

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

December 18, 2018

HELD _____

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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: 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, Service Director R. Weidig,
Council Clerk T. Tabor.

MINUTES OF THE DECEMBER 4, 2018 REGULAR MEETING: Motion by Carouse, seconded by Redinger to dispense with the reading of the December 4, 2018 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 12-4-2018 APPROVED

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4901 re: a Resolution accepting the proposal of TMS Engineers, Inc. to perform a Traffic Impact Study; and declaring an emergency, was read by title. Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4901 on third and final reading.

RES. 4901 ACCEPT PROPOSAL OF TMS ENG. FOR A TRAFFIC IMPACT STUDY

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 4901.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4902 re: a Resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga County Board of Health for Authority and Consent to provide Phase II Stormwater Services in 2019-2021; and declaring an emergency, was read by title.

RES. 4902 MOU WITH CUY. COUNTY BOARD OF HEATH FOR PHASE II STORMWATER MAINT.

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4902 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 Broski, to pass Resolution 4902.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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| <p>RESOLUTION 4903 re: a Resolution making necessary transfers between certain funds for the fiscal year ending December 31, 2019; and declaring an emergency, was read by title.
Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4903 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 4903.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.</p> <p>RESOLUTION 4904 re: a Resolution authorizing the allocation of income tax revenues to certain named funds with the balance of said revenues to remain in the city's General Fund; and declaring an emergency, was read by title.
Motion by Veras, seconded by Broski, to suspend the rules and place Resolution 4904 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 4904.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.</p> <p>ORDINANCE 5217 re: an Ordinance establishing the compensation of the Mayor for the term commencing January 2, 2020; and declaring an emergency, was read by title.
Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5217 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 5217.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.</p> <p>ORDINANCE 5218 re: an Ordinance amending the contract with Matty. Henrikson & Greve LLC as legal Counsel and continuing the appointment of David J. Matty, of said firm, as Law Director for the City of Brecksville, to update the payment of compensation to Matty, Henrikson & Greve LLC for such services; and declaring an emergency, was read by title.
Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5218 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 5218.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.</p> | <p>RES. 4903
FUND
TRANSFER
FOR THE
FISCAL YEAR
ENDING 12-31-
2019</p> <p>RES. 4904
INCOME TAX
REVENUE
ALLOCATION
TO CERTAIN
NAMED
FUNDS</p> <p>ORD. 5217
ESTABLISH
COMPENSA-
TION OF THE
MAYOR FOR
TERM
COMMENC-
ING 1-2-2020</p> <p>ORD. 5218
AMEND THE
CONTRACT
WITH MATTY,
HENRIKSON
& GREVE AS
LEGAL
COUNSEL &
LAW
DIRECTOR</p> |
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ORDINANCE 5219 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.

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5219 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 5219.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5220 re: an Ordinance to make appropriations for current expenditures and other expenditures of the City of Brecksville; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5220 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 5220.

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, January 7th at 7:30 P.M. The Board of Appeals has one item for Council consideration.

Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Zoning Appeals approval for a variance from Section 1151.26(2) a minimum of 10 ft. from the side property line, to allow 5 ft. for a shed, including planting of arborvitae screening, satisfactory to the Building Department located at 9460 Greystone Parkway, PP# 603-20-063.

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 January 3rd at 7:00 P.M. The Commission has one item for Council's consideration.

Motion by Harwood, seconded by Veras to accept the recommendation of approval from the Planning Commission to authorize the approval of a 37 sq. ft., double sided, internally illuminated, ground identification sign, two 4.25 sq. ft. double sided, internally illuminated directional signs and a 51.875 sq. ft. internally illuminated wall sign for Pison Stream Solutions at 6611 W. Snowville Road, Brecksville, Ohio 44141 as described in the application dated November 19, 2018 and the drawings by Brilliant Electric Sign Co., Ltd., dated October 15, 2018 and site plan dated November 16, 2018, contingent on City Council's approval of the following deviations:

- A deviation of 8" from the Section 1187.10(b) height limit of 6' to allow a sign 6'8" tall sign.
- A deviation of 25' from the Section 1187.10(b) requirement that ground identification signs be 40'

**ORD. 5219
AMEND ORD.
5145 MAKING
APPROPRIA-
TIONS AND
REVENUE
ADJUST.**

**ORD. 5220
AMEND ORD.
5145 MAKING
APPROPRIA-
TIONS AND
REVENUE
ADJUST.**

**BD. OF
ZONING
APPEALS**

**VARIANCE
2018-51 SIDE
YARD
SETBACK
FOR A SHED
9460
GREYSTONE
PKWY.**

**PLANNING
COMMISSION**

**PISON
STREAM SIGN
INSTALL
6611 W.
SNOWVILLE
ROAD**

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from the ROW to allow a sign 15' from the ROW.

- A deviation from the requirement in Section 1187.10(c) of a maximum directional sign face of 2 sq. ft. to allow 4.25 sq. ft. on Signs #2

- A deviation from the requirement in Section 1187.03 C to allow business identification information on Directional Signs for Signs #2,

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RECREATION COMMISSION: No Report.

DEPARTMENT OF HUMAN SERVICES: No Report.

TELECOMMUNICATIONS COMMISSION: No Report.

SAFETY-SERVICE COMMITTEE: Councilmember Carouse reported the committee met earlier today and has four items for Council Consideration. Councilmember Carouse thanked the Mayor and Departments for all of the work they put in for the residents and employees and wished everyone a Merry Christmas.

Motion by Carouse, seconded by Redinger, to authorize updates to the Brecksville Police Department Policy and Procedures as presented by Police Chief Goodrich.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Carouse, seconded by Broski, to approve a purchase requisition to Lucas Electric in the amount of \$3,661.00 for connecting the wiring to a replacement CEI pole located across from the Horticulture building on Stadium Drive. *Account #110171 2103.*

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Carouse, seconded by Broski, to approve a purchase requisition to Signal Service Company in the amount of \$10,607.02 for the emergency temporary repairs to Traffic Signal Equipment at S.R. 21 and Wallings Rd. following a traffic incident on November 2, 2018. This cost will be billed for reimbursement by the driver's insurance company, Grange. *Account # 110150 2125.*

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Carouse, seconded by Redinger, to approve a purchase requisition to Lampion Companies for a replacement controller cabinet & accessories at intersection of S.R. 21 and Wallings Rd. Amount of \$20,410.00 to be reimbursed by the driver's insurance. *Account #110150 2125.*

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski thanked Council for authorizing the repairs to the traffic signal equipment. Councilmember Broski wished everyone a Merry Christmas and Happy New Year.

**CONTINUED;
PISON
STREAM SIGN
INSTALL
6611 W.
SNOWVILLE
ROAD**

**RECREATION
COMMISSION**

**HUMAN
SERVICES**

TELEC. COM.

**SAFETY-
SERVICE**

**POLICE DEPT
POLICY AND
PROCEDURE
UPDATE**

**CEI WIRING
FOR POLE
REPLACE-
MENT ON
STADIUM DR.**

**EMERG.
TEMP REPAIR
TO TRAFFIC
SIGNAL
EQUIP. AT S.R.
21 &
WALLINGS
RD.**

**REPLACE-
MENT
CONTROLLER
& CABINET
EQUIP. S.R. 21
& WALLINGS
RD.**

**STREETS &
SIDEWALKS**

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UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier and thanked Council for authorizing the Memorandum of Understanding with Cuyahoga County Board of Health for Phase II Stormwater services for 2019-2021.

**UTILITIES
COMMITTEE**

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 Broski, to approve a purchase requisition to Gardiner in the amount of \$6,400.00 for the emergency repair to the Human Services Therapy Pool PoolPak to replace the compressor. *Account # 110330 2601.*

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**HUMAN
SERVICES
POOL PAK
COMPRESSOR
REPAIR**

LEGISLATION COMMITTEE: Councilmember Rose reported the committee met earlier today and thanked the Department Directors for making his first year as smooth as could be and thanked the Mayor for his leadership throughout the year and wished everyone a Merry Christmas and Happy New Year.

**LEGISLATION
COMMITTEE**

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

**FINANCE
COMMITTEE**

Motion by Redinger, seconded by Carouse, to accept the fees proposed for the 2019 fees and rates for the Community Center and Human Services programs.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**COMMUNITY
CTR. &
HUMAN SERV.
FEES &
RATES**

Motion by Redinger, seconded by Rose, to authorize the 2019 Blanket Purchase Order requests as amended.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**2019
BLANKET
PURCHASE
ORDERS**

REPORT OF LAW DIRECTOR: Law Director Matty thanked Council for the amendment to his contract and wished everyone a Merry Christmas.

LAW

REPORT OF ENGINEER: Engineer Wise wished everyone a Merry Christmas and Happy New Year.

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report

FINANCE

REPORT OF BUILDING DEPARTMENT: No Report.

BUILDING

REPORT OF SERVICE DIRECTOR: Service Director Weidig invited everyone to the Service Department Christmas luncheon on Christmas Eve at 12:00 at Blossom Hill.

SERVICE

REPORT OF PURCHASING DIRECTOR: No Report

PURCHASING

REPORT OF POLICE DEPARTMENT: Police Chief Goodrich thanked everyone for assisting with the Shop with a Cop program, there were 57 children able to participate in the event this year.

POLICE

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REPORT OF FIRE DEPARTMENT: Fire Chief Zamiska reminded everyone to **FIRE** unplug the Christmas lights before going to bed and remember to water all live Christmas trees if you have any.

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

REPORT OF THE MAYOR: Mayor Hruby wished everyone a Merry Christmas **MAYOR** and a non-litigious New Year.

COMMENTS: Councilmember Petsche wished everyone a Merry Christmas.

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:17 P.M.


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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL