

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

September 18, 2018

HELD _____

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:12 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,
D. Rose, K. Veras. **ROLL CALL**

Members Absent: L. Redinger was excused.

Others Present: Mayor Jerry N. Hruby, Law Director D. Matty,
Assistant Law Director DiGeronimo,
Engineer G. Wise, CBO S. Packard,
Purchasing Director R. Riser,
Fire Chief N. Zamiska, Police Chief W. Goodrich,
Recreation Director T. Tupa, Council Clerk T. Tabor.
And approximately 120 guests

PROCLAMATION TOM TUPA: Mayor Hruby said on September 13th the Cuyahoga County Sports Hall of Fame met and inducted one of the members of the Brecksville City Family. Tom Tupa was inducted into the 2018 class of the Greater Cleveland Sports Hall of Fame. Tom has had a distinguished career in the NFL and returned to Brecksville to work and raise his family. He is included in the Walk of Fame in Columbus. Tom was drafted by Phoenix Cardinals as a quarterback and kicker. Bill Belichick, Bill Parcells, and Earl Bruce were some of the coaches he worked with in his 18 years in the NFL. Tom is very humble and thanked his family for supporting his career in football. He played for seven NFL teams including the Cleveland Browns. Tom has a Super Bowl XXXVII ring from his time as a punter with Tampa Bay. He is also in the Pro Football Hall of Fame as a result of scoring the first two point conversion in NFL history while with the Browns.

Tom's family is also very athletic. His son Tommy played football for the Bees and is a scout for the 49ers; Tim Tupa played for the Bees and now coaches at Tennessee Chatanooga, Tyler Tupa played for the Bees and now plays football for the Ohio U. Bobcats and Emma Tupa of the State Champion Bees Volleyball Team, is now at the University of New Hampshire. Tom quarterbacked the Brecksville Bees to the Ohio High School Football state championship in 1983. He was an All-American with the Ohio State Buckeyes.

Tom is a wonderful member of the City of Brecksville, the City family, and a wonderful role model and father to his children.

Tom Tupa thanked Mayor Hruby and City Council for the proclamation. Tom said he feels the support of family and friends was very important to his career. Brecksville is a factor in his success, he has lived in Brecksville most of his life and the community has always supported him. Tom said he has lived in 8 different cities during his career. The City of Brecksville, the community and the leadership of the City is why he remains here.

MINUTES OF THE SEPTEMBER 18, 2018 REGULAR MEETING: Motion by Rose, seconded by Redinger to dispense with the reading of the September 4, 2018 regular meeting minutes and to accept same as presented. **REGULAR MEETING MINUTES OF 9-18-2018**

Councilmember Petsche objected to the minutes as he does not believe the comments regarding the Four Seasons development, by him, reflects what his comments were. Councilmember Petsche apologized if he mis-spoke, he is happy that Four Seasons development and the residents of the development are in the City. Council President Harwood said Councilmember Petsche has two items to consider in this request. Council President asked to have the voice recording from September 4, 2018 that Councilmember Petsche is contesting played. Such recording was played and confirmed what was said September 4, 2018. Council President Harwood said the minutes do reflect what Councilmember Petsche said. Council President Harwood said City Council follows Robert's Rules of Order. Council President Harwood said earlier today in Council Committees, the Rules of Council regarding approval of legislation and motions were again

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explained to Councilmember Petsche. Council President Harwood said Councilmember Petsche has reported approval of legislation and motions in Committee meetings. Council President Harwood said motions in Committee are to present recommendations to Council for consideration at the Council meeting. When Councilmember Petsche says legislation or motions are approved in committee meetings, that statement is incorrect. Residents are then led to believe that decisions are made in committee meetings and that has caused incorrect information to spread. Council President Harwood said Councilmember Petsche has not followed the rules of Council for requesting a change to the minutes. Council President Harwood asked for a roll call on the motion to approve, as submitted, the council minutes of September 4, 2018.

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

Nays: Petsche.

MOTION CARRIED 5-AYES, 1-NAYS.

SPECIAL MEETING: Council Clerk Tabor announced a Special Meeting will be held October 9, 2018 at 8:00 P.M. for the third reading of Resolution 4876, for a Settlement Agreement And Mutual Release with Cuyahoga County. The meeting was agreed to by City Councilmembers due to conflicts for the next three regular Council Meetings. Councilmember Rose said there will be no discussion for Resolution 4876 tonight, as it was not on Council's agenda this evening. Councilmember Rose said there will be discussion on October 9th.

ORDINANCE 5198 re: an Ordinance accepting the bid of Hastings Air Energy Control, Inc. to furnish and install a diesel vehicle exhaust extraction system for the Brecksville Fire Department; and declaring an emergency, was read by title. **ORD. 5198 ACCEPT BID OF HASTINGS AIR ENERGY FOR DIESEL VEHICLE EXHAUST EXTRACTION SYSTEM**

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5198 on third and final reading.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Carouse, seconded by Rose, to pass Ordinance 5198.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

ORDINANCE 5197 re: an Ordinance authorizing the purchase of a Vehicle Extrication Tool System for use by the Fire Department from Sutphen Corp. through the State of Ohio, Department of Administrative Services-State Purchasing program; and declaring an emergency, was read by title. **ORD. 5197 STATE PURCH OF A VEHICLE EXTRICATION TOOL SYSTEM**

Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5197 on third and final reading.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Rose, seconded by Broski, to pass Ordinance 5197.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

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<p>ORDINANCE 5199 re: an Ordinance to amend Ordinance No. 5145, making appropriations for current expenses of the City of Brecksville during the fiscal year December 31, 2018, making necessary appropriation and revenue adjustments; and declaring an emergency, was read by title.</p> <p>Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5199 on third and final reading.</p> <p>Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None.</p> <p>MOTION CARRIED 6-AYES, 0-NAYS.</p> <p>Motion by Carouse, seconded by Rose, to pass Ordinance 5199.</p> <p>Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None.</p> <p>MOTION CARRIED 6-AYES, 0-NAYS.</p> <p>RESOLUTION 4883 re: a Resolution making necessary transfers between certain funds and to return an advance of funds for the fiscal year ending December 31, 2018; and declaring an emergency, was read by title.</p> <p>Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4883 on third and final reading.</p> <p>Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None.</p> <p>MOTION CARRIED 6-AYES, 0-NAYS.</p> <p>Motion by Carouse, seconded by Rose, to pass Resolution 4883.</p> <p>Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None.</p> <p>MOTION CARRIED 6-AYES, 0-NAYS.</p> <p>RESOLUTION 4882 re: a Resolution authorizing the Mayor to seek financial assistance from the Ohio Public Works Commission for The Chippewa Road Sanitary Sewer Project; and declaring an emergency, was read.</p> <p>Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4882 on third and final reading.</p> <p>Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None.</p> <p>MOTION CARRIED 6-AYES, 0-NAYS.</p> <p>Motion by Carouse, seconded by Broski, to pass Resolution 4882.</p> <p>Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None.</p> <p>MOTION CARRIED 6-AYES, 0-NAYS.</p> <p>BOARD OF ZONING APPEALS: Councilmember Rose reported the next meeting of the Board of Zoning Appeals will be Monday, October 8th at 7:30 P.M. The Board of Appeals heard eight variance requests and has seven recommendations to Council today.</p> <p>Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1151.25(d)(1) of 108 sq. ft. from the maximum 660 sq. ft. to allow 768 sq. ft. for the construction of a detached garage located at 6930 Wallings Road, PP# 601-07-004.</p> <p>Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None.</p> <p>MOTION CARRIED 6-AYES, 0-NAYS.</p>	<p>ORD. 5199 AMEND ORD. 5145 APPROPRIA- TIONS AND REVENUE ADJUST. FOR FY ENDING 12-31-2018</p> <p>RES. 4883 TRANSFER RESOLUTION FOR THE FY ENDING 12-31- 2018</p> <p>RES. 4882 AUTH. FINANCIAL ASSIST. FROM OPWC FOR CHIPPEWA RD. SANITARY SEWER PROJECT</p> <p>BD. OF ZONING APPEALS VARIANCE 2018-36 6930 WALLINGS RD. OVERSIZED GARAGE</p>
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Motion by Rose, seconded by Broski, to accept the Board of Zoning Appeals recommendation of approval for (1) a variance from Section 1151.24, a 30 ft. minimum total of two side yards required to allow 20.38 ft., and (2) 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 9540 Highland Drive, PP# 603-14-018.

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

MOTION CARRIED 6-AYES, 0-NAYS.

**VARIANCE
2018-37
9540
HIGHLAND
DR. PUBLIC
SIDEWALKS**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for 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 10279 Highland Drive, PP# 604-21-014.

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

MOTION CARRIED 6-AYES, 0-NAYS.

**VARIANCE
2018-38
10279
HIGHLAND
DR. PUBLIC
SIDEWALKS**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1151.24 of 10 ft. from the minimum required 60 ft. rear yard setback to allow 50 ft. for the construction of a deck located at 9456 Sherwood Trail, PP# 603-13-055.

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

MOTION CARRIED 6-AYES, 0-NAYS.

**VARIANCE
2018-39
9456
SHERWOOD
TRAIL REAR
YARD DECK
SETBACK**

Motion by Rose, seconded by Broski, to accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1151.26(7) of 3 ft. from the minimum required 3 ft. lot line setback to 0 ft. setback for a driveway, and per Section 1197.01, to appeal the determination of the City Engineer of The City of Brecksville that a minimum of a 24 ft. driveway approach is required for a side entry garage to allow 20 ft. located at 9106 Fitzwater Road, PP# 601-10-002.

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

MOTION CARRIED 6-AYES, 0-NAYS.

**VARIANCE
2018-40
9106
FITZWATER
ROAD
DRIVEWAY
WIDTH &
SETBACK**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1155.32 of 20 ft. from the minimum established 100 ft. to allow a 80 ft. rear yard setback for a commercial addition located at 7001 S. Edgerton Road, PP# 604-07-010.

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

MOTION CARRIED 6-AYES, 0-NAYS.

**VARIANCE
2018-41
7001 S.
EDGERTON
RD. REAR
YARD
SETBACK**

Motion by Rose, seconded by Broski, to accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1151.25(d)(2)(B) of 128 sq. ft. from the maximum 192. sq. ft. to allow 320 sq. for a shed located at 4700 Valleybrook Drive, PP# 604-02-083.

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

MOTION CARRIED 6-AYES, 0-NAYS.

**VARIANCE
2018-42 4700
VALLEY-
BROOK DR.
OVERSIZED
SHED**

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will be September 20th at 7:00 P.M.

**PLANNING
COMMISSION**

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JOE MAXX COFFEE: Motion by Harwood, seconded by Broski, to accept the **JOE MAXX COFFEE** Planning Commission recommendation for approval for the proposed dumpster enclosure, **EXTERIOR ALTERATION** which has been changed in that the man door portion of the enclosure shall open inward instead of outward, and also said door shall not be on the east side of the enclosure, but rather on the west side of the enclosure, a 36 sq. ft. storage shed and 4' black aluminum fencing for Joe Maxx Coffee at 7305 Chippewa Road, Brecksville, Ohio 44141, as described in the application dated August 20, 2018 and attached plan by HSB.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

RECREATION COMMISSION: No Report.

RECREATION COMMISSION

DEPARTMENT OF HUMAN SERVICES: Council Representative Veras **DEPT. OF HUMAN SERVICES** reported the next meeting of the Human Services Advisory Board will be October 10th at 3:00 P.M. Council Representative Veras said the Shred Day Event collected 96 boxes, over a ton, of food for the Food Pantry. The Human Services Department will be holding a tailgate party on September 21st and tickets for the Lobsterfest to be held October 19th are on sale.

TELECOMMUNICATIONS COMMISSION: Council Representative Broski **TELEC. COM.** reported the committee met on September 17th. Spectrum responded to the satisfaction of the City and the homeowner regarding a complaint.

SAFETY-SERVICE COMMITTEE: Councilmember Carouse reported the **SAFETY-SERVICE** committee met earlier today and the Committee has three items for Council consideration. Councilmember Carouse thanked Council for the passage of legislation authorizing the purchase of safety equipment and clothing for the Fire Department.

Motion by Carouse, seconded by Broski, to approve a purchase requisition in the **FIRE DEPT. SAFETY EQUIPMENT HOODS AND GLOVES** amount of \$7,224.66 to Dicar Corporation for (34) Majestic Particulate Hoods and (34) pairs of Honeywell Super Gloves for the Fire Department. *Account #C450260 3300.* This purchase is funded by the Firefighter Exposure to Environmental Elements Grant through the Ohio Bureau of Workers' Compensation.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS

Motion by Carouse, seconded by Petsche, to approve a purchase in the amount of **FIRE DEPT. COMMERCIAL FIREFIGHTER GEAR WASHER** \$7,650.00 to Advantage Equipment for (1) Firefighter Turnout Gear Commercial Washer Unit & Installation for the Fire Department. *Account #C450260 3300.* This purchase is funded by the Firefighter Exposure to Environmental Elements Grant through the Ohio Bureau of Workers' Compensation.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS

Motion by Carouse, seconded by Petsche, to authorize the Purchasing Director to **AUTH. BID ADVERT. FOR RECYCLE TRAILER** advertise for bids for a new recycling trailer for the Service Department's curbside recycling program.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS

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STREETS & SIDEWALKS COMMITTEE: Councilmember Broski reported the Committee met earlier today and the 2018 Road Program is complete. Additional paving on Vaughn Road may be done later this year. **STREETS & SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier and recommended to Council a Resolution requesting funding from the Ohio Public Works Commission for the Chippewa Road Sanitary Sewer Project. Councilmember Petsche thanked Council for that approval. **UTILITIES COMMITTEE**

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

Motion by Veras, seconded by Rose, to approve a purchase requisition in the amount of \$13,786.00 for the purchase of (86) new and replacement Fall Trees. *Account #252530 2201.* **FALL TREE PURCHASE**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS

Motion by Veras, seconded by Broski, to approve a purchase requisition in the amount of \$23,000.00 to Barcol Door of Cleveland for replacement of the (3) front entrance doors to the Brecksville Community Center. *Account #C490240 3202.* **COMMUNITY CENTER DOOR**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS

LEGISLATION COMMITTEE: Councilmember Rose said the committee met earlier today and discussed possible changes to legislation regarding fencing around swimming pools while under construction. The building department is assisting with the possible legislation changes based on a concern of a resident. **LEGISLATION COMMITTEE**

FINANCE COMMITTEE: Councilmember Carouse thanked Council on behalf of the Committee for the passage of the legislation presented this evening regarding fund transfers and appropriations. **FINANCE COMMITTEE**

REPORT OF LAW DIRECTOR: No Report

LAW

REPORT OF ENGINEER: Engineer Wise thanked Council for the approval of legislation authorizing an application for funding for the Chippewa Road Sanitary Sewer Project. **ENGINEER**

REPORT OF FINANCE DIRECTOR: No Report

FINANCE

REPORT OF BUILDING DEPARTMENT: No Report

BUILDING DEPT.

REPORT OF PURCHASING DIRECTOR: No Report

PURCHASING

REPORT OF POLICE DEPARTMENT: No Report

POLICE

REPORT OF FIRE DEPARTMENT: Fire Chief Zamiska thanked Council on behalf of the Firefighters for the approvals for safety equipment purchases for the Fire Department. **FIRE**

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

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REPORT OF THE MAYOR AND SERVICE DIRECTOR: Mayor Hruby **MAYOR** reported the shred day was very successful 17,000 lbs. of paper were brought for shredding and over 1 ton of food was collected for the food pantry. The changes to the set up and location of the event was an improvement. Mayor Hruby thanked the Human Services Director, Steve Paciorek and Human Services staff and the Service Department for the work to make the event successful. Mayor Hruby congratulated the Fire Department on another successful clambake. The fence has been installed at Safety Town at Blossom. Mayor Hruby congratulated Police Chief Goodrich and the many volunteers that helped to build Safety Town.

COMMENTS: Sandy McNair, 8028 Pershing Dr., Mr. McNair said he sent an e-mail to all of the Councilmembers asking if a compromise could be made and has not had a response from most of the Councilmembers. Mr. Carouse said he has responded, Mr. Rose advised that he does not recall the e-mail. Mr. Broski said he does not feel a response is appropriate at this time since a motion is pending regarding the settlement agreement. **COMMENTS**

Paul Zach 8437 Timber Trl., asked if October 9th would be the appropriate time for discussion of the Four Seasons issue. Councilmember Rose said the Settlement Agreement and Release is not on today's agenda. The issue will be the only item on the agenda on the October 9th meeting. Mr. Zach said he is upset because the residents were not aware the City was paying for the Four Seasons water bills, when he has paid his. Mr. Rose said there is a lot of mis-information being distributed in the community. Councilmember Rose said he understands the concern of the residents and hopes to have all of the questions answered and any misconceptions cleared up.

Mayor Hruby said this is a decision Council will make and Mayor Hruby said he is working with Council and if anyone would like to discuss any of their concerns with him, he is happy to meet with them. Mayor Hruby said many of the residents believe this will raise their taxes, it will not. Some residents believe the payment is for a water bill, that is not true. This is an assessment improperly collected by the County. Mayor Hruby said the agreement is a way for the City to deal with the mistake. Mayor Hruby said Council will be giving you information so that you may understand what is being said at the October 9th meeting. Council has one more reading before taking action on the issue.

John McLeod, 6741 Wallings Road, Mr. McLeod said this issue seems to be a matter between the sewer district and a group of residents. Mr. McLeod asked how the rest of the residents become involved. Mayor Hruby asked that Mr. McLeod to send an e-mail to him and Mayor Hruby will provide the correct information.

Councilmember Rose said a message will go out to the residents, with more information explaining the issue. Mayor Hruby asked Mrs. Rupert what she thought was happening regarding the issue. Mrs. Rupert said she believed that the Four Seasons builders have left a situation that the City will be helping fund some of the things that will only benefit the people in that development. Mrs. Rupert said she believes that the entire City will have their taxes raised to pay for that. Mayor Hruby said he believes that mis-information is due to a report from News Channel 5 stating taxes will be increased because of the assessment. That story is incorrect and without basis. Mayor Hruby asked Mrs. Rupert to contact him and he will provide the correct information.

Elaine Campbell, 6807 Greenbrier in Cambridge Village, said she had an assessment on her tax bill when she purchased her home. Ms. Campbell is assuming when Petros Homes sold the properties to the Four Seasons residents, the original residents were told they would have a \$1000 assessment. Mayor Hruby said some of the owners were told that. When the assessments were changed to \$600.00, the owners did not complain, they just went along with the new cost. Ms. Campbell said when there was a transfer of property owners, the developer neglected to tell the new owners. Mayor Hruby explained that in 2000 and 2001 there were approximately six or seven homes built in the Four Seasons Development, for the Homearama. Those were year one and part of year two of the assessments. In year three of the assessments, the County readjusted that amount incorrectly at \$611.00 per year instead of the proper amount of \$611.00 per half year through year fourteen of the assessment. The majority of the development was built in years three through fourteen. If you bought a Four

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Seasons home in those years, you would have been told by your agent or title company, through the County Auditor that your assessment was ~\$611.00 per year. Most of the homes believed that they were paying the proper assessments. Mayor Hruby said an audit was done of the bond retirement fund and it was found to be short of the anticipated funds. The Four Seasons mistake was the most egregious mistake and the most time consuming to figure out. Ms. Campbell said the Title Company should be made responsible, and the burden should be placed on the title companies. Ms. Campbell said she was never notified and feels the residents of Brecksville should have been notified. Ms. Campbell said she feels the City is setting a precedence in paying for a project for one development and that is not fair. Mayor Hruby said tax dollars went to help pay for the conversion of the treatment plant and sanitary sewer and sewer lines from Echo Hills to Dewey and Dewey to S.R. 21. Mayor Hruby said tax dollars went to reduce the assessments for the residents on Riverview Road when the sanitary sewers were installed. The residents on Hilton Road and Whitewood Road received decreased assessments due to contributions from the City's General Fund. Mayor Hruby said there are several other projects that the City has contributed to. Ms. Campbell asked if this was in any reports. Mayor Hruby said the information has been provided in media reports, on the City's website, annual reports and many other publications from the City. Mayor Hruby said he did not believe this issue would be responded to this way. Mayor Hruby said the Four Seasons residents were notified because their tax bill would be changing immediately. Mayor Hruby said the Council usually gains very little response from residents, to notifications, especially when they are told the facts. Mayor Hruby said when the facts are explained the residents will know the City has contributed funds before to assist the residents with the cost of assessments. **COMMENTS**

Claire Hayes, 8510 Settlers Passage asked if the City could provide information on the projects for which the City has provided similar funding. Ms. Hayes said for those residents that are unaware of the City's contributions. If this has been done previously for other residents, this seems like a huge difference.

A resident asked if the fence will be locked at Safety Town or available for the community to use. Mayor Hruby responded the issue has not been discussed. The fence was intended to keep critters out and although there are cameras, to keep vandalism out of the area. The resident said the City of Independence has their safety town available as part of the park and people enjoy having it available to the children. Mayor Hruby asked the resident to leave his contact information with Police Chief Goodrich and he will contact the resident. Mayor Hruby said the school and Montessori School were contacted regarding the use of Safety Town.

Charles Koepke, 6753 Mallard, asked who was negligent in the collection. Councilmember Rose said the County made the error. Mr. Koepke asked why the City is responsible. Councilmember Petsche said the County collects the money and the City is responsible to pay the bonds. Councilmember Petsche said the City did not notice the mistake for 15 years, until the amount uncollected is now \$682,000.00. Mr. Koepke said the mistake should not fall on the general populous, but should be the responsibility of the residents in Four Seasons. Mr. Koepke said the homeowners should have a dispute with the title companies, and the money should be distributed to the entire City.

Doug Brambaugh, 11040 Brookview Road, said the Finance Department should have known the money was not being collected. Mr. Brambaugh said he wanted to know if there are errors and omissions policies that cover this loss and if action is being taken against the accountant that certified the City's financial statement.

Stan Pajka, 8553 Settlers Passage, asked if the information that will be forthcoming is just Council explaining their decision and not taking into consideration any of the discussion with residents. Councilmember Rose said he believes the information will be the facts, no decision has been made at this time.

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BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following **BBHHS STUDENTS** Brecksville Broadview Heights students were in attendance: Julia Frisco, Becky Lant, Lily Steiger, Christopher Sumarli, David Hickin, Aleksander Popovich, Christopher Midis, Gretel Federmann, Alex Bleidorn, Ryan Hensley, Owen Han, Emily Tamuliewicz, Hailey Stoneman, Katherine Kotecki, Olivia Licursi, Maya Conte, Mackenzie Stease, Haley Kubitz, Hannah Paul, John Jesser, Thomas Green, Jordan Shaheen, Kurt Walcutt, Parker Mitchell, Michael Choma, Mark Jajowka.

Motion by Harwood, seconded by Carouse., to adjourn the regular meeting at 9:15 P.M.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL