

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

HELD _____ February 5, 2019

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:07 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: G. Broski, L. Carouse, Jr., M. Harwood, J. Petsche,
L. Redinger, D. Rose, Veras. **ROLL CALL**

Members Absent: None.

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 15, 2019 REGULAR MEETING: Motion by Carouse, seconded by Redinger to dispense with the reading of the January 15, 2019 regular meeting minutes and to accept same as presented. **REGULAR MEETING MINUTES OF 1-15-2019 APPROVED**

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

Abstain: Broski.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4927 re: a Resolution adopting the Solid Waste Management Plan Update for the Cuyahoga County Solid Waste Management District; and declaring an emergency, was read by title. **RES. 4927 ADOPTING CUYAHOGA COUNTY SOLID WASTE DISTRICT UPDATE**

Motion by Broski, seconded by Rose to suspend the rules and place Resolution 4927 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4927.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4928 re: a Resolution accepting the proposal of CTL Engineering, Inc. for Geotechnical Engineering Services for the Valley Parkway Project; and declaring an emergency, was read by title. **RES. 4928 ACCEPT PROPOSAL OF CTL ENGINEERING FOR THE VALLEY PARKWAY PROJECT**

Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4928 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4928.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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RESOLUTION 4929 re: a Resolution authorizing the Mayor to complete the grant process for a 2019 NOPEC Energized Community (NEC) Grant through the NEC Grant Program; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4929 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4929.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4929
AUTHORIZE
COMPLETION
OF 2019
GRANT
PROCESS FOR
NEC GRANT
PROGRAM**

RESOLUTION 4930 re: a Resolution authorizing the Mayor to accept an award from the 2018-2019 Ohio Law Enforcement Body Armor Program for the purchase of body armor for the Brecksville Police Department, and declaring an emergency, was read by title.

Motion by Veras, seconded by Broski, to suspend the rules and place Resolution 4930 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4930.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4930
ACCEPT
AWARD
FROM OHIO
LAW
ENFOCE-
MENT FOR
POLICE
DEPARTMENT
BODY ARMOR**

ORDINANCE 5225 re: an Ordinance authorizing the purchase of Body Armor, carriers and shock plates for use by the Police Department 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 5225 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5225.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5225
AUTH.
PURCHASE
OF BODY
ARMOR FOR
THE POLICE
DEPARTMENT**

RESOLUTION 4931 re: a Resolution authorizing the Mayor, on behalf of the City of Brecksville, to provide a Grant to the Brecksville Broadview Heights Community Awareness and Prevention Association for the partial funding and operation of prevention and intervention services; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4931 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Petsche, to pass Resolution 4931.

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

Abstain: Carouse

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4931
2019 GRANT
FOR BRECKS-
VILLE
BROADVIEW
HTS. C.A.P.A.**

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ORDINANCE 5226 re: an Ordinance authorizing the Mayor to execute an **ORD. 5226**
amended and restated Economic Incentive and Job Preservation Agreement with Lubrizol **RESTATED**
Advanced Materials, Inc. concerning the granting by the City of certain incentives to create **ECON & JOB**
and preserve jobs within the City of Brecksville; and declaring an emergency, was read by **PRESERVA-**
title. **TION**

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5226 **AGREEMENT**
on third and final reading. **WITH**
LUBRIZOL

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5226.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5227 re: an Ordinance authorizing the Mayor to enter into a **ORD. 5227**
Wetland Mitigation Purchase Agreement with the Stream + Wetlands Foundation for the **WETLAND**
purchase of wetland mitigation credits; and declaring an emergency, was read by title. **MITIGATION**

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5227 **PURCH. WITH**
on third and final reading. **STREAM +**
WETLANDS
FOUNDATION

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5227.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5228 re: an Ordinance authorizing the purchase of a Lifepak15 **ORD. 5228**
Heart Monitor/Defibrillator with accessories and service agreement for use by the Fire **PURCH.**
Department from the Physio-Control, Inc. through the State of Ohio Administrative Services **LIFEPAK**
Purchasing Program; and declaring an emergency, was read by title. **HEART**

Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5228 **MONITOR/**
on third and final reading. **DEFIB**
THROUGH
STATE OF
OHIO ADMIN.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5228.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5229 re: an Ordinance accepting the bids of J.D. Striping & **ORD. 5229**
Services, Inc., Specialized Construction, Inc., Set in Stone Contracting, LLC, Cuyahoga **ACCEPTING**
Fence LLC, Asphalt Fabrics & Specialties, Inc., Chagrin Valley Paving and Liberta **BIDS FOR 2019**
Construction for various portions of the 2019 Road Maintenance Program for the Service **ROAD PROG.**
Department of the City of Brecksville; and declaring an emergency, was read by title.

Motion by Broski, seconded by Rose, to suspend the rules and place Ordinance 5229
on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5229.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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ORDINANCE 5230 re: an Ordinance authorizing the Mayor to enter into a Stream Mitigation Agreement with The West Creek Conservancy for the purchase and protection of property for the Whitewood Aerial Sewer Project; and declaring an emergency, was read by title.

Motion by Rose, seconded by Broski, to suspend the rules and place Ordinance 5230 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5230.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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.

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will be January 24th at 7:00 P.M. Council President Harwood reported the Mayor presented to the Planning Commission updates on the Central School property and the Blossom Hill Field House and School project and requested Commission members attend any meetings regarding the upcoming projects.

Motion by Harwood, seconded by Broski, to accept the Planning Commission recommendation to City Council for approval of a 6.1 ft. patio encroachment in the Environmental Easement at 8500 Chippewa Trail, PP #601-35-030, Brecksville, Ohio, as described in the application dated December 12, 2018, and attached plan by R.M. Kole & Assoc. Corp. dated November 12, 2018.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Harwood, seconded by Veras, to accept the Planning Commission recommendation to City Council for approval of . A 6.4 sq. ft. permanent awning sign for Global Luxury two new awning signs for Global Luxury and Schmidt Realty and a 6.4 sq. ft. permanent awning sign for Schmidt Realty at 8915 Brecksville Road, Brecksville, Ohio as described in the application dated January 4, 2019, and attached plans by Crossworld Awning Company, contingent on City Council's approval of the following deviations:

- A deviation from Section 1187.09(b)(1) of maximum total signage of 40 sq. ft. to allow 47.8 sq. ft.;
- A deviation from the Section 1187.09(c) of a maximum of 1 awning sign to allow 2;
- A deviation from the Section 1187.09(c) of a maximum 5 sq. ft. awning sign to allow 6.4 sq. ft. each for both awning signs

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Harwood, seconded by Veras, to accept the Planning Commission recommendation to City Council for approval for an awning replacement and facade update project to the front of the buildings located at 8913-8915 Brecksville Road, Brecksville, Ohio, as described in the application dated January 4, 2019 and attached sketch and color charts contingent on City Council's approval of the following deviation:

- A deviation from Section 1187.06(a)(5) to permit two awnings and associated signs, extending 36" in the right-of-way.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5230
AUTH. A
STREAM
MITIGATION
AGREEMENT
WITH WEST
CREEK
CONSERVAN-
CY FOR
WHITEWOOD
AERIAL
SEWER**

**BD. OF ZON.
APPEALS**

**PLANNING
COMMISSION**

**8500
CHIPPEWA
TR. PATIO
ENCROACH-
MENT**

**8915 BRECKS-
VILLE ROAD
(2) AWNING
SIGNS FOR
GLOBAL
LUXURY AND
SCHMIDT
REALTY**

**8913-8915
BRECKS-
VILLE ROAD
AWNING &
FAÇADE
UPDATE**

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RECREATION COMMISSION: Council Representative Redinger said the next meeting of the Recreation Commission will be February 25, 2019 at 7:30 P.M. The Organizational meeting was held on January 28th. Members of the Recreation Commission, Dominic Caruso, Pat Barth, and Nicole Kern were sworn in. Brian Stucky was elected as Chairperson, and Nicole Kern as Vice Chairperson. The Commission will continue to look into the existing recreation programs, equipment, and facilities for any needed changes.

**RECREATION
COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Council Representative Veras reported the next meeting of the Human Services Advisory Board will be February 13th.

**DEPT. OF
HUMAN SERV.**

TELECOMMUNICATIONS COMMISSION: Council Representative Broski reported the Telecommunications Board will meet the first Monday in March.

TELEC. COM.

SAFETY-SERVICE COMMITTEE: Councilmember Carouse reported the committee met earlier today and thanked Council for the passage of a Resolution adopting the Solid Waste District Update, the purchase of a Lifepak 15 Heart Monitor/Defibrillator, the acceptance of a grant and the purchase of Body Armor for the Brecksville Police Department. The Committee has one additional item for Council consideration. Councilmember Carouse thanked the Service, Police, and Fire Departments for the exceptional response to the cold and snow events.

**SAFETY-
SERVICE**

Motion by Carouse, seconded by Broski, to approve a Blanket Vendor Purchase Requisition in the amount of \$50,000.00 for 2019 Prisoner Housing Services with the Cities of Strongsville, Broadview Heights and North Royalton. *Account #110220 2103.*

**PURCHASE
REQUISITION
FOR
PRISONER
HOUSING
SERVICES**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski thanked Council for the approval of the various contractors for the 2019 Road Program. Councilmember Broski thanked the Mayor, Service Director and the City employees for a job well done during the snow and ice storms in the previous weeks.

**STREETS &
SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier and recommended approval and Council approved a Resolution authorizing the Mayor to complete an application for a NOPEC Grant and a Resolution to authorize a Stream Mitigation Agreement for the Whitewood Aerial Sewer Project. .

**UTILITIES
COMMITTEE**

Motion by Petsche, seconded by Redinger, to increase PO# CT1664642 to Chagrin Valley Engineering in the amount of \$5,860.00 for the preparation of the EPA Directors Authorization application.

**CHAGRIN
VALLEY
ENGINEER-
ING.
CONTINUED**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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

**BUILDINGS &
GROUNDS
COMMITTEE**

Motion by Veras, seconded by Rose, to approve a Purchase Requisition to Zenith Systems in the amount of \$3,330.00 for the installation of network fiber from 4450 Oakes Road to 4440 Oakes Road to support the relocation of the Recreation/Athletic Department offices. *Account #110161 2603.*

**4440-4450
OAKES ROAD
INSTALL
NETWORK
FIBER**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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Motion by Veras, seconded by Petsche, to approve a Blanket Vendor Purchase Requisition in the amount of \$14,000.00 for the various repairs and replacements required at City Hall and the Fire Department due to a lightning strike that occurred on January 8, 2019. The City has a \$5,000.00 property deductible, and a claim for this incident has been opened. *Accounts to be charged are: Admin/Insurance Reimbursements: #110150 2125 @ \$9,000, Fire #290260 2603 @ \$1,666.00, City Hall/HVAC #110166 2604 @ \$1,667.00 and City Hall/Building Repairs #110166 2603 @ \$1,667.00.*

**CITY HALL &
FIRE DEPT.
REPAIRS
FROM
LIGHTNING
STRIKE**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

LEGISLATION COMMITTEE: Councilmember Rose reported the Committee met earlier today and discussed the Planning Commission discussion regarding solar panels. Councilmember Rose reported the Planning Commission is revising the proposed changes and will forward any recommended changes to Council.

**LEGISLATION
COMMITTEE**

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

**FINANCE
COMMITTEE**

Motion by Redinger, seconded by Carouse, to approve a Blanket Vendor Purchase requisition in the amount of \$3,500.00 for the annual purchase of wellness related products utilizing the funds provided through Medical Mutual Wellness Grant. *Account # 110150 2201 Project #OPMMWELL.*

**WELLNESS
GRANT
PURCHASE
AUHTORIZA-
TION**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Rose, to approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$5,518.00; Sergio I. DiGeronimo in the amount of \$5,857.50; Roger Wadsworth in the amount of \$350.00; Kulchytzky Architects, LLC in the amount of \$243.75; J Neusser, LLC in the amount of \$2,000.00; and Donald J. Bohning & Associates in the amount of \$16,709.45. Total of all invoices \$30,678.70.

**MONTHLY
BILLS FOR
PROFESS-
IONAL
SERVICES**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

REPORT OF LAW DIRECTOR: No Report

LAW

REPORT OF ENGINEER: No Report

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report

FINANCE

REPORT OF BUILDING DEPARTMENT: C.B.O. Packard reported in January the Building Department issued 37 permits with a valuation just over \$1.8 million. The receipts collected total \$89,576.89.

**BUILDING
DEPT.**

REPORT OF SERVICE DIRECTOR: No Report

SERVICE

REPORT OF PURCHASING DIRECTOR: No Report

PURCHASING

REPORT OF POLICE DEPARTMENT: Police Chief Goodrich thanked Council for approval to purchase Body Armor for (14) Police Officers.

POLICE

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REPORT OF FIRE DEPARTMENT: Fire Chief Zamiska thanked Council for the **FIRE** authorization to purchase the LifePak15 Heart Monitor/Defibrillator. Fire Chief Zamiska said there are still a couple spaces available for the Citizen's Academy which begins on Monday February 11th.

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

REPORT OF SERVICE DIRECTOR: No Report

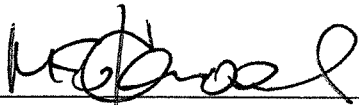
SERVICE

REPORT OF THE MAYOR: Mayor Hruby reported City Hall will be closed on **MAYOR** President's Day February 18th and regular Monday rubbish collection will be done on Tuesday February 19th. Democracy Day will be held on February 26th in the Gathering Room at the Human Services Center. Mayor Hruby thanked the Police, Fire and Service Departments for the service provided during the snow and ice events. The Board of Education has invited the City Council to a meeting with Then Design Architects (TDA) on February 27th at 7:00 P.M. at the High School Media Room to discuss the Field House and School Project. Mayor Hruby congratulated the Kiwanis on another successful Empty Bowl fundraiser for the Brecksville Pantry and South Hills Lend-a-Hand.

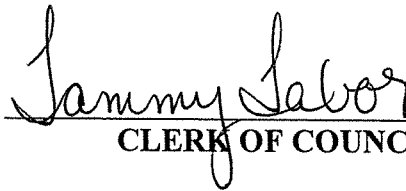
BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following **BBHHS** Brecksville Broadview Heights students were in attendance: Kenzie Paul, Amy Szmik, **STUDENTS** Casey Bogus, Ada Eng, Melissa Whitten, Sophie Bulh, Aidan Ward, Ethan Gutknecht, Aneira Watkins and Izzi Abookire.

Motion by Carouse, seconded by Broski, to adjourn the regular meeting at 8:47 P.M. **ADJOURN**
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL