finalized in July. The project would be targeted for construction in Spring 2027.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Funding for this project will depend upon the amount of award and loan amount granted by OPWC and approval of future Council appropriations. Once more information becomes available, the financial information will need to be evaluated. Furthermore, it is likely that a newly established OPWC Nationwide Parkway Improvement Fund and other OPWC Funding legislation will be required at a future date (FY 2026) in order to accept any Grant and/or Loan Funding.

RECOMMENDED

ACTION:

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

If emergency or suspension of the rules, why the request?
It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare and providing for the usual daily operation of a municipality. For further reason, this application can be submitted to OPWC in advance of the early September 2025 application deadline.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 70-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ENGINEER TO SUBMIT A GRANT AND LOAN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION ISSUE 1 PROGRAM FOR THE NATIONWIDE PARKWAY IMPROVEMENT PROJECT AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT SUCH GRANT AWARD.

WHEREAS: The proposed Nationwide Parkway Improvement Project (the “Project”) will consist of concrete slab, joint repairs and asphalt overlay on Nationwide Parkway beginning at the intersection of North Industrial Parkway and proceeding east to W. 130th Street.

WHEREAS: The proposed Project would be funded by a combination of Ohio Public Works Commission Issue 1 Program grant funds (the “Grant Funds”) with the remainder by local funds (the “Local Funds”); and

WHEREAS: The Grant and Loan Application must be submitted by early September of 2025.

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

SECTION 1: The City Manager and City Engineer are hereby authorized to submit a Grant and Loan Application to the Ohio Public Works Commission Issue 1 Program for financial assistance for the Project.

SECTION 2: In the event Grant Funds are awarded for the Project and this Council appropriates all necessary amounts to meet the Local Funds contribution, the City Manager is hereby authorized, upon approval of the Law Director, to execute all necessary documents as required to accept such Grant Funds.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that the grant applications must be submitted by the early September of 2025 deadline. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 7/28/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Magovac

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 71-2025** - A resolution authorizing the City Manager to enter into a three (3) year agreement with two (2) separate one (1) year options with AJ's Property Maintenance LLC to provide Cemetery Maintenance and Caretaker Services in an annual amount not to exceed submitted bid prices. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

BACKGROUND: Bids were opened on July 18, 2025 with two bidders. NEO Landscape Management was the lowest bid but did not provide the proper documents within their bid. Enclosed is a copy of the bid tabulations. The current contract expires December 31, 2025. This work is for the maintenance and internment services at two city-owned cemeteries.

PURPOSE AND EXPLANATION: The purpose of this legislation is to provide for the contracting of mowing, trimming and internment services at the two City-owned cemeteries.

IMPLEMENTATION SCHEDULE: A contractor needs to be available starting January 1, 2026 and continue through December 31, 2028 to provide service as needed.

FINANCIAL INFORMATION: Cemetery Maintenance and Caretaker Services - - 2026-2028 \$66,729.60 mowing/maint, \$5,400.00 internments - 001-0440-54260 Mowing/Maintenance, 001-0440-54264 for Internments. - - \$72,129.60

FINANCIAL SUMMARY: The mowing/maintenance for the cemeteries will be as follows: 2026 will be \$20,160.00; 2027 will be \$22,176.00; and 2028 will be \$24,393.60 for a total amount of \$66,729.60. Internments are budgeted for \$1,800.00 per year for 3 years for a total of \$5,400.00. The combined total for all 3 years is \$72,129.60.

The contract terms would be for the period of 2026-2028. Payments relating to this contract are subject to sufficient Council appropriations pursuant to ORC 5705, which are procedurally budgeted annually. Approved Cemetery Mowing/Maintenance expenses are charged to account #001-0440-54260. Approved Internments expenses are charged to account#001-0440-54264. The 2026 Budget is expected to be proposed and adopted by the City Council prior to 01/01/2026. A purchase order must be submitted and certified

in accordance with ORC 5705.41D.

**RECOMMENDED
ACTION:**

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 71-2025

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR AGREEMENT WITH TWO (2) SEPARATE ONE (1) YEAR OPTIONS WITH AJ'S PROPERTY MAINTENANCE LLC TO PROVIDE CEMETERY MAINTENANCE AND CARETAKER SERVICES IN AN ANNUAL AMOUNT NOT TO EXCEED SUBMITTED BID PRICES.

WHEREAS: The City of Brunswick received two (2) bids for the provision of cemetery maintenance and caretaker services for Westview and Bennett's Corners Cemeteries in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on July 18, 2025, with AJ's Property Maintenance LLC determined to be the lowest and/or best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into a three (3) year Agreement with two (2) separate one (1) year options with AJ's Property Maintenance LLC, the lowest and/or best bidder, for the provision of cemetery maintenance and caretaker services in an annual amount not to exceed submitted bid prices, subject to annual appropriations by City Council as required by law.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Laura E. Timura, CMC

Bid tabulations for Cemetery Grounds Maintenance and Caretaker Services

NEO Landscape Management

<u>Grounds Maintenance</u>			<u>Caretaker Services</u>	
	Man hour lot mowing	Total	Open Close Adult weekday	\$950.00
2026	\$2,589.29	\$18,125.03	Adult Weekend	\$1,140.00
2027	\$2,630.71	\$18,414.97	Infant Weekday	\$950.00
2028	\$2,672.14	<u>\$18,704.98</u>	Infant weekend	\$1,140.00
	Total Contract	\$55,244.98	Cremation	\$950.00
2029	NA	NA		
2030	NA	NA		

AJ's Prpoerty Maintgeance LLC

<u>Grounds Maintenance</u>			<u>Caretaker Services</u>	
	Man hour lot mowing	Total	Open Close Adult weekday	\$500.00
2026	\$2,880.00	\$20,160.00	Adult Weekend	\$600.00
2027	\$3,168.00	\$22,176.00	Infant Weekday	\$500.00
2028	\$3,484.80	<u>\$24,393.60</u>	Infant weekend	\$600.00
	Total Contract	\$66,729.60	Cremation	\$400.00
2029	\$3,883.28	\$27,182.96		
2030	\$4,216.61	\$29,516.27		

PROPOSED LEGISLATION



DATE: 7/28/2025

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Magovac

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 72-2025** - A resolution authorizing the City Manager to enter into a three (3) year agreement with Always Green Landscaping, LLC to provide grass/weed mowing, debris clean-up services and branch trimming in an annual amount not to exceed \$63,700.00 pursuant to submitted bid prices. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*)

BACKGROUND: Bids were opened on July 18, 2025, with two bidders. Always Green Landscaping was the lowest and best bid received. Enclosed is a copy of the bid tabulations. The current contract expires on December 31, 2025. This work is for mowing properties throughout the city that have high weeds and grass, branch and debris clean-up for needs that violate city code. It also provides for continual mowing of various city-owned properties.

PURPOSE AND EXPLANATION: The purpose of this legislation is to provide for the contracting of mowing, branch trimming and debris clean-up throughout the city for violations of the city code and also provides continual mowing of various city-owned properties.

IMPLEMENTATION SCHEDULE: Work is to begin in April 2026 and continue through December 31, 2028.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The City Council adopts a budget on an annual basis. This contract would be for 2026-2028. The 2026-2028 Council budgets are not yet adopted nor in effect at the time of this award. All contracts and related costs are subject to sufficient Council-adopted appropriations. Council appropriates one year at a time by law. A purchase order must be submitted and certified in accordance with ORC 5705.41D.

Three-year contract. \$63,700 per year for 3 years for a total of \$191,100, subject to sufficient Council appropriations pursuant to ORC 5705 which are budgeted annually. 001-0880-54261

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 72-2025

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR AGREEMENT WITH ALWAYS GREEN LANDSCAPING, LLC TO PROVIDE GRASS/WEED MOWING, DEBRIS CLEAN-UP SERVICES AND BRANCH TRIMMING IN AN ANNUAL AMOUNT NOT TO EXCEED \$63,700.00 PURSUANT TO SUBMITTED BID PRICES.

WHEREAS: The City of Brunswick received two (2) bids for the provision of grass/weed mowing, debris clean-up services and branch trimming in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on July 18, 2025, with Always Green Landscaping, LLC determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into a three (3) year Agreement with Always Green Landscaping, LLC, the lowest and best bidder, for the provision of grass/weed mowing, debris clean-up services and branch trimming in an annual amount not to exceed \$63,700.00 pursuant to submitted bid prices, subject to annual appropriations by City Council as required by law.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

Bid Tabulations for Grass and Weed Mowing, Debris Cleaning and Branch Trimming

Always Green

	Man hour lot mowing	City property a month	Paper streets a month	Total Cost
2026	\$40.00	\$700.00	\$400.00	
2027	\$40.00	\$700.00	\$400.00	
2028	\$40.00	\$700.00	\$400.00	
2026	\$56,000.00	\$4,900.00	\$2,800.00	\$63,700.00
2027	\$56,000.00	\$4,900.00	\$2,800.00	\$63,700.00
2028	\$56,000.00	\$4,900.00	\$2,800.00	\$63,700.00
			Total Contract Price	\$191,100.00

AJ's Property Maintenance LLC

	Man hour lot mowing	City property a month	Paper streets a month	Total Cost
2026	\$70.00	\$850.00	\$500.00	
2027	\$77.00	\$935.00	\$550.00	
2028	\$84.70	\$1,028.50	\$605.00	
2026	\$98,000.00	\$5,950.00	\$3,500.00	\$107,450.00
2027	\$107,800.00	\$6,545.00	\$3,850.00	\$118,195.00
2028	\$118,580.00	\$7,199.50	\$4,235.00	\$130,014.50
			Total Contract Price	\$355,659.50

*** per the contract man hours for mowing will be based on 1,400 hours per year.

PROPOSED LEGISLATION



DATE: 7/28/2025

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. 73-2025** - An emergency resolution authorizing the City Manager to enter into an agreement with VASU Communications Inc. for the purchase of an in-building repeater for the new Fire Station in an amount not to exceed \$44,000.00. – **1st Reading** (Safety & Environment Committee, *Administration/Rob Marok*)

BACKGROUND: The construction of the new fire station may require an in-building radio repeater. The need will be assessed when construction is to the point of valid testing. The ability to move on this quickly to allow construction to continue will be determined upon completion of the testing.

Pricing is below the Ohio State Purchasing Program prices.

PURPOSE AND EXPLANATION: To allow for radio communications in the new fire station as required.

IMPLEMENTATION SCHEDULE: Upon determination of need.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This would be an eligible expense for the construction and equipping of the new Fire Station. These expenses are to 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?

Due to construction timeline and testing, the purchase will need to be made quickly to prevent delay of construction or an increase building cost.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 73-2025

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH VASU COMMUNICATIONS INC. FOR THE PURCHASE OF AN IN-BUILDING REPEATER FOR THE NEW FIRE STATION IN AN AMOUNT NOT TO EXCEED \$44,000.00.

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

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

WHEREAS: The proposed purchase of an In-Building Repeater from Vasu Communications Inc. in an amount not to exceed \$44,000.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Purchasing Program.

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

SECTION 1: That the City Manager is hereby authorized, upon approval of the Law Director, to enter into an agreement for the purchase of an In-Building Repeater from Vasu Communications Inc. for the new Fire Station in an amount not to exceed \$44,000.00.

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

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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