

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

Monday, October 14, 2024

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, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper.

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

Correspondence There was none.

Approval of Regular Council Meeting Minutes

Regular Council Meeting Minutes dated September 23, 2024:

Nicholas Hanek moved to approve the Council Meeting Minutes dated September 23, 2024, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Mayor's Report:

Mayor's Court Financial Report for the month ending September 2024 will be posted on the website and added to the minutes for the record.

Proclamation in recognition of Senator Romanchuk's efforts in passing Senate Bill 155:

Mayor Falconi presented a proclamation to Senator Romanchuk to show gratitude for the valuable support and dedication he and Senators Schaffer, Antonio, Cirino, Craig, DeMora, and Smith have shown through their sponsorship of Am. S.B. No. 155.

Mayor's recommendation to appoint Anita Lambert to the Juvenile Diversion Board.:

If anyone on Council has questions regarding this recommendation, they should contact the Mayor.

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:

Services, Utilities, Technology & Cable Committee Minutes dated September 23, 2024:

Tim Smith moved to approve the Services, Utilities, Technology & Cable Committee Minutes dated September 23, 2024, as written, seconded by Michael Abella Jr. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Finance Committee.....Mr. Hanek:

Finance Committee Minutes dated September 23, 2024:

Nicholas Hanek moved to approve the Finance Committee Minutes dated September 23, 2024, as written, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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

Safety & Environment Committee Minutes dated September 23, 2024:

Keith Kuczma moved to approve the Safety & Environment Committee Minutes dated September 23, 2024, as written, seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

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

Mr. Delsanter had no formal reports this evening.

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

Mrs. Piper had no formal reports this evening.

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

Mr. Abella had no formal reports this evening.

Other Committees, Boards and Commissions

Committee-of-the-Whole Minutes dated September 23, 2024:

Nicholas Hanek moved to approve the Committee-of-the-Whole Minutes dated September 23, 2024, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Petitions from the Public on Legislation Dom DePompei (4798 Baywood Drive) identified himself as a representative of the Brunswick Youth Baseball and Softball Association. He addressed rumors that his organization would remove recreation baseball and softball. Mr. DePompei explained that this is not the case and that they plan to provide more opportunities for the recreation program to develop. There will be additional practices and camps that participants can choose to participate in to develop their skills. Mr. DePompei stated that emails and phone calls would be responded to in a timely manner. He assured that equal opportunities will be available for both girls and boys in the program. Mr. DePompei encouraged everyone to reach out with questions.

Ed Radzynski (19 North Carpenter Road) thanked the Mayor, Vice Mayor, and Council for diligently pursuing their goal to stop the Boston Road interchange. He recounted the multiple trips to Columbus and NOACA to combat the interchange. Mr. Radzynski felt the City's voices carried power to Columbus and thanked everyone for their support.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

ORD. NO. 72-2024 - An ordinance amending Section 222.01 (a) of the City of Brunswick Codified Ordinances.
- **3rd Reading** (Committee-of-the-Whole, *Administration/Dennis Nevar*):

Nicholas Hanek moved to adopt Ordinance Number 72 -2024, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 75-2024 - A resolution authorizing the City Manager to enter into an agreement with Cargill Salt for the purchase of Clearlane enhanced road salt for the Service Department in an amount not to exceed \$79.99 per ton. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*):

Tim Smith moved to adopt Resolution Number 75-2024, seconded by Keith Kuczma. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 76-2024 - A resolution in support of the Brunswick City School District Renewal Operating Levy. - **3rd Reading** (Committee-of-the-Whole, *Council/Joseph Delsanter*):

Nicholas Hanek moved to amend Resolution Number 76-2024 to reflect Issue 14 on the November ballot, seconded by Joseph Delsanter. Mr. Delsanter emphasized the importance of the levy. He relayed renewal levy monies are used to pay the salaries of school employees and would include a 12.5% contribution by the state. Mr. Smith mentioned that a strong school system is important and that developers take this into consideration. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Nicholas Hanek moved to adopt Resolution Number 76-2024, seconded by Tim Smith. Mr. Hanek echoed the sentiments of his colleagues and disclosed that the levy was reasonable and that it would be a financially sound decision to vote in favor of the levy. He recommended that voters consider voting yes. Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith. Abstain - 1, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 77-2024 - A resolution authorizing the City Manager to enter into a non-exclusive lease agreement with Brunswick Youth Baseball, d/b/a Brunswick Youth Baseball and Softball Association, for the operation of youth baseball/softball programs on City owned fields. - **3rd Reading** (Parks, Recreation & Community Committee, *Administration/Taylor Petkovsek*) :

Kristy Piper moved to adopt Resolution Number 77-2024, seconded by Nicholas Hanek.

Mr. Delsanter disclosed that he would not be approving this resolution. He continued that the City has had a 57-year relationship with Brunswick Youth Sports (BYS). He informed there was an absence of a 501(c)(3) through 5 different administrations and 4 different Park Directors. He felt the City needed to take ownership of this problem. Mr. Delsanter relayed that there were no issues with the operations of the organization or the character of the individuals. He then cited concerns that the other organization would not provide the same Little League experience as they were involved in travel baseball. He revealed concerns about someone associated with Brunswick Youth Baseball and Softball being involved in criminal behavior. Mr. Delsanter felt BYS should have been given help and that there was confusion in communication and perhaps not enough oversight on the City's part.

Mr. Hanek pointed out that while BYS has been a part of the community for a long time, it was discovered that the BYS stated they were a 501(c)(3) which was not the case. A detective conducted a thorough

investigation and criminal charges were not pressed. They looked for falsification based on deficiencies and inaccuracies. The report revealed that this organization should have a complete audit for corporate compliance rules and laws with recommendations of best practices implemented. If this organization was properly audited, violations of law would be referred to appropriate investigative bodies. It appears this organization, on its surface, has significant tax issues that they must resolve with the appropriate state and federal agencies. Following the City of Brunswick investigation, the Ohio Attorney General contacted Brunswick Youth Sports. It was discovered that taxes were not filed between 2017 and 2021. Those that thought they were giving to a charitable organization were not as this was not a 501(c)(3). At any time, there could be an investigation that could lead to the City's embarrassment.

The City renegotiated the contract with BYS and provided them with two requirements: become a 501(c)(3) and change the usage of the fields to allow for more flexibility under the discretion of the Parks Department. Neither of these conditions were met. The financial reporting was late and the 501(c)(3) was applied for weeks later, because of a delay of the leadership of the organization. He felt Brunswick Youth Sports claims are unfounded. If there had been a situation in which someone had acted unethically in the City, there would be an investigation. Mr. Hanek announced that lapses in transparency and unethical behavior would not be tolerated. This did not occur.

Under a full and fair playing field, a bidding process where all could apply occurred. The other organization had an unequivocally better package which included a budget. A budget was not provided with Brunswick Youth Sports' bid. He went on to thank everyone who volunteers in the community. Mr. Hanek affirmed that two different agencies investigated the organization. He revealed that he spent countless hours reviewing documents provided by BYS and writing a rebuttal to false statements that were made to both the news and to Council. He reported that BYS' treasurer admitted that taxes were not filed for 5 years and that they delayed filing a 501(c)(3). He concluded that recreational baseball would continue and would be better than ever. Safeguards will be put into place and the matter will be referred to the Parks Committee for multiple meetings in the coming year to vet and go through details. This means providing timely financial transparency and making sure recreation kids are the priority. He cited other non-profits in the City that had no issues. He found it unconscionable to accuse the City of not trying to help BYS. Mr. Hanek agreed that there was not a good job of oversight for baseball, but that will not happen in the future. There will be the best and brightest youth sports program befitting a great city. He concluded that all of the information presented was public record.

Mr. Delsanter responded that Brunswick Youth Sports volunteers were committed to baseball for 57 years. This is a large organization which can be stressful and can experience many issues. Mr. Delsanter asserted that integrity was not an issue. He agreed that there were miscommunications that did not get followed through. He cited that the only reason BYS was not selected per the Parks Director was their lack of a 501(c)(3), which they are in the process of obtaining. Mr. Delsanter felt that if there had been a partnership, responsibility, honesty, and easier communication, it would have helped. He felt Brunswick Youth Baseball and Softball Association had a lot to prove.

Mr. Abella remarked that he would like to see the organization allow all kids to return to their same team next year. He does not want to see teams split up. He felt that prior coaches should be allowed to continue to coach and established travel teams need to remain established. The new league needs to meet with parents and address their concerns to make 2025 as seamless as possible while also adding their proposed improvements. These things need to happen in 2025. He felt Councilman Hanek explained everything. He pointed out Chris Gaglione really cares and has carried on multiple responsibilities and roles to help BYS and try to fix issues. He complimented him and other members of the group and recognized that this is all volunteer work.

Mr. Lambert declared that he initially was voting no to this agreement as he felt both options were bad. However, due to the behavior of BYS and its representatives' abhorrent behavior, he cannot be in favor of BYS. He expressed his dismay as this organization has been involved in the community for 57 years.

Roll Call - Ayes - 6, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Tim Smith, Kristy Piper. Nays - 1, Joseph Delsanter. Motion Carried.

RES. NO. 78-2024 - A resolution officially adopting the Brunswick City logo as the symbol for the Brunswick City Flag. - **3rd Reading** (Committee-of-the-Whole, *Council/Kristy Piper*):

Nicholas Hanek moved to adopt Resolution Number 78-2024, seconded by Keith Kuczma. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

2nd Reading(s)

ORD. NO. 83-2024 - An ordinance authorizing the City Manager to forward a petition for detachment 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 PPNs 001-02A-21-008 and 001-02A-21-009. - **2nd Reading** (Committee-of-the-Whole, *Administration/Dennis Nevar*):

Mr. Hanek moved this ordinance to third reading.

1st Reading(s)

RES. NO. 85-2024 - A resolution commending Senators Romanchuk, Schaffer, Antonio, Cirino, Craig, Demora, and Smith for their commitment and support 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 Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Nicholas Hanek moved to adopt Resolution Number 85-2024, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 86-2024 - 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 Kristy Piper. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Keith Kuczma moved to adopt Resolution Number 86-2024, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 87-2024 - An emergency resolution requesting an advance release of property tax revenue funds from the Medina County Treasurer collected for the benefit of the City of Brunswick. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*) :

Mr. Hanek moved this resolution to second reading.

RES. NO. 88-2024 - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

Nicholas Hanek moved to suspend the rules, seconded by Brandon Lambert. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Nicholas Hanek moved to adopt Resolution Number 88-2024, seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 89-2024 - An emergency resolution authorizing the City Manager to purchase a new 8-ton truck cab and chassis from Northern Ohio Peterbilt of Cleveland for the Service Department in an amount not to exceed \$132,000.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Magovac*):

Tim Smith moved to suspend the rules, seconded by Kristy Piper. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Tim Smith moved to adopt Resolution Number 89-2024, seconded by Keith Kuczma. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 90-2024 - An emergency resolution authorizing the City Manager to enter into an agreement with Fabrizi Trucking & Paving for the Richie Drive Storm Sewer and Paving Project in the amount of \$137,622.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

Tim Smith moved to suspend the rules, seconded by Kristy Piper. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Tim Smith moved to adopt Resolution Number 90-2024, seconded by Keith Kuczma. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

RES. NO. 91-2024 An emergency resolution authorizing the City Manager to purchase twenty-four (24) sets of firefighter turnout gear from Phoenix Safety Outfitters for the Division of Fire in an amount not to exceed \$110,000.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*):

Keith Kuczma moved to suspend the rules, seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

Keith Kuczma moved to adopt Resolution Number 91-2024, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

City Manager's Report Mr. DeForest announced that the Annual Veterans Breakfast will be held on Wednesday, October 23, 2024, with the church doors opening at 7:30 a.m. He reported 115 people signed up to attend and encouraged anyone who served in any military branch to bring their DD214 and join. He advised contacting Betsy Lehy at 330-558-6826 to RSVP.

Mr. DeForest disclosed that the American Legion VFW will hold its Veterans Day Ceremony on November 11, 2024, at 11:00 a.m. in the Council Chambers. He welcomed everyone to attend.

Open Forum There was none.

Unfinished Business There was none.

New Business Mr. Delsanter shared his passionate views honoring the Italian American community, their contribution to the American Dream, and their direct involvement in the Columbus Day Holiday.

Mr. Kuczma commended Mr. Delsanter on his speech and offered everyone a Happy Columbus Day.

Consideration of a new liquor permit request from Rito's Inc., DBA Rito's Bakery & Deli at 1930 Pearl Road, Brunswick, OH 44212:

There were no objections from Council or the Administration.

Consideration of a liquor permit transfer from Sky Market Inc. to Quality Oil LLC/DBA BP located at 15 Pearl Road, Brunswick, OH 44212.:

There were no objections from Council and the Administration.

Adjournment Mr. Hanek moved to adjourn, seconded by Tim Smith. Roll Call - Ayes - 7, Nicholas Hanek, Brandon Lambert, Michael Abella Jr., Keith Kuczma, Joseph Delsanter, Tim Smith, Kristy Piper. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:53 p.m.

Respectfully submitted,



Laura Timura, CMC
Clerk of Council



Mayor Ron Falconi

October 28, 2024

Adopted