

**MINUTES OF A MEETING OF THE  
COUNCIL OF THE CITY OF BRECKSVILLE**

**HELD** \_\_\_\_\_ February 20, 2018 \_\_\_\_\_

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:18 P.M. in Ralph W. Biggs Council Chambers. **CALL TO ORDER**

Following the **PLEDGE OF ALLEGIANCE**, members of Council answered to **PLEDGE OF ALLEGIANCE**  
**ROLL CALL** as follows:

Members Present: L. Carouse, Jr., M. Harwood, J. Petsche,  
L. Redinger, D. Rose, K. Veras. **ROLL CALL**

Members Absent: G. Broski,

Others Present: Mayor Jerry N. Hruby, Law Director D. Matty,  
Assistant Law Director DiGeronimo,  
Engineer G. Wise, Finance Director V. Price,  
BI S.Synek, Purchasing Director R. Riser,  
Fire Chief N. Zamiska, Police Chief W. Goodrich,  
Recreation Director T. Tupa, Council Clerk T. Tabor.

**MINUTES OF THE FEBRUARY 6, 2018 REGULAR MEETING:** Motion by Carouse, seconded by Redinger to dispense with the reading of the February 6, 2018 regular meeting minutes and to accept same as presented. **REGULAR MEETING MINUTES OF 2-6-2018 APPROVED**

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**RESOLUTION 4838 re:** a Resolution authorizing the Mayor to accept a Quit Claim Deed from the United States of America acting through the Secretary of Veteran's Affairs of The Department of Veteran's Affairs for parcels located at 10000 Brecksville Road, Brecksville, Ohio and declaring an emergency, was read by title. **RES. 4838 2<sup>ND</sup> READING ACCEPT. QUIT CLAIM DEED FOR THE VA PROP. AT 10000 BRECKSVILLE ROAD**

Motion by Carouse, seconded by Redinger, pass Resolution 4838 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**COMMENTS:** Council President Harwood asked if any Councilmembers or audience members had questions or comments regarding the Memorandum of Understanding. An audience member asked where the information is available. and why wasn't it posted on the City's website. Mayor Hruby said the information is posted in the Community and available at the Brecksville Library. Mayor Hruby advised that most people contact the Council Office or City Hall to obtain copies of legislation before it has been approved by City Council. The audience member asked why wasn't it posted on the City's website. Mayor Hruby said he will investigate why the City does not post legislation on the website. **COMMENTS**

**RESOLUTION 4839 re:** a Resolution authorizing the Mayor to inter into a MOU with Brecksville Community Improvement Corporation and DiGeronimo Development LLC with respect to development of 10000 Brecksville Road and declaring an emergency, was read by title. **RES. 4839 2<sup>ND</sup> READING MOU WITH THE CIC AND DIGERONIMO DEVEPMENT FOR THE VA PROPERTY**

Motion by Rose, seconded by Carouse, to pass Resolution 4839 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

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**RESOLUTION 4840** re: Appointing David Waltral as a full time Firefighter/Paramedic in the City of Brecksville Fire Department and declaring an emergency, was read. **RES. 4840 APPT. DAVID WALTRAL AS A FULL-TIME FIREFIGHTER /PARAMEDIC IN THE CITY OF BRECKSVILLE**

Motion by Carouse, seconded by Redinger, to suspend the rules and place Resolution 4840 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Redinger, seconded by Carouse, to pass Resolution 4840.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**COMMENTS:** Mayor Hruby said David Watral is a fire fighter with Fairport Harbor Fire Department. He was named firefighter of the year in 2016. Mr. Watral completed his firefighter Certification through Cuyahoga Community College and his Paramedic Training at Lakeland Community College. He has an Associates Degree in Applied Business and Computer Science and is working toward a Firefighter 1 Certification. Mr. Watral has been commended by the public for his involvement in instructing the public on fire safety. Mr. Watral was employed as a part time firefighter & paramedic in Wickliffe and Painsville. During the application and interview process, several Fire Chief's provided positive recommendations. Mayor Hruby said he is happy to recommend Mr. Watral. **COMMENTS**

Mayor Hruby administered the Oath of Office and David's Mother, Cindy, pinned the firefighter badge on. David introduced his family members, his brother, grandfather, aunt, uncle and parents.

**RESOLUTION 4841** re: authorizing the Mayor to enter into an Employee Assistance Service Program with ease@work for a period of two (2) years commencing March 1, 2018 and declaring an emergency, was read by title. **RES. 4841 AUTH EMPLOYEE ASSISTANCE SERVICE PROGRAM EASE@WORK**

Motion by Veras, seconded by Rose, to suspend the rules and place Resolution 4841 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Redinger, seconded by Carouse, to pass Resolution 4841.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**RESOLUTION 4842** re: Authorizing the Director of Finance to reimburse Breck Masonic Temple Co. in the amount of twenty-eight thousand, six hundred and five dollars and twelve cents (\$28,605.12) for an overpayment of the special assessment levied on Permanent Parcel Number 601-34-006 located at 8922 Brecksville Road and declaring an emergency, was read by title. **RES. 4842 AUTH. REIMBURSEMENT TO BRECK MASONIC TEMPLE FOR OVER-PAYMENT OF SPECIAL ASSESSMENT FUNDS. PP# 601-34-006**

Motion by Redinger, seconded by Carouse, to suspend the rules and place Resolution 4842 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Redinger, seconded by Carouse, to pass Resolution 4842.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

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**RESOLUTION 4843 re:** Authorizing the Mayor to apply for a grant through the Ohio Arts Council's ArtsNEXT Funding Program for programming development and art supplies & materials for senior residents, and declaring an emergency, was read by title. **RES. 4843 AUTH GRANT APPLICATION THROUGH OHIO ARTS COUNCIL ARTSNEXT PROGRAM FOR SENIOR RESIDENTS**

Motion by Redinger, seconded by Rose, to suspend the rules and place Resolution 4843 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Redinger, seconded by Carouse, to pass Resolution 4843.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**RESOLUTION 4844 re:** Authorizing the Mayor to apply for a grant through the Ohio Arts Council's ArtsSTART Program for programming development and art supplies & materials for senior residents, and declaring an emergency, was read by title. **RES. 4844 AUTH GRANT APPLICATION THROUGH OHIO ARTS COUNCIL ARTSSTART PROGRAM FOR SENIOR RESIDENTS**

Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4844 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Redinger, seconded by Carouse, to pass Resolution 4844.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**RESOLUTION 4845 re:** Authorizing the Mayor to apply for a Grant from the Ohio Older Adult Falls Prevention Coalition of the Ohio Injury Prevention Partnership (OIPP), for up to a maximum amount of four thousand dollars (\$4,000.00), for programming to reduce fall-related injuries among older adults in the Brecksville community, and declaring an emergency, was read by title. **RES. 4845 AUTH GRANT APPLICATION FROM OHIO OLDER ADULTS FALLS PREVENTION COALITION OF THE OHIO INJURY PREVENT. PARTNER-SHIP**

Motion by Veras, seconded by Redinger, to suspend the rules and place Resolution 4845 on third and final reading.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Redinger, seconded by Carouse, to pass Resolution 4845.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**BOARD OF ZONING APPEALS:** Councilmember Rose reported the next meeting of the Board of Zoning Appeals will be March 12th at 7:30 P.M.. **BD. OF ZONING APPEALS**

Councilmember Rose said the February 12<sup>th</sup> meeting of the Board of Zoning Appeals had four appeals to be brought before Council. The Board received and accepted the 2017 report. There were 79 appeals. 75 requests were approved in 2017. The denials included placement of an a/c unit in a side yard, a fence height, a fence type and placement of a generator.

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- Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Appeals to approve a variance from Section 1151.24 of 17.84 ft. from the minimum required 60 ft. rear yard setback to allow 42.16 for the construction of an addition located at 6633 Westview Drive, PP# 603-20-044. **APP. 2018-07  
6633  
WESTVIEW  
DR. PP# 603-24-  
044 ADDITION  
VARIANCE**
- Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.  
**MOTION CARRIED 6-AYES, 0-NAYS.**
- Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Appeals to approve a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate for a new single family dwelling located at 9304 Fitzwater Road, PP# 601-10-004. **APP. 2018-08  
9304  
FITZWATER  
PP# 601-10-004  
SIDEWALK  
VARIANCE**
- Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.  
**MOTION CARRIED 6-AYES, 0-NAYS.**
- Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Zoning Appeals to approve a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate for a new single family dwelling located at 10077 Barr Road, PP# 604-13-020. **APP. 2018-09  
10077 BARR  
RD. PP# 604-13-  
020  
SIDEWALK  
VARIANCE**
- Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.  
**MOTION CARRIED 6-AYES, 0-NAYS.**
- Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Zoning Appeals to approve a variance from Section 1326.02 to install a generator on the side of the house instead of the rear as required by code located at 7275 Canyon Point Circle, PP# 605-11-030. **APP. 2018-10  
605-11-030 7275  
CANYON PT  
CIR. PP#605-  
11-030  
GENERATOR  
VARIANCE**
- Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.  
**MOTION CARRIED 6-AYES, 0-NAYS.**
- PLANNING COMMISSION:** Councilmember Harwood reported the next meeting of the Planning Commission will be February 22<sup>nd</sup> at 7:00 P.M. **PLANNING  
COMMISSION**
- Motion by Harwood, seconded by Veras, to accept the recommendation of the Planning Commission and grant Preliminary approval of a major subdivision of 22 lots on approximately 36 acres of land on the west side of Dewey Road in the City of Brecksville, Ohio to be known as The Preserve at Parkside, PP #605-24-002, 605-24-013, 605-24-014, 605-24-015 and 605-24-016, as depicted on the drawings by TGC Engineering LLC, dated January 9, 2018. **PRESERVE AT  
PARKSIDE  
MAJOR  
SUBDIVISION  
PRELIMIN-  
ARY  
APPROVAL  
OF 22 LOTS  
ON APPROXI-  
MATELY 36  
ACRES OF  
LAND ON THE  
WEST SIDE OF  
DEWEY ROAD**
- 1 of 4 Title Sheet, 2 of 4 Overall Site Plan, 3 of 4 Site Plan, 4 of 4 Site Plan  
Contingent upon the Law Director approving the deeds, covenants, restrictions and subdivision agreement, the approval of the City Engineer, the approval of the City Arborist and Board of Zoning Appeals and City Council approval of the following variances:
1. A variance from Section 1117.04(e) of 216 ft. from the maximum permitted 800 ft. for a cul-de-sac street, to allow Woodview Way to extend 1,016 ft.
  2. A variance from Section 1117.09(a) of 75 ft. from the minimum required 75 ft. rear property line to allow a rear lot width of 0 ft. for Sublot 14.
  3. A variance from Section 1117.09 design requirement that lots shall be generally rectangular in form to allow Sublot 14 to be triangular in form.
  4. A variance from Section 1117.09(d) requirement of side yard lot lines to be radial to curved street lines to allow non-radial lot lines between Sublots 8 & 9, 11 & 12, 13 & 14, 14 & 15 and 17 & 18.
  5. A variance from Section 1117.09(d) not to install the required public sidewalks on Dewey Road until such time that the City deems appropriate, located at The Preserve at Parkside, a major subdivision of 22 lots, on approximately 36 acres on the west side of

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Dewey Road, located at PP #605-24-002, 605-24-013, 605-24-014, 605-24-015 and 605-24-016, and further contingent upon the installation of heavy landscaping along the north and west property lines of 10408 Dewey Road to provide screening from the entrance to the subdivision.

**PRESERVE AT  
PARKSIDE  
CONTINUED**

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Harwood, seconded by Veras, to accept the recommendation of the Planning Commission and approve a 17.42 sq. ft. permanent, wall, identification sign with existing front led illuminated, metallic faced, laminated PVC letters for Nektar Juice Bar, 7815 Chippewa Road, as described in the application dated January 11, 2018 and attached plans by Ruff Neon Signs and Lighting Maintenance Inc., contingent upon City Council's approval of the following deviation:

**NEKTAR  
JUICE BAR  
SIGNS  
7815  
CHIPPEWA  
ROAD**

- A deviation from Section 1187.09(c) of the maximum 12.45 sq. ft. wall sign to allow 17.42 sq. ft.

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Harwood, seconded by Veras, to accept the recommendation of the Planning Commission and grant Preliminary and Final approval of a Bike Rack Area in the front yard of Brecksville United Methodist Church located at 65 Public Square, Brecksville, Ohio 44141, as depicted on the application and plans dated January 23, 2018, contingent on the approval of the City Engineer.

**BRECKS.  
UNITED  
METHODIST  
CHURCH  
BIKE RACK  
PAD**

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**RECREATION COMMISSION:** Council Representative Redinger said the next meeting of the recreation Commission will be February 26<sup>th</sup> at 7:30 P.M.

**RECREATION  
COMMISSION**

**DEPARTMENT OF HUMAN SERVICES:** Council Representative Veras said the Human Services Advisory Board met on February 14<sup>th</sup>. Director Paciorek advised the Board of several grant applications including social service activity & meal reimbursement grant, emergency preparedness for seniors and injury prevention grant.

**DEPT. OF  
HUMAN  
SERVICES**

**TELECOMMUNICATIONS COMMISSION:** Council President Harwood for Council member Broski, no report.

**TELEC. COM.**

**SAFETY-SERVICE COMMITTEE:** Councilmember Carouse reported the committee met earlier this evening and has two items for Council consideration.

**SAFETY-  
SERVICE**

Motion by Carouse seconded by Redinger to approve a Purchase Requisition in the amount of \$4,428.91 for the annual purchase of apparel for the Service Department. Account # 110610 1404 (Service) \$3,842.51 and Account # 110165 1404 (Housekeeping) \$586.40.

**SERVICE  
DEPARMENT  
APPAREL**

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Carouse seconded by Redinger to approve a Purchase Requisition in the amount of \$12,325.00 to Stonewall Uniform Corporation for an Emergency Scene Portable Lighting System for the Fire Department. Account # C50260 3300 \$12,325.00

**EMERGENCY  
SCENE  
PORTABLE  
LIGHTING**

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

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**STREETS & SIDEWALKS COMMITTEE:** Councilmember Redinger for **STREETS & SIDEWALKS**  
Councilmember Broski had no report.

**UTILITIES COMMITTEE:** Councilmember Petsche reported the committee met **UTILITIES**  
earlier this evening and discussed West Creek Conservancy is seeking a \$5000.00 **COMMITTEE**  
contribution to perform a Non- Point Source Strategy Implementation Plan formerly known  
as a Watershed Plan of Chippewa Creek. The Committee voted to investigate this request  
further.

**BUILDINGS & GROUNDS COMMITTEE:** Councilmember Veras reported the **BUILDINGS &**  
Committee met earlier this evening and has one item for Council consideration. **GROUNDS**

Motion by Veras seconded by Rose, to approve a Purchase Requisition in the **GILLESPIE**  
amount of \$3,173.05 to Gillespie Company for year two (2) of a three (3) year agreement to **COMPANY**  
provide the annual services for backflow preventer inspections for (39) City locations, and **BACKFLOW**  
charged to (7) different accounts. **PREVENTER**

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras. **INSPECTIONS**

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**LEGISLATION COMMITTEE:** Councilmember Rose said the Committee met **LEGISLATION**  
earlier this evening and passed a recommendation to appoint David Watral to the Fire **COMMITTEE**  
Department and thanks Council for that approval. Also, The Cuyahoga County Planning  
Commission presented a plan to provide a survey in connection with the Master Plan. The  
Committee authorized Legislation to be prepared for Council's approval.

**FINANCE COMMITTEE:** Councilmember Redinger thanked Council for **FINANCE**  
approval of several grant application authorizations and the approval to reimburse the Breck **COMMITTEE**  
Masonic Temple for an overpayment of assessment fees.

**REPORT OF LAW DIRECTOR:** Law Director Matty had no report. **LAW**

**REPORT OF ENGINEER:** Engineer Wise requested if Council agrees to Change **ENGINEER**  
Order No. 3 to Catts Construction for the S.R. 82 Pavement Improvement Project to provide **S.R. 82**  
materials for the undercut of unsuitable materials the \$28,176.00 and message boards for the **PAVEMENT**  
MOT. **IMP. PROJECT**

Motion by Carouse, seconded by Redinger to authorize Change Order No. 3 in the amount  
of \$28, 176.00 for CATTs Construction. **CATTs**

Ayes: Carouse, Harwood, Redinger, Rose, Veras. **CONST.**

Nays: None. **CHANGE**

Abstain: Petsche **ORDER. NO. 2**

**MOTION CARRIED 5-AYES, 0-NAYS, 1-ABSTAIN.**

**REPORT OF FINANCE DIRECTOR:** Finance Director Price had no report. **FINANCE**

**REPORT OF BUILDING DEPARTMENT:** B.I. Synek had no report. **BUILDING**

**REPORT OF PURCHASING DIRECTOR:** Purchasing Director Riser had no **PURCHASING**  
report. **DEPT.**

**REPORT OF POLICE DEPARTMENT:** Police Chief Goodrich had no report. **POLICE DEPT.**

**REPORT OF FIRE DEPARTMENT:** Fire Chief Zamiska thanked Council for the **FIRE DEPT.**  
appointment of David Watral and reminded everyone about the Fire Association Fund raiser  
Friday, February 23<sup>rd</sup> benefitting Safety Town and Honor Guard Training.

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**REPORT OF RECREATION DEPARTMENT:** No report.

**RECREATION**

**REPORT OF THE MAYOR REPORT OF SERVICE DIRECTOR:** Mayor Hruby reported the State of the City will begin at 7:00 on February 21<sup>st</sup> in the gathering room at the Human Services Center. The Chamber of Commerce will also be awarding the Citizen of the Year, for Volunteerism in the Community. The Human Services Center hosted the Conversation with the Mayor and drew a nice sized group of residents. Mayor Hruby said he will also be speaking at the Kiwanis meeting. The Human Services Volunteer Tea will be held at 12 Noon on February 22<sup>nd</sup>. Mayor Hruby thanked the Fire Chief and Police Chief for their outstanding work for promoting and obtaining funding for rebuilding Safety Town.

**REPORT OF  
THE MAYOR  
AND SERVICE  
DIRECTOR**

**COMMENTS:** Students may sign in and pick-up an agenda at the front table. Council will sign any documents and answer questions after the meeting.

**COMMENTS**

**BRECKSVILLE BROADVIEW HEIGHTS STUDENTS:** The following Brecksville Broadview Heights students were in attendance: Dolores Martin, Verena Farid, Evan Luikart, Cassidy Naypauer, Maanasa Humchad, Natalie Sternad, Rhalena Seballos.

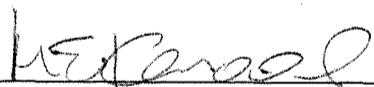
**BBHHS  
STUDENTS**

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:57 P.M.

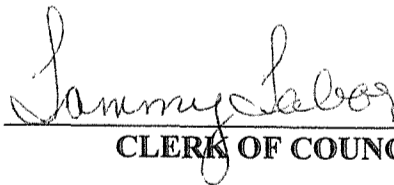
Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**



\_\_\_\_\_  
**PRESIDENT OF COUNCIL**



\_\_\_\_\_  
**CLERK OF COUNCIL**