

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

HELD _____ May 15, 2018 _____

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:40 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, K. 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, Council Clerk T. Tabor.

MINUTES OF THE MAY 1, 2018 REGULAR MEETING: Motion by Carouse, seconded by Redinger to dispense with the reading of the May 1, 2018 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 5-1-2018 APPROVED

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5179 re: an Ordinance to amend Ordinance No. 5145, making appropriations for current expenses of the City of Brecksville during the Fiscal Year ending December 31, 2018, making necessary appropriation and revenue adjustments; and declaring an emergency, was read by title.

ORD. 5179 AMENDING ORD. 5145 MAKING APPROPRIATIONS FOR THE FY ENDING 12-31-2018

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5179 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 5179.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Prior to the introduction of Ordinance 5180, Finance Director Starosta read the Fiscal Officer's Certificate.

ORDINANCE 5180 re: an Ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$2,000,000 for the purpose of paying costs of constructing, furnishing and equipping a new building to house the Police Department, and otherwise improving the site therefor, together with the necessary appurtenances thereto; and declaring an emergency, was read by title.

ORD. 5180 SALE OF BONDS NOT TO EXCEED \$2,000,000 FOR THE PURPOSE OF REPAYING COSTS FOR THE NEW POLICE STATION

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5180 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 5180.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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- ORDINANCE 5181** re: an Ordinance enacting and adopting a supplement to the Codified Ordinances of the City of Brecksville; and declaring an emergency, was read by title. **ORD. 5181 ADOPTING SUPPLEMENT S-26 TO THE CODIFIED ORDINANCES**
- Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5181 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 5181.
- Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
-
- ORDINANCE 5182** re: an Ordinance authorizing the purchase of two (2) Laser Speed Detection Devices for use by the Police Department through the State of Ohio, Administrative Services Purchasing Program; and declaring an emergency, was read by title. **ORD. 5182 AUTH. PURCHASE OF (2) LASER SPEED DETECTION DEIVCES FOR THE POLICE DEPT.**
- Motion by Rose, seconded by Broski, to suspend the rules and place Ordinance 5182 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 5182.
- Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
-
- ORDINANCE 5183** re: an Ordinance authorizing the sale of an E-Poke Salt Spreader System no longer needed for municipal purposes to the City of Pepper Pike; and declaring an emergency, was read by title. **ORD. 5183 AUTH. SALAE OF E-POKE SALT SPREADER SYSTEM NO LONGER NEEDED FOR MUNICIPAL PURPOSES**
- Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5183 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 5183.
- Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
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- BOARD OF ZONING APPEALS:** Councilmember Rose reported the next meeting of the Board of Zoning Appeals will be Monday, June 11th at 7:30 P.M. The Board of Zoning Appeals met May 7th and has two recommendations to Council. Councilmember Rose said the Board of Zoning Appeals made 3 separate motions for application 2018-19. Two of the items are being recommended for Council's approval. **BD. OF ZONING APPEALS**
-
- APPEAL 2018-19:** Motion by Rose, seconded by Veras that Council accept the recommendation of the Board of Zoning Appeals for approval of a variance from Section 1151.25(d)(2)(c) of 384 sq. ft. from the maximum 240 sq. ft. to allow 624 sq. ft. for the construction of a shed located at 8377 Riverview Rd., PP# 602-26-006. **APP. 2018-19 VAR. FOR A SHED AT 8377 RIVERVIEW RD.**
- Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**

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- APPEAL 2018-20:** Motion by Rose, seconded by Broski that Council accept the recommendation of the Board of Zoning Appeals for approval of:
- (1) a variance from Section 1151.29(a) that a maximum of (1) garage is permitted (attached or detached) to allow the construction of a second garage (detached).
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.
- (2) Motion b Rose, seconded by Redinger, that Council accept the recommendation of the Board of Appeals for approval of:
A variance from Section 1151.26(1) requirement that a detached garage be located in the rear yard to allow in the side yard.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.
- PLANNING COMMISSION:** Councilmember Harwood reported the next meeting of the Planning Commission will be May 24th at 7:00 P.M.
- RECREATION COMMISSION:** Council Representative Redinger reported the Committee will meet May 21st at 7:30 P.M.
- DEPARTMENT OF HUMAN SERVICES:** Council Representative Veras said the Human Services Advisory Board will meet June 13th at 3:00 P.M. The Senior Volunteers of the year were recognized this afternoon at a luncheon at the Human Services Center. An Intergenerational Concert with the Middle School Jazz band will be held at the Human Services Center at 7 pm on May 17th. Here's to Your Health Tasting Event will be held at the Human Services Gathering Room on Thursday, June 21st. Shredding Day was very successful and two of the shredding trucks were at capacity. Human Services Director Paciorek reported 90 boxes of food were collected for the food pantry this past weekend.
- TELECOMMUNICATIONS COMMISSION:** Council Representative Broski had no report.
- SAFETY-SERVICE COMMITTEE:** Councilmember Carouse reported the committee met earlier today and thanked Council for the passage of the legislation presented and has two additional items for council consideration.
- Motion by Carouse, seconded by Redinger, to approve an increase to purchase order #CT185175 in the amount of \$118.00 for the addition of heated mirrors to the order of (2) Ford Sedan Interceptors for the Police Department. Account # C110210 3300.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.
- Motion by Carouse, seconded by Redinger to authorize the funds, in the amount of \$20,010.00 received from the sale of surplus generators located at 10000 Brecksville Road be placed in the Safety Town Fund.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

**APP. 2018-20
REQUEST
FOR SECOND
GARAGE,
SIDE YARD
SETBACK
VARIANCES
AT 7014
ARLINGTON
ST.
(APP. 2018-20
CONTINUED)**

**PLANNING
COMMISSION**

**RECREATION
COMMISSION**

**DEPT. OF
HUMAN
SERVICES**

TELEC. COM.

**SAFETY-
SERVICE**

**P.O.
INCREASE
FOR POLICE
VEHICLE
PURCHASE**

**SAFETY
TOWN FUND
TRANSFER**

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STREETS & SIDEWALKS COMMITTEE: Councilmember Broski said the weather has set back the progress of the S.R. 82 Pavement Improvement Project. Drier weather will help to move the project along. **STREETS & SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier this evening and has one item for Council consideration. **UTILITIES COMMITTEE**

Councilmember Petsche said the Engineer met with a Resident on Sherwood Trail to discuss future headwall repair in response to the residents erosion concern. The progress of The Brecksville Rd. Watermain project, Whitewood-Meadow Sewer Repair Project and correspondence with the Army Corps of Engineers was discussed.

Motion by Petsche, seconded by Redinger, to increase P.O. # CT164642 for Environmental Permitting on the Whitewood-Meadow Aerial Sewer Repair \$1320.00 New Total \$9184.00. Account # C480171 3506 Project# SS120001. **WHITEWOOD-MEADOW AERIAL SEWER REPAIR**

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 four items for Council consideration. **BUILDINGS & GROUNDS COMMITTEE**

Motion by Veras, seconded by Broski, to authorize the Purchasing Director to advertise for bids for the City of Brecksville Aquatics Facility. **BID AUTH. AQUATICS FACILITY**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Veras, seconded by Broski to authorizing Change Order #2 for the Community Center Roof Replacement Project in the amount of \$8,001.91 charged to the contingency for the project. The additional work includes filling a gap along a skylight and rusted materials that must be replaced. **COMMUNITY CENTER ROOF REPLACEMENT PROJECT**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Veras, seconded by Broski, to approve an increase to a purchase order #P180300 in the amount of \$2,000.00 for the construction of a new Comfort Station located on the recreation fields behind City Hall to install additional drain tile around the foundation. **RECREATION FIELD COMFORT STATION**
Account # C490240 3202 Project #BD180001.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Veras, seconded by Rose, to approve a Purchase Requisition in the aggregate amount of \$3,650.00 to Southwest Floors for replacement flooring in the fire station dispatch office. **FIRE DEPT. DISPATCH ROOM FLOOR REPLACEMENT**
Account #290260 2603.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

LEGISLATION COMMITTEE: Councilmember Rose met earlier today and thanked Council for the passage of Supplement S-26 to the Codified Ordinances. **LEGISLATION COMMITTEE**

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FINANCE COMMITTEE: Councilmember Redinger thanked Council for the **FINANCE** passage of the legislation presented this evening and has two additional items for Council's **COMMITTEE** consideration.

Motion by Redinger, seconded by Carouse, to authorize the renewal, year 2 of a **WICHERT INS. SERVICES AND CUSTIS INS. FOR PROPERTY & LIABILITY INSURANCE RENEWAL** 3 year agreement with Wichert Insurance and Custis Insurance for the City's Property & Liability Insurance policies. Wichert Insurance Services, Inc. annual premium for Property & Liability Insurance Policies in the amount of 161,699.00 for the renewal term of 5/25/2018 - 5/25/2019. *Account #110150 2104.* and Custis Insurance Service, Inc. annual premium for the City's Law Enforcement Liability Policy for the period of 5/25/2018 - 5/25/2019. *Account #110150 2104*

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to approve the Purchase Order to Comp **COMPMANAGEMENT INC., 3RD PARTY ADMIN. OF WORK COMP. CLAIMS** Management Inc. in the amount of \$4,245.00 for the third party administration of all workers compensation claims in 2019. *Account #110150 2103.*

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

REPORT OF LAW DIRECTOR: Law Director Matty reported the Ohio Supreme **LAW** Court declined the request to hear the case of McNair V. The City of Brecksville and Virginia Price. The income tax credit reduction was enacted 4 years ago. The Supreme Court affirmed the decision of the Court of Appels regarding the tax collection that is in place is lawful and the procedure in which it was adopted by City Council was correct. The case cost the City of Brecksville a great deal of taxpayer funds.

REPORT OF ENGINEER: No Report

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report

FINANCE

REPORT OF BUILDING DEPARTMENT: No Report

BUILD.DEPT.

REPORT OF PURCHASING DIRECTOR: No Report

PURCHASING

REPORT OF POLICE DEPARTMENT: No Report

POLICE

REPORT OF FIRE DEPARTMENT: Fire Chief Zamiska reported an Ice Cream **FIRE** Social will be held on June 2nd from 10-2:00 PM. at the Fire Station. This is a free event for the entire family, in partnership with MetroHealth.

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

REPORT OF THE MAYOR AND SERVICE DIRECTOR: Mayor Hruby asked **SALARY** Council to consider salary continuation for Service Department employee Tom Norris. Mr. **CONTINUA-** Norris was injured while on the job and is expected to be out of work until May 25th. Mayor **TION** Hruby is requesting salary continuation for Mr. Norris May 10th -25th.

Motion by Carouse, seconded by Redinger to continue the salary of Thomas Norris for the period of May 10, 2018 thru May 25, 2018.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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Mayor Hruby said the Memorial Day Parade will begin at 9:30 A.M. The route will be from Brecksville Road to Arlington, Old Highland, to Highland Cemetery. Mayor Hruby reported the school levy extension was passed by the citizens of Brecksville and Broadview Heights. The Senior Volunteer event held today at the Human Services Center honored Cheryl Storgard and Harry Koberna. Mayor Hruby thanked the Advisory Board and staff that worked to make the event a success. The document shredding day was held last week and drew the largest group of folks yet. The estimate was 10-11 tons of documents shredded and many donations to the food bank. The Ice Cream Social will be a wonderful event for the entire family on June 2nd at the Fire Department. Mayor Hruby thanked the Law Department for the determination to see the McNair case through to the end.

**MAYOR,
SERVICE
DIRECTOR**

COMMENTS: Councilmember Rose said the issue of flooding, with concerns from Mr. Zrimsek, on Farview Oval was discussed during the Committee meeting earlier today. Engineer Wise explained that a resident would like an additional catch basin installed at the roadway. Engineer Wise explained adding a catch basin will not help the overland flooding during heavy rainfall. The storm water overflow is due to the sewer's capacity. The cost to install a catch basin will exceed \$12,000 and provide relatively no benefit for storm water relief. Council determined the construction of an additional basin will not benefit the residents and therefore Council does not recommend installation at this time.

COMMENTS

Councilmember Carouse congratulated Chief Zamiska for completion of the Citizens Fire Academy. The event was well attended by the residents.

BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following Brecksville Broadview Heights students were in attendance: Marcus Long

**BBHHS
STUDENTS**

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 9:09 P.M. **ADJOURN**

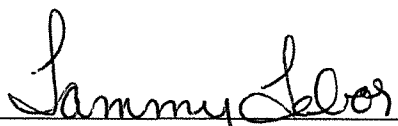
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL