

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, September 11, 2023

Prayer and Pledge of Allegiance The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:05 p.m. at the Municipal Complex.

Roll Call of Members showed the following Council Members present: Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper.

Others Present: Mayor Ron Falconi, City Manager/Safety Director Carl DeForest, Law Director Ken Fisher, Clerk of Council Laura Timura.

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

Correspondence There was none.

Approval of Minutes

Regular Council Meeting Minutes dated July 24, 2023:

Nicholas Hanek moved to approve the Regular Council Meeting Minutes dated July 24, 2023, and the Special Council Meeting Minutes dated July 25, 2023, as written, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

Special Council Meeting Minutes dated July 25, 2023:

Mayor's Report:

Mayor's Court Financial Reports for the months ending July 2023 and August 2023 will be posted on the website and added to the minutes for the record.:

Presentation of the Auditor of State Award with Distinction to the City of Brunswick:

Katie Semo from the Auditor of State's Office presented the Auditor of State Award with Distinction to Todd Fischer and Lynnette Ozanich in the Division of Finance. She noted that in the state of Ohio, only about 4% are eligible to receive this award.

Proclamation in recognition of Janet McCollom's years of service:

Mayor Falconi presented Janet McCollom with a proclamation and thanked her for her almost 42 years of service. Law Director Ken Fisher noted Janet McCollom's exemplary service to the Division of Law.

Mayor's Update:

Clerk of Council's Report There was none.

Council Committee Reports:

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

Mr. Lambert had no formal reports this evening.

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

Mr. Smith had no formal reports this evening.

Finance Committee.....Mr. Hanek:

Finance Committee Minutes dated July 24, 2023:

Nicholas Hanek moved to approve the Finance Committee Minutes dated July 24, 2023, as written, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

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

Safety & Environment Committee Minutes dated July 24, 2023:

Keith Kuczma moved to approve the Safety & Environment Committee Minutes dated July 24, 2023, as written, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

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

Planning & Zoning Committee Minutes dated July 24, 2023:

Joseph Delsanter moved to approve the Planning & Zoning Committee Minutes dated July 24, 2023, as written, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

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

Mrs. Piper had no formal reports this evening.

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

Mr. Abella had no formal reports this evening.

Other Committees, Boards and Commissions

Committee-of-the-Whole Minutes dated August 9, 2021 and July 24, 2023:

Nicholas Hanek moved to approve the Committee-of-the-Whole Minutes dated August 9, 2021, and July 24, 2023, as written, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

Petitions from the Public on Legislation Jerry Bullington (3809 Grafton Road) stated that drones are his hobby. Mr. Bullington explained that radio signals will not transmit through houses and the drones cannot fly 4-6 feet below neighbors' privacy fences. If it were flown that low, it would go into fail-safe mode or return home mode. He reported that if a drone weighs under 250 grams it does not have to be

registered. This would be called a sub-250 drone. Mr. Bullington elaborated that he owns close to 60 drones with 4k cameras and they are registered. He informed Council that he maintains a high altitude due to the very tall trees bordering his neighbors' properties. Mr. Bullington was upset that his neighbors were accusing him of watching their children and about remarks being made about him on social media.

Karen Tyler (3742 Grafton Road) mentioned that Mr. Bullington flies his drone over the yards in her neighborhood. The drone does not always fly at 65 mph and sometimes hovers over houses. She remarked that FAA rules state that drones under 55 lbs must be kept within a visual line of sight. Ms. Tyler was concerned that Mr. Bullington could lose control over one of his drones and it could hurt her grandchild. Ms. Tyler divulged that she has videos of Mr. Bullington harassing people and of his demeanor. Some of these videos are on social media. She was also concerned that his drone would hit a moving car and felt he was not responsible for the use of his drone.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

2nd Reading(s)

ORD. NO. 45-2023 - An ordinance establishing Chapter 1292 of the City of Brunswick Codified Ordinances to regulate electric vehicle charging stations. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

Mr. Delsanter moved this ordinance to third reading.

ORD. NO. 59-2023 - An ordinance rezoning the 20.1561 acre parcel of real property located at 897 N. Carpenter Road and further identified as PPN 003-18B-27-260 from the R-R Rural Residential District to the R-L Low Density Residential District. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

Mr. Delsanter moved this ordinance to third reading.

1st Reading(s)

ORD. NO. 64-2023 - An emergency ordinance establishing Chapter 446 of the City of Brunswick Codified Ordinances to regulate Unmanned Aircraft Systems - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*):

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

Keith Kuczma moved to adopt Ordinance Number 64-2023, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 65-2023 - An emergency resolution approving the creation of a Designated Outdoor Refreshment Area (DORA). - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*):

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

Joseph Delsanter moved to adopt Resolution Number 65-2023, seconded by Nicholas Hanek.

Mr. Delsanter commented that the Designated Outdoor Refreshment Area (DORA)is an opportunity to liven up the community and, if successful, it can potentially be expanded. This will not be an opportunity to behave badly and drink excessively. This has been a well-controlled, regulated process. This is an opportunity for businesses in the area that serve alcohol to join together and create an atmosphere where people can enjoy the outdoors in a safe environment. Mr. Delsanter thanked the county park system for working with the City to help DORA be a successful project. He relayed that the DORA would not intrude upon the Southlake Development.

Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1 (Brandon Lambert). Motion Carried.

ORD. NO. 66-2023 - An emergency ordinance amending Section 454.04 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*):

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

Joseph Delsanter moved to adopt Ordinance Number 66-2023, seconded by Nicholas Hanek. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1 (Brandon Lambert). Motion Carried.

ORD. NO. 67-2023 - An emergency ordinance amending Chapter 612 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*):

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

Joseph Delsanter moved to adopt Ordinance Number 67-2023, seconded by Nicholas Hanek. Roll Call - Ayes - 5, Nicholas Hanek, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Abstain - 1 (Brandon Lambert). Motion Carried.

RES. NO. 68-2023 - An emergency resolution authorizing the City Manager to reimburse the City of Medina an amount not to exceed \$43,131.46 from the City of Brunswick HOME Program income for an eligible private rehabilitation project as part of the PY 2022 CHIP Program. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*):

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

Joseph Delsanter moved to adopt Resolution Number 68-2023, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 69-2023 - A resolution authorizing the City Manager to enter into a municipal engineering consulting services agreement with Chagrin Valley Engineering, LTD. for the provision of professional municipal engineering services and designating Matthew M. Jones, P.E., as Consulting Municipal Engineer. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

Mr. Abella moved this resolution to second reading.

RES. NO. 70-2023 - An emergency resolution commending Janet McCollom for her years of service to the City of Brunswick. - **1st Reading** (To be brought from Committee-of-the-Whole, *Council/Nicholas Hanek*):

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

Nicholas Hanek moved to adopt Resolution Number 70-2023, seconded by Brandon Lambert. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 71-2023 - An emergency resolution authorizing the City Manager to execute all necessary documents to accept a Safety Intervention Grant from the Bureau of Workers' Compensation for the Division of Fire. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*):

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

Keith Kuczma moved to adopt Resolution Number 71-2023, seconded by Kristy Piper. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 72-2023 - An emergency resolution authorizing the City Manager to enter into an agreement with Set in Stone Contracting, LLC for the 2023 Catch Basin Repair Program in an amount not to exceed \$83,340.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

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

Michael Abella Jr. moved to adopt Resolution Number 72-2023, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 73-2023 - An emergency resolution amending Resolution No. 9-2022 by increasing the not to exceed amount for the purchase of a new 8-ton truck body with snow/ice package from Henderson Products for the Service Department by \$9,790.00 from \$87,711.00 to \$97,501.00.- **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

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

Carried.

Michael Abella, Jr. moved to adopt Resolution Number 73-2023, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 74-2023 - An emergency resolution authorizing the City Manager to enter into an agreement with Inliner Solutions, LLC for the 2023 Storm Sewer Slip Lining Program in an amount not to exceed \$149,065.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, Administration/Matt Jones):

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

Michael Abella, Jr. moved to adopt Resolution Number 74-2023, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Kristy Piper. Nays - 0. Motion Carried.

City Manager's Report Mr. DeForest disclosed that Branch Chipping Day will occur next week. If residents have any questions, they can refer to the City's website: www.brunswick,oh.us He encouraged residents to have their branches laid out no later than 7 a.m., on the day of garbage pickup. Branches cannot be more than 6 inches in diameter and anything less than 3 feet in length should be bundled.

Trike and Bike will be on Friday, September 15 at 6 p.m. at Brunswick High School. Children ages 3 through 12 can register up until Friday morning. There is a \$15 sign-up fee and children are encouraged to raise \$25 for the cause. This is an opportunity for children to get involved in a philanthropic endeavor. This will be Trike and Bike's fourth year in Brunswick. It started after the death of Collin Nemet who passed away 2 months shy of his 12th Birthday. The event will raise money for pediatric cancer research through the Cleveland Clinic.

October 25 will be the Veteran's Breakfast at St. Ambrose. This event is supported by Homestead Insurance. Veterans should contact the City Manager's Office at (330) 558-6826 to register. Participants are urged to arrive at 7:30 a.m. as the event will begin at 8 a.m.

Open Forum Marlene Mellis (19875 Nob Hill, Strongsville, Ohio) spoke against the I-71 interchange. She expressed concerns about moving the jet fuel pipeline. She noted that a \$325,000 survey was conducted that revealed that the decrease in traffic at I-71 and Route 82 will be minimal. Ms. Mellis commented that she has been involved in advocating against the interchange and that there are other Strongsville residents who also oppose it.

Unfinished Business There was none.

New Business Mr. Hanek reiterated that Strongsville has admitted through their study that the proposed interchange would only minimally impact traffic on Route 82. He announced that in review of Strongsville's September 5 Council Meeting, he was surprised to learn that Council had not thoroughly reviewed the study. He thanked State Senator Mark Romanchuk, Representative Melanie Miller, and Representative Sharon Ray who are having a press conference this Thursday at the Ohio State House to discuss a potential repeal of the law that is forcing the interchange to occur. He invited residents that are interested in supporting efforts to stop the interchange to attend. Mr. Hanek informed that a bus would be leaving City Hall at 7:30 a.m. on September 14 and traveling to Columbus for the press conference with an estimated return time of 1 p.m.

Mr. Delsanter commended Vice Mayor Nicholas Hanek for being involved in the technical aspects of the repeal process. He explained that the Governor signed Section 5501.6 into law and that the issue now needs to be addressed at the State level. He explained that the interchange would negatively impact both Brunswick and Strongsville. It is his hope that the legislators and Governor would be convinced to repeal Section 5501.6.

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

There being no further business, the meeting adjourned at 7:52 p.m.

Respectfully submitted,

Laura Timura

Clerk of Council

Mayor Ron Falconi

Adopted