



BRUNSWICK CITY COUNCIL AGENDA

Brian Ousley At-Large	Nicholas Hanek Ward 2	Patricia Hanek At-Large	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Fijabi Julien-Gallam Council Clerk	Michael Abella Jr. Ward 1	Andrea Rodriguez Ward 3	Joseph Delsanter At-Large	Anthony Capretta Ward 4
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Administration Representatives

MAY 13, 2019
7:30 PM
IN COUNCIL CHAMBERS

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated April 22, 2019.
 - (a) Regular Council Meeting Minutes dated April 22, 2019
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending April 2019 will be posted on the website and added to the minutes for the record;
6. Clerk of Council's Report
7. Council Committee Reports:
 - Economic Development Committee.....Mr. Hanek
 - Economic Development Committee Meeting Minutes dated April 30, 2019
 - Services, Utilities, Technology & Cable Committee.....Mrs. Rodriguez
 - Finance Committee.....Mrs. Hanek
 - Safety & Environment Committee.....Mr. Ousley
 - Planning & Zoning Committee.....Mr. Delsanter
 - Planning & Zoning Committee Meeting Minutes dated April 18, 2019
 - Parks, Recreation & Community Committee.....Mr. Abella Jr.
 - Parks & Rec Committee Meeting Minutes dated April 22, 2019
 - Building & Building Code Committee.....Mr. Capretta
8. Other Boards and Commissions
 - (a) Committee of the Whole Meeting Minutes dated April 22, 2019

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

- a. 3rd Reading(s)

RES. NO. 25-19 - A resolution establishing a Sisterhood city relationship between the City of Brunswick, Ohio, and the City of San Juan, Metro Manila. - **3rd Reading** (Committee-of-the-Whole, *Administration/Mayor Ron Falconi*)

RES. NO. 27-19 - A resolution accepting a perpetual public easement from Kenneth R. Sacks for access to and maintenance of a public water main within the Orchard Apartments Development. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 28-19 - A resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

- b. 2nd Reading(s)

ORD. NO. 29-19 - An ordinance amending sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's existing sixty-five one-hundredths percent (0.65%) municipal income tax levy to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick for a continuing period of time. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

RES. NO. 30-19 - An emergency resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's sixty-five one-hundredths percent (0.65%) municipal income tax for a continuing period of time to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

RES. NO. 31-19 - A resolution supporting and adopting the updated Medina County All Hazards & Flood Mitigation Plan 2019 established by the Medina County Office of Emergency Management & Homeland Security. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

- c. 1st Reading(s)

ORD. NO. 32-19 - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2020 through December 31, 2020 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 33-19 - An emergency resolution authorizing the City Manager to enter into a commercial card account agreement with Huntington National Bank. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 34-19 - An *emergency* ordinance adopting the credit card account policy of the City of Brunswick - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, MAY 13, 2019

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Vice Mayor Michael Abella Jr. at 7:30 p.m. at the Municipal Complex.

Roll Call of Members showed the following Council Members present: Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, and Brian Ousley.

Others Present: Clerk of Council Fijabi Julien-Gallam, City Manager Carl S. DeForest, and Law Director Ken Fisher.

Nicholas Hanek moved to excuse Mayor Ron Falconi with just cause, seconded by Patricia Hanek. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Andrea Rodriguez. Nays - 0. Motion Carried.

Correspondence: There was none.

Approval of regular Council Meeting Minutes dated April 22, 2019:

Nicholas Hanek moved to approve the regular Council Meeting Minutes dated April 22, 2019, as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

Mayor's Report:

Mayor's Court Financial Report for the month ending April 2019 will be posted on the website and added to the minutes for the record.

Clerk of Council's Report:

Clerk of Council Fijabi Julien-Gallam remarked that Hendricks Family Dentistry, 4181 Center Road, is offering free dental care on Saturday, June 22, 2019, from 8:00 a.m. to 2:00 p.m. Patients could choose to have a tooth cleaning, an extraction or a filling. The phone number for the dentist office is 330-460-0185.

Council Committee Reports:

Economic Development Committee.....Mr. Hanek:

Nicholas Hanek moved to approve the Economic Development Committee formal report dated

April 30, 2019, as written, seconded by Brian Ousley. Roll Call - Ayes - 7, - Anthony Capretta, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

Services, Utilities, Technology & Cable Committee.....Mrs. Rodriguez:

Mrs. Rodriguez had no formal reports this evening.

Finance Committee.....Mrs. Hanek:

Mrs. Hanek had no formal reports this evening.

Safety & Environment Committee.....Mr. Ousley:

Councilman Brian Ousley reminded everyone that the blue lights that are shining around the community and in the Council Chambers are to honor Peace Officers Memorial Day on May 15, 2019, and May 12 through May 18, 2019, as Police Week.

Mr. Ousley had no formal reports this evening.

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

Joseph Delsanter moved to approve the Planning & Zoning Committee formal report dated April 18, 2019, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

Parks, Recreation & Community Committee.....Mr. Abella Jr.:

Anthony Capretta moved to approve the Parks, Recreation & Community Committee formal report dated April 22, 2019, as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Anthony Capretta, Michael Abella Jr., Patricia Hanek. Nays - 0. Motion Carried.

Building & Building Code Committee.....Mr. Capretta:

Mr. Capretta had no formal reports this evening.

Other Boards and Commissions:

Nicholas Hanek moved to approve the Committee-of-the-Whole meeting minutes dated April 22, 2019, as written, seconded by Anthony Capretta. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Andrea Rodriguez, Anthony Capretta, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

Petitions from the Public on Legislation: There was none.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

RES. NO. 25-19 - A resolution establishing a Sisterhood city relationship between the City of Brunswick, Ohio, and the City of San Juan, Metro Manila. - **3rd Reading** (Committee-of-the-Whole, *Administration/Mayor Ron Falconi*):

Brian Ousley moved to table Resolution Number 25-19 until the next Council Meeting, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Brian Ousley, Patricia Hanek, Joseph Delsanter, Michael Abella Jr., Anthony Capretta, Andrea Rodriguez, Nicholas Hanek. Nays - 0. Motion Carried.

Vice Mayor Michael Abella Jr. explained why they tabled the third reading for Resolution Number 25-19. Mayor Ron Falconi, the sponsor of the resolution, was not able to attend the meeting for the third reading. Mr. Abella remarked that Mayor Falconi requested that the legislation be tabled until the next Regular Council Meeting on Monday, May 20, 2019. The Council Members honored Mayor Falconi request.

RES. NO. 27-19 - A resolution accepting a perpetual public easement from Kenneth R. Sacks for access to and maintenance of a public water main within the Orchard Apartments Development. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

Andrea Rodriguez moved to adopt Resolution Number 27-19, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Joseph Delsanter. Nays - 0. Motion Carried.

City Engineer Matt Jones remarked that the proposed easement allows for the installation and maintenance of a water main on the Orchard Apartments Phase 2 site as needed to provide domestic water service and fire protection to the proposed apartment buildings.

RES. NO. 28-19 - A resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

Andrea Rodriguez moved to adopt Resolution Number 28-19, seconded by Anthony Capretta. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Service Director Paul Barnett remarked that this legislation would authorize the City Manager to enter into an agreement with the Ohio Department of Transportation (ODOT). He explained that ODOT planned to store salt in the City of Brunswick salt bins to maintain salt levels for the Brunswick area.

2nd Reading(s)

ORD. NO. 29-19 - An ordinance amending sections 880.005, 880.01 and 880.04 of the codified

ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's existing sixty-five one-hundredths percent (0.65%) municipal income tax levy to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick for a continuing period of time. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

ORD. NO. 29-19 - Mr. Hanek moved this ordinance to third reading.

RES. NO. 30-19 - An emergency resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's sixty-five one-hundredths percent (0.65%) municipal income tax for a continuing period of time to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*) :

RES. NO. 30-19 - Mr. Hanek moved this resolution to third reading.

RES. NO. 31-19 - A resolution supporting and adopting the updated Medina County All Hazards & Flood Mitigation Plan 2019 established by the Medina County Office of Emergency Management & Homeland Security. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

RES. NO. 31-19 - Mr. Hanek moved this resolution to third reading.

1st Reading(s)

ORD. NO. 32-19 - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2020 through December 31, 2020 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

ORD. NO. 32-19 - Mrs. Hanek moved this ordinance to second reading

RES. NO. 33-19 - An emergency resolution authorizing the City Manager to enter into a commercial card account agreement with Huntington National Bank. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved to suspend the rules, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Anthony Capretta, Michael Abella Jr., Patricia Hanek. Nays - 0. Motion Carried.

Assistant Finance Director Lynnette Ozanich remarked that this resolution would allow the City Manager to enter into a credit card agreement with Huntington National Bank to follow the new credit card policy proposed in Resolution Number 34-19.

Patricia Hanek moved to adopt Resolution Number 33-19, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Andrea Rodriguez, Anthony Capretta, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

ORD. NO. 34-19 - An emergency ordinance adopting the credit card account policy of the City of Brunswick - 1st Reading (To be brought from Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved to suspend the rules, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Brian Ousley, Patricia Hanek, Joseph Delsanter, Michael Abella Jr., Anthony Capretta, Andrea Rodriguez, Nicholas Hanek. Nays - 0. Motion Carried.

Assistant Finance Director Lynnette Ozanich remarked that this ordinance is to bring the administration informal credit card policy in compliance with House Bill (HB) 312, Ohio Revised Code (ORC) Section 717.31.

Patricia Hanek moved to adopt Ordinance Number 34-19, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Joseph Delsanter. Nays - 0. Motion Carried.

City Manager's Report:

City Manager Carl DeForest

- Reminded everyone that the City offices are closed on May 27, 2019, for Memorial Day. The next Regular Council Meeting is on Monday, May 20, 2019.
- Invited everyone to the Memorial Day Ceremony Day parade, starting at Visintainer Middle School, on May 27, 2019, at 10:00 a.m., held by the Veterans of Foreign Wars (VFW) 9520 and American Legion Post 234.
- Reminded everyone that the third and final trash and recycling meeting is on Saturday, June 8, 2019, from 2:00 p.m. to 4:00 p.m.
- Remarked that the Medina County Relay for Life is at the Medina County Fairgrounds on Monday, June 8, 2019, at 10:00 a.m. The City of Brunswick and the City of Medina is combining their Relay for Life fundraisers.

Administrative Departments:

Assistant Finance Director Lynnette Ozanich

- Reminded everyone that road construction is about to start. The City of Brunswick received approximately \$837,000 from the 10-year road levy that goes to the neighborhood streets. Mrs. Ozanich noted that they are halfway through the 10-year levy program.

Service Director Paul Barnett

- Remarked that the city's administration hosted a trash meeting with the public to discuss the new Trash and Recycle Program. He noted that there were multiple meetings with the public and the City Council to gather information to create the new Trash and Recycle Program.

- Remarked that the trash and recycling meetings were recorded, and is available on the City's website for review.
- Reiterated that the next trash and recycling meeting is on June 8, 2019, at 2:00 p.m.

City Engineer Matt Jones

- Remarked that the North Carpenter Road Construction project is occurring at the Grafton Road intersection, and the work is on schedule. The north half of the intersection is complete, which included the widening of North Carpenter to accommodate a left turn lane onto eastbound Grafton Road. The south half of the intersection is currently under construction. As a result, North Carpenter Road is closed to all traffic between Woodstock Lane and Grafton Road. Additionally, Grafton Road is a one-way eastbound, between Carolyn Drive and Maplewood Avenue. The closures and associated detours are expected to remain in place until approximately mid-June.
- Remarked that the utility relocation work is occurring at the south end of the North Carpenter Project by Clover Drive. He noted that the next phase of work after the utility relocation is expected to necessitate a one-way traffic pattern, southbound from Grafton Road to Concord Drive. This project is expected to start shortly after the completion of the Grafton Road intersection.

Open Forum

Brunswick Recreation Community Center Complaint

Rick Klue at 374 Pearl Road remarked that his doctor ordered him to go to the recreation center 2-3 times a week because of his past surgeries. Mr. Klue remarked that he started going to the recreation center in 2018. He noted that he was suspended from the recreation center for one month for telling two females to be good, or his pet fish might nibble on their ankles. Mr. Klue explained that he understood that he would be removed from the recreation center permanently if this behavior happened again.

Mr. Klue explained that when he was in the pool, one of the workers made a comment about her falling in the pool with her clothes on for April Fool's Day. Mr. Klue explained that he told the worker she couldn't get into the pool with her clothes on, but he would save her if she had on swimwear. Mr. Klue received a call the next day from the recreation director stating that his membership is canceled for life. Mr. Klue expressed his feelings about the situation, and how he was treated by the recreation director. Mr. Klue remarked that he is no longer able to go to therapy at the recreation center because his membership is no longer active.

Benjamin Farm and All Construction Services

Brandon Juszczuk at 924 Theora Drive remarked that this is his third time coming to City Council with the Benjamin Farm and All Construction Services issue. He noted that in 2015 his family moved to Brunswick. Mr. Juszczuk explained that his house was not perfect, but the location was.

He remarked that after six months staying in his new house, the City of Brunswick approved the demolishing of the wooded area behind his house, and the installation of All Construction Services industrial building, loading docks and parking lots for their fleet of shipping trucks. The trucks are equipped with backup sirens that operate at 110 decibels, and that is the same volume as a chainsaw running full speed. The trucks load and unload at all hours of day and night. He expressed that the trucks continue to wake their home at 5:00 a.m. and sometimes earlier than 5:00 a.m. The lights on the All Construction Services property light up their entire house and yard. The lights should not have any adverse effects on residential properties. Mr. Juszczuk quoted various City Codes that All Construction Services is found in violation. He remarked that the City's administration refuses to enforce these laws. The following codes were quoted and discussed in more details.

- Lighting Violations - Section 1276.14 Exterior Lighting
- Truck Loading Violations - Section 634.04 Specific Prohibitions
- Screening Violations - Section 1282.09 Service Structure Screening
- Truck Loading violations - Section 634.04 Specific Prohibitions
- Engine Noise Violations - Section 648.05 Gasoline Engines
- Requirements of a Scream Barrier per Brunswick City Code

(Clerk notes: copies of the violations are attached to the minutes.)

Mr. Juszczuk remarked that the City Engineer Matt Jones came out to confirm that All Construction Services was in violation of the 50 ft barrier. He noted that he sent the pictures to Law Director Ken Fisher and he did not admit to the violation. Mr. Juszczuk explained that Mr. Fisher denied that Mr. Jones surveyed the area entirely. Mr. Juszczuk stated that he has a copy of the official description of the violation with Mr. Fisher signature. He remarked that Councilman Michael Abella Jr. and Mayor Ron Falconi were the only ones to listen to their story, and witness the issue. He noted that Mr. Abella went to the planning department about this issue. Community & Economic Development Director Grant Aungst and Chief Building Official Cliff Calaway measured the area and stated that the measurements are to code. The building department measured the area again, and found that the company was in violation. Mr. Juszczuk continued to express his concerns for the issue with All Construction Services.

Mr. Juszczuk stated that the city is in good industrial and residential standing; however, as a community, the city needs to grow in the right ways. He expressed that when the City Officials sacrifice safety, quality, and refusing to enforce the City Code to push economic growth, it could destroy homes of innocent people. Mr. Juszczuk remarked he is a member of the Benjamin Farm Homeowners Association, and they have legal representation. He noted that the Benjamin Farm community proposed a legal agreement to resolve the damage and it was sent to the City of Brunswick. He explained that the proposed resolution is less costly and restrictive than both the City Code requires and previous rulings.

Mr. Juszczuk expressed how this issue is affecting the residents in the community. He noted that the City of Brunswick approved All Construction Services' structure with no barrier.

Mr. Abella Jr. asked the City Council to make a motion to allow Mr. Juszczuk to finish his report.

Brian Ousley moved to approve that Mr. Juszczuk to finish his report, seconded by Patricia Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Mr. Juszczuk expressed that the home value in their community is largely dictated by the sale price of other comparable homes within close proximity. The houses were damaged by the All Construction Services expansion. He remarked that City Manager Carl DeForest has the power to make this right. He requested that the administration reconsider their proposal of the barrier, and recover their home value loss.

Jason Sarns at 830 Eliza Court remarked that he is a member of the Benjamin Farm Homeowners Association Board. He noted that he has talked to the residents in the community regarding the issue with All Construction Services. He explained they are concerned about where their property values are going to go with the All Construction Services being in violation. The conditions are not reasonable. Mr. Sarns believed that the Benjamin Farms community is surprised that some of the violations are not enforced. Mr. Sarns explained that they are looking to provide some type of resolution to help everyone as a community and to continue the pride they have for living in the city.

Louis Decuzzi at 900 Theora Drive remarked that he is the President of Benjamin Farm Homeowners Association. Mr. Decuzzi provided the history between Benjamin Farm, the flashing moving sign, and the business partner in 28 Acre-Wood. Mr. Decuzzi believed that this is retribution because the association did not allow the flashing sign to go up on Carquest Drive. Mr. Decuzzi requested the City Officials to maintain the same energy that they did on the Carquest Drive issue. He requested a mound of dirt across the entire property, and for the City's administration to uphold the City's ordinances and codes. He noted that he recorded the truck drivers honking their horns just for fun between 4:30 a.m. and 5:00 a.m. Mr. Decuzzi expressed that these kinds of behaviors are not neighbor friendly. He reiterated his request.

City's Infrastructure Complaint

Carl Evasovic at 3480 Jerrold Blvd remarked that he spoke to Councilman Brian Ousley multiple times regarding the issues in the city. Mr. Evasovic noted that he was transferred to the City of Brunswick 50 years ago. He expressed that he was told that there was going to be an interchange at Boston Road and I71, and he is still waiting. He explained that money is wasted on putting turning lanes on Grafton Road and North Carpenter Road. He added that the City's administration is responsible for preventing accidents. Mr. Evasovic provided examples of dangerous intersections. He expressed that the intersections without arrows are the cause of accidents and traffic jams. He advised everyone to not rely on engineer studies. He expressed that there is a need for arrows and turning signals.

Unfinished Business: There was none.

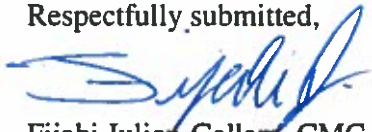
New Business: There was none.

Adjournment:

Nicholas Hanek moved to adjourn, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Andrea Rodriguez, Brian Ousley, Joseph Delsanter, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 8:15 p.m.

Respectfully submitted,



Fijabi Julien-Gallam, CMC

Clerk of Council



Vice Mayor Michael Abella Jr.

May 20, 2019

Adopted

DATE: May 13, 2019

Roll Call 7:30pm			Excused mayor Ron Falcetti			Council minutes April 22, 2019		
Mr. Hanek	✓		Mrs. Hanek S	✓		Mr. Abella	✓	
Mrs. Rodriguez	✓		Mr. Delsanter	✓		Mrs. Hanek S	✓	
Mr. Abella	✓		Mr. Ousley	✓		Mr. Ousley	✓	
Mr. Capretta	✓		Mr. Hanek m	✓		Mr. Hanek m	✓	
Mr. Delsanter	✓		Mr. Abella	✓		Mrs. Rodriguez	✓	
Mrs. Hanek	✓		Mr. Capretta	✓		Mr. Delsanter	✓	
Mr. Ousley	✓		Mrs. Rodriguez	✓		Mr. Capretta	✓	
	7	0		7	0		7	0
Economic Report April 30, 2019			Planning and zoning Report April 18, 2019			Parks Report April 22, 2019		
Mr. Capretta	✓		Mr. Hanek S	✓		Mrs. Rodriguez	✓	
Mr. Hanek m	✓		Mrs. Rodriguez	✓		Mr. Ousley	✓	
Mrs. Rodriguez	✓		Mr. Delsanter m	✓		Mr. Hanek	✓	
Mr. Delsanter	✓		Mrs. Hanek	✓		Mr. Delsanter	✓	
Mrs. Hanek	✓		Mr. Abella	✓		Mr. Capretta m	✓	
Mr. Ousley S	✓		Mr. Ousley	✓		Mr. Abella	✓	
Mr. Abella	✓		Mr. Capretta	✓		Mrs. Hanek S	✓	
	7	0		7	0		7	0
CCW minutes April 22, 2019			Table RES. NO. 25-19			RES. NO. 27-19 To Adopt		
Mr. Hanek m	✓		Mr. Ousley m	✓		Mrs. Hanek	✓	
Mr. Ousley	✓		Mrs. Hanek	✓		Mrs. Rodriguez m	✓	
Mr. Abella	✓		Mr. Delsanter S	✓		Mr. Ousley	✓	
Mrs. Rodriguez	✓		Mr. Abella	✓		Mr. Hanek S	✓	
Mr. Capretta S	✓		Mr. Capretta	✓		Mr. Abella	✓	
Mr. Delsanter	✓		Mrs. Rodriguez	✓		Mr. Capretta	✓	
Mrs. Hanek	✓		Mr. Hanek	✓		Mr. Delsanter	✓	
	7	0		7	0		7	0

DATE May 13, 2019

RES. NO. 28-19 To adopt			ORD. NO. 29-19 3rd Reading			RES. NO. 30-19 3rd Reading		
Mr. Hanek	✓		Mrs. Hanek			Mr. Abella		
Mrs. Rodriguez m	✓		Mr. Delsanter			Mrs. Hanek		
Mr. Abella	✓		Mr. Ousley			Mr. Ousley		
Mr. Capretta S	✓		Mr. Hanek m			Mr. Hanek m		
Mr. Delsanter	✓		Mr. Abella			Mrs. Rodriguez		
Mrs. Hanek	✓		Mr. Capretta			Mr. Delsanter		
Mr. Ousley	✓		Mrs. Rodriguez			Mr. Capretta		
	7	0						
RES. NO. 31-19 3rd Reading			ORD. NO. 32-19 2nd Reading			RES. NO. 33-19 To Suspend		
Mr. Capretta			Mr. Hanek			Mrs. Rodriguez	✓	
Mr. Hanek m			Mrs. Rodriguez			Mr. Ousley	✓	
Mrs. Rodriguez			Mr. Delsanter			Mr. Hanek	✓	
Mr. Delsanter			Mrs. Hanek m			Mr. Delsanter S	✓	
Mrs. Hanek			Mr. Abella			Mr. Capretta	✓	
Mr. Ousley			Mr. Ousley			Mr. Abella	✓	
Mr. Abella			Mr. Capretta			Mrs. Hanek m	✓	
							7	0
RES. NO. 33-19 To adopt			ORD. NO. 34-19 To Suspend			ORD. NO. 34-19 To Adopt		
Mr. Hanek	✓		Mr. Ousley	✓		Mrs. Hanek m	✓	
Mr. Ousley	✓		Mrs. Hanek m	✓		Mrs. Rodriguez	✓	
Mr. Abella	✓		Mr. Delsanter S	✓		Mr. Ousley	✓	
Mrs. Rodriguez	✓		Mr. Abella	✓		Mr. Hanek	✓	
Mr. Capretta	✓		Mr. Capretta	✓		Mr. Abella	✓	
Mr. Delsanter S	✓		Mrs. Rodriguez	✓		Mr. Capretta	✓	
Mrs. Hanek m	✓		Mr. Hanek	✓		Mr. Delsanter S	✓	
	7	0		7	0		7	0

DATE: May 13, 2019

Motion to extend Mr. Suszcayk's 5 minute limitation			Adjourn 8:15pm					
Mr. Hanek	✓		Mrs. Hanek S	✓		Mr. Abella		
Mrs. Rodriguez	✓		Mr. Delsanter	✓		Mrs. Hanek		
Mr. Abella	✓		Mr. Ousley	✓		Mr. Ousley		
Mr. Capretta	✓		Mr. Hanek m	✓		Mr. Hanek		
Mr. Delsanter S	✓		Mr. Abella	✓		Mrs. Rodriguez		
Mrs. Hanek	✓		Mr. Capretta	✓		Mr. Delsanter		
Mr. Ousley m	✓		Mrs. Rodriguez	✓		Mr. Capretta		
	70			70				
Mr. Capretta			Mr. Hanek			Mrs. Rodriguez		
Mr. Hanek			Mrs. Rodriguez			Mr. Ousley		
Mrs. Rodriguez			Mr. Delsanter			Mr. Hanek		
Mr. Delsanter			Mrs. Hanek			Mr. Delsanter		
Mrs. Hanek			Mr. Abella			Mr. Capretta		
Mr. Ousley			Mr. Ousley			Mr. Abella		
Mr. Abella			Mr. Capretta			Mrs. Hanek		
Mr. Hanek			Mr. Ousley			Mrs. Hanek		
Mr. Ousley			Mrs. Hanek			Mrs. Rodriguez		
Mr. Abella			Mr. Delsanter			Mr. Ousley		
Mrs. Rodriguez			Mr. Abella			Mr. Hanek		
Mr. Capretta			Mr. Capretta			Mr. Abella		
Mr. Delsanter			Mrs. Rodriguez			Mr. Capretta		
Mrs. Hanek			Mr. Hanek			Mr. Delsanter		

Lighting Violations



1276.14 EXTERIOR LIGHTING.

Parking and circulation areas, pedestrian areas and related outdoor use areas shall be illuminated to provide safety and security for the users of these areas, to provide security for property, and to maintain privacy for adjacent residential properties. Exterior lighting shall be designed, installed and maintained according to the following standards:

(a) Illumination Levels. Except as provided in (b) below, exterior lighting shall provide minimum maintained horizontal footcandle (fc) illumination as follows:

<u>Activity Type</u>	<u>Maintained Footcandles</u>
Parking and pedestrian area	0.6 fc minimum
Property security only	0.2 fc minimum
Vehicle use only	1.0 fc average

Exterior lighting in parking and pedestrian areas may be reduced to the property security level during hours when these areas are not in use.

(b) Residential Parking. The minimum illumination levels in (a) above shall not apply to residential or multiple family parking areas with ten or fewer parking spaces. These areas shall be provided with appropriate residential-type luminaires as shown on site plans approved by the Planning Commission according to the provisions of Chapter 1278.

Lighting Violations Continued



(c) Uniformity Ratio. Average illumination levels shall not exceed four times the minimum level.

(d) Light Trespass. In order to maintain privacy, exterior lighting shall be designed and maintained to provide a maximum of one horizontal footcandle illumination at side or rear property lines which are adjacent to a residential use or zoning district.

(e) Luminaire Height.

(1) The maximum luminaire height in the C-0 Office-Commercial District shall be 10 feet.

(2) The maximum luminaire height in other districts shall be twenty-five feet. However, the City Planning Commission may approve greater heights upon a showing by the applicant that the additional height complies with both of the following standards:

A. The additional height is necessary to efficiently illuminate outdoor areas; and

B. The additional height will have no adverse effect on adjacent properties.

(f) Glare. Exterior lighting shall be designed and maintained so that glare is not cast on adjacent properties, regardless of use, or on adjacent streets. Except in industrial districts, all luminaires over ten feet in height shall be cut-off types which include shields or other devices which eliminate all light above an angle of 85 degrees, as measured from the nadir of the vertical axis of the light source. See Figure 2 at the end of this Chapter. For the purpose of this subsection, glare is defined as the brightness of a light source which causes eye discomfort.

(g) Intermittent Light. No intermittent, flickering, moving, strobe or similar types of light, either inside or outside a building, shall be visible from the street or from adjacent properties.

(h) Exclusions. The standards in this section do not apply to street lighting or to outdoor recreation activities. Lighting not being reviewed for site plan conformity shall be excluded from the provisions of subsection (a) of this section.

(i) Enforcement. Site plans submitted to the City Planning Commission shall include data analyses, prepared by persons competent to do so, that the proposed exterior lighting system complies with the standards in this section. Subsections (d) and (e) hereof shall be corrected or cited according to the provisions of Section 1244.10(d). (Ord. 50-05. Passed 4-25-05.)

Screening Violations



1282.09 SERVICE STRUCTURE SCREENING.

Service structures shall be screened from all streets and from adjacent residential properties. Service structures include, but shall not be limited to, loading docks, propane tanks, dumpsters, electrical transformers, and utility vaults.

(a) Location of Screening. All service structures shall be screened on all sides by a continuous planting of evergreens, fences or mounds. Screening material shall be one foot more in height than the height of the structure to be enclosed, except that any such screening shall not be required to exceed 10 feet in height.

Truck Loading Violations



Residents are woken nearly every morning by slamming dock doors, back up sirens workers voices, etc.

Some recent recorded times:

- May 6th 2019 at 5:26 am - Backup sirens and a crash of a loading dock or dumpster.
- May 7th 2019 at 5:25 am - Backup sirens

****These are just some specific recorded dates, City code 634.04 is violated daily.****

634.04 SPECIFIC PROHIBITIONS.

The following acts, and the causing or permitting thereof, are declared to be in violation of this chapter:

(f) Loading and Unloading. Subject to Chapter 1060 of this Code, loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects, between the hours of 9:00 p.m. and 6:30 a.m. the following day, in such manner as to cause a noise disturbance across a residential real property boundary is prohibited.

(Ord. 140-04. Passed 11-8-04.)

Engine Noise Violations



648.05 GASOLINE ENGINES.

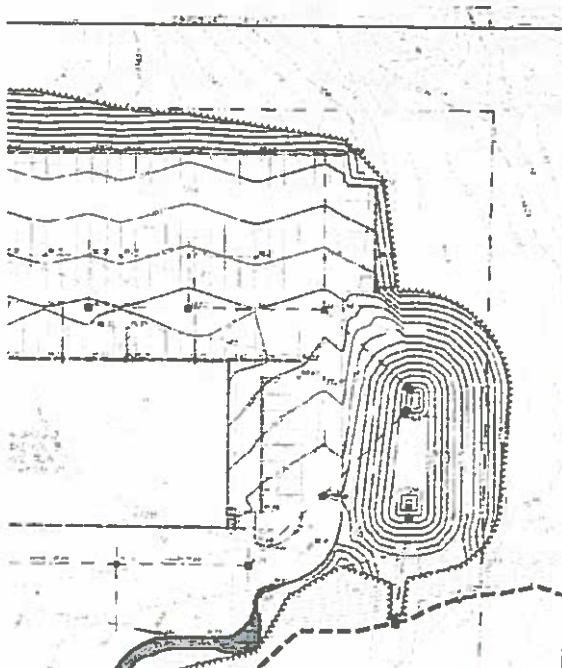
(a) No person shall use or operate any gasoline engine within the City, unless such engine is equipped with a muffler which is closed. No person shall use or operate any gasoline or other internal combustion engine within the City which, either by reason of being equipped with a so-called "Hollywood" type of muffler from which the baffles have been removed or with a muffler which is in a broken or defective condition, emits, during its operation, such excessively loud noises as to disturb the peace and quiet of the City. Any noise which can be distinctly heard at a distance of more than 100 feet from its source shall be deemed excessive.

(Ord. 90-74. Passed 7-22-74.)

(b) Whoever violates or fails to comply with this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. Punishment shall be as provided in Section 698.02.

Requirements of a Screened Barrier per Brunswick City Code:

(b) Any Industrial Use	Any Residential Zone	50' side and or rear screening yard is required with...	EITHER: 40' wide, 6' tall mound plus a double row of staggered trees from List C, 15' on-center; OR Double row of staggered trees from List C, 15' on-center plus double row of mixed trees from Lists A, B and C, 20' on-center; OR Existing trees and brush forming a solid screen, provided that any disturbance in 50' screening yard is replaced with above.
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Here's what the City made others businesses do

Along Benjamin Drive



Along West 130th



Along Center Road



900 THEORA DR