

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

HELD _____ January 15, 2019

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:00 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 L. Starosta,
CBO S. Packard, Purchasing Director R. Riser,
Fire Chief N. Zamiska, Police Chief W. Goodrich,
Recreation Director T. Tupa, Service Director
R. Weidig, Council Clerk T. Tabor.

MINUTES OF THE JANUARY 2, 2019 REGULAR MEETING: Motion by Carouse, seconded by Redinger to dispense with the reading of the January 2, 2019 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 1-2-2019 APPROVED

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

RESOLUTION 4923 re: a Resolution authorizing the renewal of the Memorandum of Understanding with Cuyahoga Soil & Water Conservation District and the NEORSO for technical assistance in implementing the Soil & Water Conservation Measures for 2019; and declaring an emergency, was read by title.

RES. 4923 RENEW MOU FOR CUYAHOGA SOIL & WATER PUBLIC INFORM. PUBLIC ED PROGRAM

Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4923 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 4923.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

RESOLUTION 4924 re: a Resolution authorizing the sale of personal property no longer needed for Municipal Purposes by internet auction in accordance with Section 721.15 of the Ohio Revised Code.; and declaring an emergency, was read by title.

RES. 4924 AUTHORIZE INTERNET AUCTION

Motion by Veras, seconded by Rose, to suspend the rules and place Resolution 4924 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 4924.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

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- RESOLUTION 4925** re: a Resolution authorizing the Mayor to apply to the Cuyahoga County Solid Waste Management District for the 2019 Community Recycling Awareness Grant in the amount of \$5,000.00; and declaring an emergency, was read by title. Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4925 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 4925.
Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.
- RESOLUTION 4926** re: a Resolution authorizing the Mayor to enter into a Subdivision Agreement and an Escrow Agreement with Petros Homes Snowville, LLC for The Village of Brecksville Subdivision Phase II; and declaring an emergency, was read by title. Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4926 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 4926.
Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.
- ORDINANCE 5221** re: an Ordinance authorizing the purchase of Cisco Network Gear from Black Box Network Services through the State of Ohio Administrative Services Purchasing Program; and declaring an emergency, was read by title. Motion by Veras, seconded by Rose, to suspend the rules and place Ordinance 5221 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 Ordinance 5221.
Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.
- ORDINANCE 5222** re: an Ordinance authorizing the purchase of tires, tubes and related services through December 31, 2019 from the Goodyear Tire & Rubber Company; and declaring an emergency, was read by title. Motion by Rose, seconded by Veras, to suspend the rules and place Ordinance 5222 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 Ordinance 5222.
Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.
- RES. 4925
AUTH. GRANT
APPLICATION
FROM CUY.
SOLID WASTE
DISTRICT**
- RES. 4926
SUBDIV. &
ESCROW
AGREEMENT
WITH PETROS
HOMES
SNOWVILLE
LLC FOR THE
VILLAGE OF
BRECKS.
PHASE II**
- ORD. 5221
CISCO
NETWORK
GEAR
THROUGH
OHIO
ADMINIS-
TRATIVE
SERVICES
PURCH.
PROGRAM**
- ORD. 5222
AUTH. PURCH
OF TIRES,
TUBES &
RELATED
SERVICES
FROM
GOODYEAR
TIRE &
RUBBER CO.**

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ORDINANCE 5223 re: an Ordinance levying and confirming a special assessment for the razing and removal of an unsafe structure on PP# 602-13-002 located at 11703 Chippewa Road, Brecksville, Ohio; and declaring an emergency, was read by title. **ORD. 5223 SPECIAL ASSESSMENT FOR PP# 602-13-002 FOR RAZING OF UNSAFE STRUCTURE**

Motion by Veras, seconded by Rose, to suspend the rules and place Ordinance 5223 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 Ordinance 5223.

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

MOTION CARRIED 6-AYES, 0-NAYS.

ORDINANCE 5224 re: an Ordinance amending Section 125.01(b) of the Administrative Code to update the Mayor's compensation; and declaring an emergency, was read by title. **ORD. 5224 ORDINANCE AMENDING SEC. 125.01(b) UPDATING MAYOR'S COMPENSATION**

Motion by Rose, seconded by Veras, to suspend the rules and place Ordinance 5224 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 Ordinance 5224.

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

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Harwood, seconded by Carouse to amend the agenda to add a request for a liquor license. **AMEND AGENDA TO INCLUDE ODLIC REQUEST**

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

MOTION CARRIED 6-AYES, 0-NAYS.

OHIO DIVISION OF LIQUOR CONTROL: Councilmember Harwood asked if any members of Council had an objection to a liquor license for the Water Falls Brew House and Restaurant LLC located at 8934 Brecksville Road, Brecksville, Ohio 44141. Hearing no objections Council President Harwood authorized Council Clerk Tabor to notify the Ohio Department of Liquor Control that Brecksville City Council has no objections. A hearing is not necessary for the permit issuance. **OHIO DIV OF LIQUOR CONTROL 8934 BRECKSVILLE RD.**

BOARD OF ZONING APPEALS: Councilmember Rose reported the next meeting of the Board of Zoning Appeals will be Monday, February 11th at 7:30 P.M. Councilmember Roses reported he was elected as Chairman, Kathy Roberts as Vice Chair and Bruce McCrodden as Secretary. There is one variance referred for Council consideration. **BD. OF ZONING APPEALS**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for (1) a variance from Section 1181.11(a) maximum roof area over 30 ft. is limited to 10% of ground floor, to allow 39%. **VAR. 2019-02 5304 VALLEY PKWY. CHIMNEY FLUE MATERIAL**

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 January 24th at 7:00 P.M. Kirk Roman was elected as Chairman, Dominic Sciria as Vice Chairman and Eric Lahrmer was elected as Secretary. The Planning Commission has one item for Council consideration today. **PLANNING COMMISSION**

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Motion by Harwood, seconded by Veras, to accept the Planning Commission recommendation for approval of plans for the antenna change outs along with associated equipment on new mounts at the 185' level at the Crown Castle Tower Site Brecksville (Alltel) located at 6896 W. Snowville Road, Brecksville Ohio, 44141, for Verizon in the application dated December 12, 2018, as described on the attached drawings by Harper Engineering Inc. dated November 9, 2018 and Structural Analysis Report by Pier Structural Engineering Corp. dated November 19, 2018, contingent on the approval by City Council and structural review approval.

- T-1/2 Title Sheet
- C-1/2 Overall Site Plan
- A-1/2 Site Plan & Elevations
- RF-1/2 Antenna Layout & Details

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

**CROWN
CASTLE APP.
FOR
ANTENNA
CHANGES TO
TOWER AT
6896 W.
SNOWVILLE
ROAD FOR
VERIZON**

RECREATION COMMISSION: Council Representative Redinger said the next meeting of the Recreation Commission will be January 28th at 7:30 P.M.

**RECREATION
COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Council Representative Veras reported the next meeting of the Human Services Advisory Board will be February 13th at 3:00 P.M. Tickets are available for the Kiwanis Empty Bowls event that will be held on February 5th at the Cuyahoga Valley Career Center.

**DEPT. OF
HUMAN
SERVICES**

TELECOMMUNICATIONS COMMISSION: Council President Harwood, on behalf of Councilmember Broski, has no report.

TELEC. COM.

SAFETY-SERVICE COMMITTEE: Councilmember Carouse reported the committee met earlier today and thanked Council for the passage of legislation authorizing the purchase of Tires through Goodyear Tire & Rubber Company through 2019. The Committee has three additional items for Council consideration.

**SAFETY-
SERVICE**

Motion by Carouse, seconded by Redinger to approve a purchase requisition to Mattes Landscaping in the amount of \$20,000.00 for Supplementary Snowplowing for the 2019 snow season. This includes plowing/icing various parking lots and sidewalks. *Account #110430 2103.*

**SUPPLEMEN-
TARY SNOW
PLOWING
FOR 2019
SNOW
SEASON**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Carouse, seconded by Redinger to approve a pricing amendment from Petroleum Traders on Extension of Agreement No. 17-5117-01 for our 2019 purchases of Unleaded 87. The new pricing differential would be -0.0057 added to the Cleveland, OH OPIS daily contract average for gasoline. The amended pricing equates to an additional .016/per gallon.

**PETROLEUM
TRADERS
AGREEMENT
EXTENSION
AND
AMENDMENT**

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 for the contract extension with OnSolve, LLC (formerly Emergency Communications Network) for CodeRED Emergency Notification Service in the annual amount of \$9,980.00 and Weather Warning Service in the amount of \$3,750.00 for the aggregate total of \$13,730.00. *Account #110150 2103.*

**ONSOLVE
LLC FOR
CODERED
EMERGENCY
NOTIFOCATION**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

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STREETS & SIDEWALKS COMMITTEE: Councilmember Rose, on behalf of Councilmember Broski, reported the committee met earlier this evening and has three additional items for Council consideration. **STREETS & SIDEWALKS**

Motion by Rose, seconded by Redinger to approve Change Order No. 5 for the S.R. 82 Pavement Improvement Project that accounts for quantities and decreases the contact value by \$80,368.19. **SR. 82 PAVEMENT IMP. PROJECT CHANGE ORDER NO. 5**

Ayes: Carouse, Harwood, Redinger, Rose, Veras.
Abstain: Petsche.
Nays: None.
MOTION CARRIED 5-AYES, 1-ABSTAIN, 0-NAYS.

Motion by Rose, seconded by Redinger to approve Change Order No. 6 for the S.R. 82 Pavement Improvement Project to reflect ODOT 104.02 Adjustments, increasing the contract value \$2,078.87. **SR. 82 PAVEMENT IMP. PROJECT CHANGE ORDER NO. 6**

Ayes: Carouse, Harwood, Redinger, Rose, Veras.
Abstain: Petsche.
Nays: None.
MOTION CARRIED 5-AYES, 1-ABSTAIN, 0-NAYS.

Motion by Rose, seconded by Redinger to approve Change Order No. 7 for the S.R. 82 Pavement Improvement Project to reflect additional drainage repair costs near Central School increasing the contract value \$7,784.20. **SR. 82 PAVEMENT IMP. PROJECT CHANGE ORDER NO. 7**

Ayes: Carouse, Harwood, Redinger, Rose, Veras.
Abstain: Petsche.
Nays: None.
MOTION CARRIED 5-AYES, 1-ABSTAIN, 0-NAYS.

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier and thanked Council for passage of a Subdivision Agreement & Escrow Agreement with Petros Homes Snowville, LLC. For the Village of Brecksville Subdivision Phase II. **UTILITIES COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Veras reported the Buildings & Grounds Committee met earlier this evening and thanked Council for the passage of an Ordinance for the purchase of IT network gear for the new Police Station. **BUILDINGS & GROUNDS COMMITTEE**

LEGISLATION COMMITTEE: Councilmember Rose said the Committee met earlier this evening and discussed the Solar Panel Regulation recommendation that should be received by the committee from the Planning Commission prior to the February meetings. **LEGISLATION COMMITTEE**

FINANCE COMMITTEE: Councilmember Redinger thanked Council for the passage of the legislation presented this evening. The Finance Committee is requesting approval of five additional items. **FINANCE COMMITTEE**

Motion by Redinger, seconded by Carouse, to authorize the Purchasing Director to advertise for bids on the following annual purchases & upcoming projects in 2019. **AUTH. BID ADVERTISE-MENT FOR 2019 PURCHASES AND PROJECTS**

Annual Purchases:

-2019 Online Auctions of Surplus Property on GovDeals.com	Ongoing
-Supplying Asphalt Materials (<i>municipal purchasing consortium</i>)	April 2019
-Supplying Gasoline & Diesel Fuel (<i>municipal purchasing consortium</i>)	October 2019
-Temporary General Labor Staffing for the Service Department in 2020	November 2019
-2020 Road Program	December 2019

Ayes: Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.

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Motion by Redinger, seconded by Carouse, to approve a purchase requisition to the Brecksville Chamber of Commerce in the amount of \$3,000.00 for the renewal of the City's sponsorship of the Buy Brecksville campaign. Account #110150 2113.

**BUY BRECKSVILLE
SPONSORSHIP**

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

Abstain: Petsche.

Nays: None.

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

Motion by Redinger, seconded by Carouse, to approve a purchase requisition to Sundance Systems, Inc. for the annual support of CAD Disaster Software and Mobile Data in the amount of \$9,000.00 and Public Records Online in the amount of \$600.00 for a total of \$9,600.00 for the period of 1/1/2019 – 12/31/2019. Account # 110210 2103.

**SUNDANCE
CAD
DISASTER
SOFTWARE &
MOBILE
DATA**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to approve a purchase requisition to Wichert Insurance Services, Inc. for year 1 of a 3 year rate-guaranteed policy through Provident for Accident & Health Insurance Coverage for Volunteer & Part Time Firemen at \$3,212.00 per year. This is an increase of only \$11 per year over the previous 3-year installment for the same coverage and Benefits. Account # 290260 2101.

**ACCIDENT &
HEALTH
INSURANCE
FOR
VOLUNTEER
& PART TIME
FIREMEN**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$8,815.00; Sergio I. DiGeronimo in the amount of \$5,362.50; Roger Wadsworth in the amount of \$350.00; Kulchytsky Architects, LLC in the amount of \$112.50; J Neusser, LLC in the amount of \$2,000.00; and Donald J. Bohning & Associates in the amount of \$22,208.07, Sixmo in the amount of \$800.00; Total of all invoices \$39,648.07.

**MONTHLY
BILLS FOR
PROFESS-
IONAL
SERVICES**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

REPORT OF LAW DIRECTOR: No Report

LAW

REPORT OF ENGINEER: Engineer Wise reported Council's approval of the Village of Snowville Phase II Subdivision Agreement and the Escrow Agreement tonight will allow Petros Homes to proceed with construction in February.

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report

FINANCE

REPORT OF BUILDING DEPARTMENT: No Report

BUILDING

REPORT OF PURCHASING DIRECTOR: No Report

PURCHASING

REPORT OF POLICE DEPARTMENT: No Report

POLICE

REPORT OF FIRE DEPARTMENT: Fire Chief Zamiska said the Fire Department will again host a Citizen's Fire Academy beginning on February 11th and run through March 18th on Monday evenings.

FIRE

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

REPORT OF SERVICE DIRECTOR: No Report

SERVICE

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REPORT OF THE MAYOR: Mayor Hruby reported there will be a public meeting **MAYOR** on January 21st to inform residents of the agreement between the School District and the City as well as discuss the possible future uses of the Central School. Another public meeting will be held to discuss the partnership between the School District and the City of Brecksville as it relates to the new Elementary School and Field House that will be built on the Blossom Hill Property. Mayor Hruby reported that Democracy Day will be held on February 26th at 7:00 P.M. in the Gathering Room of the Human Services Building. Property Tax bills have been sent and Mayor Hruby said of the 80 Cuyahoga County Communities, the City of Brecksville is one of the lower taxing districts, only 17 communities have a lower taxing rate than Brecksville.

BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following **BBHHS** Brecksville Broadview Heights students were in attendance: Aaron Georgevich and Alex **STUDENTS** Sumarli.

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:26 P.M.


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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL