

MINUTES

Council Committee Meetings

February 4, 2020

Present: Council President M. Harwood, Councilmembers L. Carouse, D. Caruso, A. Koepke, L. Redinger, K. Veras, Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director S. DiGeronimo, Engineer G. Wise, Finance Director L. Starosta, Fire Chief N. Zamiska, Police Chief W. Goodrich, Purchasing Director R. Riser, C.B.O. S. Packard, Service Director R. Weidig, K. Gavin, Brecksville Magazine, B. Sandrick, Cleveland.com, Councilmember J. Petsche, arrived at 6:40 P.M. Clerk of Council T. Tabor.

Absent: None

Buildings & Grounds Committee

Chairperson - K. Veras

Committee members – D. Caruso, L. Redinger.

Chairperson Veras called the meeting to order at 6:30 P.M.

Roll Call – Present: Caruso, Redinger, Veras.

Absent - None.

Approval of the January 21, 2020 Buildings & Grounds Committee meeting minutes.

Motion by Veras, seconded by Redinger, to approve the, January 21, 2020 Buildings & Grounds Committee meeting minutes as presented. Ayes: Caruso, Veras, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Elevator Inspections: Councilmember Veras said an increase to a blanket purchase order has been requested for necessary inspections to the City's elevators. Service Director Weidig said there was an increase to the cost of the inspections, resulting in the need for an increase to the purchase order.

- Motion by Veras, seconded by Redinger, to recommend to Council passage of a motion to approve an increase to blanket purchase order #BL209012 in the amount of \$220.00 for inspections on the City's Elevators. Ayes: Caruso, Veras, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Gas Detection System Inspections: Councilmember Veras said approval has been requested to approve year (3) of a (3) year contract with JS Controls for gas detection systems in the City. Service Director Weidig said there are five City buildings which have CO2 gas detection systems in City buildings which require inspection and calibration each year.



(Buildings & Grounds Committee, continued)

- Motion by Veras, seconded by Redinger, to recommend to Council approval of a purchase requisition to JS Controls LLC in the amount of \$4,585.80 for year 3 of a 3-year agreement for the annual testing and calibration of the City's Gas Detection Systems. *Multiple Account #*. Ayes: Caruso, Veras, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays

Kids Quarters Pavilion: Councilmember Veras said approval of a purchase requisition is needed for repairs to the pavilion roof at Kids Quarters. Service Director Weidig said the cost of repairs have been include in the Capital Budget. The pavilion and smaller shade structures are in need of repair. Service Director Weidig said the labor will be provided by the Service Department.

- Motion by Veras, seconded by Redinger, to recommend to Council approval of a purchase requisition to Rigidply Rafters, LLC in the amount of \$7,979.49 for three (3) thirty (30) foot pine beams to be used in the roof restoration of the Kids Quarters Pavilion. *Account # C490240-3202 Project #BI200004*. Ayes: Caruso, Veras, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Resident Recommendation Committee: Councilmember Veras said the Resident Recommendation Committee for Valor Acres and Central School will be meeting on Tuesday, February 11th.

Phase 1 Environmental Study and Asbestos Survey: Mayor Hruby said the City took over Central School, Stadium Drive and the Comstock property from the BBHCSD on February 1st. Mayor Hruby said the City would like to begin the Phase 1 environmental assessment and the asbestos survey. Hull Environmental and Amianthus are the lowest bids submitted for these services. Purchasing Director Riser has facilitated the insurance coverage on these properties and Service Director Weidig will oversee the daily utility operations at all buildings as well as safety inspections of the properties. Mayor Hruby said he is requesting authorization to prepare legislation authorizing the inspections at the properties. Councilmember Redinger asked if the gym facilities would be usable for sports teams. Mayor Hruby said many of the areas will require repairs and restroom facilities will need towel holders. Mayor Hruby said there were several issues with the boilers that may prohibit using the buildings. Council President Harwood said the Cuyahoga Valley Youth Organization (CVYO) is aware of the building conditions and are not relying on the use of the facilities.

- Motion by Veras, seconded by Redinger, to request the law director prepare legislation authorizing a phase 1 assessment and asbestos survey of Central School. Ayes: Caruso, Veras, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Adjournment: Motion by Veras, seconded by Redinger, to adjourn the Buildings & Grounds Committee at 6:46 P.M. Ayes: Caruso, Veras, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Finance Committee

Chairperson - Laura Redinger

Committee members - L. Carouse, A. Koepke.

Chairman Redinger called the meeting to order at 6:46 P.M.

Roll Call – Present: Carouse, Koepke, Redinger.

Absent - None.

Approval of the January 21, 2020 Finance Committee meeting minutes.

Motion by Redinger, seconded by Carouse, to approve the January 21, 2020 Finance Committee meeting minutes as presented. Ayes: Carouse, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

“It’s a Wonderful Life” Production: Councilmember Redinger asked Mayor Hruby to explain the request. Mayor Hruby said if this request is approved the Recreation Department would like to put on a production of “It’s a Wonderful Life”. Mayor Hruby said the theater groups have been struggling and the production of this program is expected to raise interest in the Brecksville Theater.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a blanket vendor purchase requisition in the amount of \$15,000.00 for the expenses related to the City of Brecksville production of “It’s a Wonderful Life”. *Account#110150 -2410*. Ayes: Carouse, Redinger, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

Squire Patton Boggs: Councilmember Redinger said Squire Patton Boggs has provided legal services for the City. Mayor Hruby said Squire Patton Boggs was hired to work with the City on real estate matters regarding the Valor Acres property and any TIF legislation that has been presented. Squire Patton Boggs has also been working with companies regarding economic development. Mayor Hruby said additional funding is needed to continue using the services of Squire Patton Boggs.

- Motion by Redinger, seconded by Carouse, to recommend to Council passage of a Resolution accepting the proposal of Squire Patton Boggs, LLP to provide professional services. Ayes: Carouse, Redinger, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

Monthly Bills: Councilmember Redinger said the Monthly Bills have been prepared and submitted for Council approval.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of monthly bills for professional services as follows: Matty, Henrikson and & Greve in the amount of \$11,328.33; Matty, Henrikson and & Greve in the amount of \$12,512.50; Sergio I. DiGeronimo in the amount of \$6,490.00; Roger Wadsworth in the amount of \$700.00; Squire Sanders(US) LLP in the amount of \$9,723.75; J Neusser, LLC in the amount of \$2,000.00; and Donald G. Bohning & Associates in the amount of \$17,993.83; and Sixmo in the amount of \$1,225.00. Total of all invoices \$61,973.41. Ayes: Carouse, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Adjournment: Motion by Redinger, seconded by Carouse, to adjourn the Finance Committee meeting at 6:51 P.M. Ayes: Carouse, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Legislation Committee

Chairperson- Ann Koepke

Committee members – D. Caruso, L. Redinger.

Chairperson Koepke called the meeting to order at 6:52 P.M.

Roll Call – Present: Caruso, Redinger, Koepke.

Absent- None.

Approval of the January 21, 2020 Legislation Committee meeting minutes.

Motion by Koepke, seconded by Veras, to approve the January 21, 2020 Legislation Committee meeting minutes as presented. Ayes: Caruso, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Amend Section 1186.04 of the Administrative Code: Councilmember Koepke said legislation has been presented authorizing a change to Section 1186.04 of the Administrative Code.

- Motion by Koepke, seconded by Petsche, to recommend to Council passage of an Ordinance amending Section 1186.04 of the Administrative Code. Ayes: Caruso, Redinger, Koepke Nays: None. Motion carried 3-Ayes, 0-Nays.

Adjournment: Motion by Koepke, seconded by Redinger, to adjourn the Legislation Committee meeting at 6:54 P.M. Ayes: Caruso, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Safety-Service Committee

Chairperson- Dominic Caruso

Committee members- J. Petsche, K. Veras.

Chairperson Caruso called the meeting to order at 6:54 P.M.

Roll Call – Present: Caruso, Petsche, Veras.

Absent: None.

Approval of the January 21, 2020 Safety-Service Committee meeting minutes.

Motion by Caruso, seconded by Veras, to approve the January 21, 2020 Safety-Service Committee meeting minutes as submitted. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Bucket Truck #B-62 Repairs: Councilmember Caruso said a purchase requisition has been submitted for Council's approval to authorize repairs to bucket truck #B-62. Service Director Weidig said there were issues found when the annual inspections were performed. Councilmember Caruso asked how old the vehicle was. Service Director Weidig said it is a 2008. Service Director Weidig said the purchase requisition total will also include the follow up inspection after the repairs are completed.

- Motion by Caruso, seconded by Veras, to recommend to Council passage of a motion to approve a purchase requisition to Utility Truck Equipment in the amount of \$8,615.00 for repairs to the Service Department Bucket Truck, City Vehicle #B-62 following issues discovered with the upper boom hydraulic lines during a required annual inspection. *Account #110420-2602.* Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

(Safety-Service Committee, Continued)

Caterpillar Model 420 Backhoe purchase through Sourcewell: Councilmember Caruso said legislation has been prepared authorizing the purchase of a backhoe for the Service Department. Service Director Weidig said this was part of the capital budget, replacing a 20 year old backhoe. Councilmember Petsche asked if the purchase was made through the local store. Service Director Weidig said it was purchased through Sourcewell and will be delivered directly to the City.

- Motion by Caruso, seconded by Veras, to recommend to Council passage of an Ordinance authorizing the purchase of a Caterpillar model 420 Backhoe from OhioCAT for the Service Department through the Sourcewell contract. *Account #C110610-3300*. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Freightliner 114SD purchase through ODOT & Concord Minuteman Hooklift Hoist/Snow and Ice Control Equipment: Councilmember Caruso said legislation has been prepared authorizing the purchase of a Freightliner chassis through state contract purchasing. Service Director Weidig said vehicle B-42 is the vehicle number that currently is assigned to a 2009 International. That vehicle has a hook on it which allows the truck to be used for many purposes. It can be used for snow and ice removal, material handling and also as a one man leaf collection truck. The previous International truck B-42 will be kept as a leaf machine. This truck will come with two steering wheels and will be used as a third leaf collection machine. Councilmember Petsche asked what the hook is for. Service Director Weidig said the hook is used to change the equipment on the truck. The hook is capable of removing and replacing equipment such as the snow & ice equipment on the truck and with leaf collection equipment when needed.

- Motion by Caruso, seconded by Veras, to recommend to Council passage of an Ordinance authorizing the state contract purchase of a Freightliner 114SD Conventional Chassis through the State of Ohio Department of Transportation. *Account # C110610-3300*. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.
- Motion by Caruso, seconded by Veras, to recommend to Council passage of an Ordinance authorizing the state contract purchase of a Concord Minuteman Hooklift Hoist/Snow and Ice Control Equipment Package through State of Ohio Department of Transportation. *Account # C110610-3300*. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

City of Solon Prisoner Housing Agreement: Councilmember Caruso said the Police Department has had legislation prepared to authorize an agreement for prisoner housing with the City of Solon. Police Chief Goodrich said Brecksville has agreements for prisoner housing with Strongsville, North Royalton and Broadview Heights for housing prisoners. Police Chief Goodrich said the City of Broadview Heights no longer houses prisoners at their facility. In the event a back-up facility is needed, the City of Solon could be used to house prisoners.

- Motion by Caruso, seconded by Veras, to recommend to Council passage of a Resolution authorizing an agreement with the City of Solon to provide prisoner housing for the City of Brecksville. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

(Safety-Service Committee, Continued)

Prisoner Housing Blanket Purchase Order: Councilmember Caruso said a blanket purchase order is requested to cover the cost of housing prisoners with the Cities of Solon, Strongsville and North Royalton. Police Chief Goodrich said since the City has contracted for prisoner housing it has proven to be very cost effective.

- Motion by Caruso, seconded by Petsche, to recommend to Council passage of a motion to approve a blanket purchase requisition in the amount of \$40,000.00 for 2020 Prisoner Housing Services with the Cities of North Royalton, Strongsville and Solon. *Account #110220-2103*. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

NOPEC Energized Community Grant: Councilmember Caruso said a grant application has been requested for Council's approval. Purchasing Director Riser said NOPEC provides an opportunity to receive funding for energy related projects to member communities. The amounts are based on the number of natural gas and electric accounts the communities are enrolled in. In 2019 City Council authorized the funds awarded to be placed in escrow for the City Hall Roof Replacement Project. The projects being discussed for the \$60,000.00 awarded for 2020 may be replacement windows in Building #7 at Blossom Hill and if enough funding is left, replacement windows at Old Town Hall. Councilmember Redinger asked which building is #7. Purchasing Director Riser said the school building is #7.

- Motion by Caruso, seconded by Veras, to recommend to Council passage of a Resolution authorizing the Mayor to complete the application process for the NOPEC Energized Community Grant through which the City of Brecksville has already been advised of a funding allocation of \$60,456.00. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

BWC Safety Intervention SafetyGRANTS: Councilmember Caruso said a BWC Grant is being requested. Purchasing Director Riser said these grants go toward equipment that eliminate workplace hazards. Previously the Fire Department was awarded a grant to purchase power cots, and a vehicle lift. Purchasing Director Riser said cities are eligible to apply every (3) years. Purchasing Director Riser said discussions took place with the Mayor, Fire Chief, and Service Director. It has been decided the application should be for a improving ventilation systems in the Service Garage where vehicle maintenance and welding is done.

- Motion by Caruso, seconded by Veras, to recommend to Council passage of a Resolution authorizing the Mayor to apply for the Bureau of Workers' Compensation Safety Intervention SafetyGRANTS. We are once again eligible to receive a 3 to 1 matching grant of up to \$40,000.00. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Caruso asked Fire Chief Zamiska to talk about the upcoming Citizen's Fire Academy. Fire Chief Zamiska said beginning on March 9th, for 6 weeks the Fire Department will hold classes for residents to learn fire safety.

Adjournment: Motion by Caruso, seconded by Petsche, to adjourn the Safety-Service Committee meeting at 7:07 P.M. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Streets & Sidewalks Committee

Chairperson Lou Carouse

Committee members J. Petsche, K. Veras.

Chairperson Carouse called the meeting to order at 7:07 P.M.

Roll Call – Present: Carouse, Petsche, Veras.

Absent: None.

Approval of the January 21, 2020 Streets & Sidewalks Committee meeting minutes.

Motion by Carouse, seconded by Petsche, to approve the January 21, 2020 Streets & Sidewalks Committee meeting minutes as presented. Ayes: Petsche, Veras, Carouse. Nays: None. Motion carried 3-Ayes, 0-Nays.

Cuyahoga County Public Works Grant: Councilmember Carouse said legislation has been prepared authorizing the Mayor to complete a grant application from Cuyahoga County Public Works for a 50/50 Grant for work on County Roads. Service Director Weidig said the County has grant opportunities available. Service Director Weidig said the City has applied for the road maintenance grant, \$169,000.00 on Fitzwater and \$122,000.00 on Riverview. The results of that grant request should be announced soon. The City would like to complete Fitzwater. The 50/50 grant is for Wallings Road with a cost of \$185,000.00, if awarded the City's share would be \$90,000. Service Director Weidig said the application would also be for another small area of Riverview for \$125,000.00. The requirement of this grant is the funds are used for County Roads only.

- Motion by Carouse, seconded by Veras, to recommend to Council passage of a Resolution authorizing the Mayor to complete the application process for the Cuyahoga County Public Works 50/50 Grant to complete work on Wallings Road in project year 2021 and Riverview Road in project year 2022. Ayes: Petsche, Veras, Carouse. Nays: None. Motion carried 3-Ayes, 0-Nays.

Engineer Report: Engineer Wise said, unless there is an objection from Council, he will send the responses to the Crane Creek resident and home owners association regarding the requests for the stormwater detention basin and sound barrier walls. Councilmember Carouse said the letters reflect the discussion from the last meeting and asked if the Committee or Council had any concerns. Hearing none, Councilmember Carouse said there are no objections and authorized the response to the resident.

Adjournment: Motion by Carouse, seconded by Petsche, to adjourn the Streets and Sidewalks Committee meeting at 7:10 P.M. Ayes: Petsche, Veras, Carouse. Nays: None. Motion carried 3-Ayes, 0-Nays.

Utilities Committee

Chairperson Jack Petsche

Committee members L. Carouse, A. Koepke.

Chairperson Petsche called the meeting to order at 7:10 P.M.

Roll Call – Present: Petsche, Carouse, Koepke.

Absent: None.

(Utilities Committee, continued)

Approval of the January 21, 2020 Utilities Committee meeting minutes.

Motion by Petsche, seconded by Carouse, to approve the January 21, 2020 Utilities Committee meeting minutes as presented. Ayes: Petsche, Carouse, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Whitewood Aerial Sewer Project: Councilmember Petsche said a resolution has been prepared to authorize the NEORSD cost sharing agreement for the Whitewood Aerial Sewer Project. Engineer Wise said this legislation will authorize the City to use cost sharing funds. Engineer Wise said this is the NEORSD's standard agreement. One portion of the project is ineligible for the use of NEORSD funds, the City will use District 13 funds to complete that portion of the project. Councilmember Redinger asked if the city loses some of the cost sharing funds. Engineer Wise said the City collects the funding over a five year period, if the money is unused, the funds collected in the first year are forfeited. Engineer Wise said the funding will be used by the City over several projects. Councilmember Petsche said the headwalls are being removed, what will be there when the repair is complete. Engineer Wise said a large concrete grade beam can be constructed to support the piers for the aerial sewer. Currently the sewer discharges at the top of the hill, the new work will allow the discharge down a series of manholes that tie into the culvert, and will not even be seen. In the area where there is no sewer, there will be a series of manholes to step down and discharge at the bottom of the hill to avoid erosion. Councilmember Redinger asked when the work is expected to be done. Engineer Wise said toward the summer, they would like to do the work in the drier months.

- Motion by Petsche, seconded by Carouse, to recommend to Council passage of a Resolution authorizing the Mayor to enter into a community cost-sharing agreement with the NEORSD for the Whitewood Aerial Sewer Project. Ayes: Petsche, Carouse, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Engineer's Report: Engineer Wise said NEORSD has contacted him regarding a project to raise Vaughn Road. The City's cost share would be \$250,000.00 - \$350,000.00, Sagamore Hills would be responsible for \$55,000.00 and NEORSD would cover the balance of the cost. Brecksville would be the lead agency responsible for engineering, construction, and construction management. The work would involve reinforcing the bank of the Cuyahoga River and raising Vaughn Road 3-4 feet. This would not eliminate the flooding, but would significantly lower the number of occurrences. This is not in the capital budget and a funding source has not been identified. If Council determines they would like to participate, I would respond to NEORSD stating such and work to find a funding source.

Mayor Hruby said the funds that NEORSD are committing, are those coming from the NEORSD funds that our residents pay. Engineer Wise said yes, it would be coming from NEORSD's 75% of the funds collected. Mayor Hruby asked what happened to the Chippewa Creek Project that NEORSD was prepared to do when they passed the tax on the stormwater. Mayor Hruby asked why have they (NEORSD) not answered the City's concern regarding Riverview and Weise Road. Those areas are more important when it comes to flooding of businesses and residents. Mayor Hruby asked why Vaughn Road has become a priority and not the other flooding areas. Engineer Wise said the flooding impact at Greenhaven and Weise Road have more residential properties.

At Vaughn Road, if the road is closed there are no homes impacted by flooding. Mayor Hruby said the Chairman and the committee may want to meet with NEORSD regarding the direction they are going in. Mayor Hruby said when this tax was first proposed, Mayor Hruby said he testified in the court case. Mayor Hruby said he was asked if he was aware that NEORSD has \$2,000,000.00 dollars for the Chippewa Creek project

Highland Drive Sewer Connections: Councilmember Carouse left the room due to a conflict of interest. Councilmember Petsche brought (2) Highland Drive residents, Raymond Weiss and Bryan Holt into the meeting. Councilmember Petsche said the residents are requesting relief from tap-in fees to connect to the water and sewer lines at 10307 Highland Dr. & 10317 Highland Dr. Mr. Holt said the hardship is that the sewer and water lines are across the street and the cost to connect by going under the road is more than a typical connection cost. Councilmember Petsche said the Law Director has advised against the City waiving the tap-in fees. Mr. Holt asked where the fees go and said it has been determined in the Master Plan that there will be no additional sewer or water lines in the Boston Highland Sewer District. Councilmember Petsche asked Engineer Wise to respond. Engineer Wise said the Ordinance says the fees collected go to the maintenance & expansion of the Boston Highland District, the Finance Director could add more information. Finance Director Starosta said the monies collected are held in a separate fund to be used for maintenance and expansion. Mr. Weiss said this is a unique situation, they are being mandated to tie into the sewer. This was not a new sewer project that would have allowed the sewer laterals to be installed. Councilmember Petsche said the tap in fees are a requirement. Mr. Weiss asked if the fee escalator is the required amount, because it was much lower when they were notified of the requirement to tap in. Engineer Wise said the Ordinance has an escalator built into the fees, if residents pay the fees and tapped in when first notified, they pay the amount required at that time. Councilmember Petsche said that if Council waives the fee it would come back to bite them. Mr. Weiss said these are the only two houses required to tap in.

Law Director Matty said he was absent during the committees previous meeting. One committee member raised an objection. The committee is two members, one member is disqualified from voting. If the committee cannot come to a consensus, the issue is dead. The Board of Health has a variance procedure and an option to go to court, if, that request is denied. If there is an escalator in the Ordinance, the Finance Director must follow that Ordinance. Councilmember Petsche asked if the residents have asked for a variance from the Board of Health. Mr. Weiss said the cost to apply for a variance is \$600.00 and the proximity for the properties to tie in, the recommendation to the Board would be to require the tap in. Engineer Wise confirmed the conversation and recommendation with the Board of Health employees. Engineer Wise said the Board of Health began his began the notification several years ago. Councilmember Petsche asked if the court could require the City to install the connections. Law Director Matty said the court would either consider the residents appeal to the Board of Health. Law Director Matty said the City is not a party in this, this is a Board of Health requirement. Councilmember Petsche said the City did not create this. Council President Harwood said if the Committee Members are not in agreement, the issue ends there. Law Director Matty asked if that is the vote, then it ends there. Councilmember Petsche said yes, that is the vote. Councilmember Petsche said it ends in the committee. The residents asked again for consideration to pay the tap in fees instead of bringing the sewer line in front of their houses. Mr. Weiss and Mr. Holt left the meeting. Councilmember Redinger said she felt it was wrong not to help the residents.

Councilmember Koepke asked if there have been other instances where residents had to go under

the road. Engineer Wise said he recalls one on Barr Road and S.R. 82. Engineer Wise said the difference is the standard tap fee versus the Boston Highland tap fee. C.B.O. Packard said the standard tap fee is \$1,200.00 and the Boston Highland tap fee is \$6,000.00. Engineer Wise said the Boston Highland was part of the installation of the main. Mayor Hruby said Council could use those funds for maintenance of the lines or to expand the Boston Highland Sewer District.

Finance Director Starosta said the sewer tie in fee is \$5,200.00. Councilmember Koepke asked what the penalty fee is. Engineer Wise said the fee would have been \$4,600.00 if they tied in when they were first notified. Mayor Hruby said the committee might want to review this at another time. Councilmember Petsche asked what the Law Director thought. Law Director Matty said he stands by his recommendation that the City cannot waive fees for some residents and charge other residents. Councilmember Koepke said there are other occasions where residents were required to connect under the road and the residents bore the cost of those connections. Councilmember Koepke said the residents are not unique in this situation. Councilmember Petsche asked if the City could pay a portion of the cost to connect. Council President Harwood said the expense for the City to be involved in the project would cost more than a private resident. Engineer Wise said a municipal project is much more expensive than a private contract. Asst. Law Director DiGeronimo asked if the reluctance was to use funds from the Boston Highland Sewer District or tax payer money from the general fund. There is a fund established for the Boston Water & Sewer District Fund to maintain, enlarge, replace, extend, or construct water lines and/or sewer lines, including administrative and engineering costs within the Boston Water & Sewer District. Councilmember Koepke asked if the Fund had been used for any other projects. Finance Director Starosta said the fund has not been used at this time. Councilmember Koepke asked if the committee is still requiring the tap in fees to be paid, but the committee may use the funds to connect the sewer. Councilmember Koepke said she believes any fee increases that have been caused by the property owner's delay in connecting is the property owner's responsibility.

Councilmember Carouse returned to the meeting.

Adjournment: Motion by Petsche, seconded by Carouse, to adjourn the Utilities Committee meeting at 8:10 P.M. Ayes: Petsche, Carouse, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Committee of the Whole Meeting: Motion by Harwood, seconded by Carouse, to convene a Committee of the Whole meeting at 8:10 P.M. Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

Approval of the January 21, 2020 Committee of the Whole meeting minutes. Motion by Harwood, seconded by Carouse, to approve the January 21, 2020 Committee of the Whole meeting minutes as submitted. Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

Council President Harwood said the BBHCSD has sent a letter to all Councilmembers requesting Council use the Brecksville – Broadview Heights City School District name, as they believe people are forgetting to include Broadview Heights in the name.

Council President Harwood reminded Councilmembers of upcoming events: Conversation with the Mayor on February 18th, State of the City of February 19th and the Council Seminar on February 22nd.

(Committee of the Whole Meeting, continued)

Mayor Hruby asked Council to consider an executive session to discuss matters of real estate after which an announcement will be made.

Executive Session: Motion by Harwood, seconded by Carouse, to convene an Executive Session to discuss matters of real estate after which an announcement will be made. Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

Council President M. Harwood, Councilmembers L. Carouse, D. Caruso, A. Koepke, L. Redinger, K. Veras, Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director S. DiGeronimo, were present in executive session.

Motion by Harwood, seconded by Carouse, to reconvene the Committee of the Whole. Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

Committee of the Whole Meeting Adjourned: Motion by Harwood, seconded by Carouse to adjourn the Committee of the Whole at 8:15 P.M. Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

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cc: Members of Council,
Mayor Jerry N. Hruby,
Law Director D. Matty,
Asst. Law Director
S. DiGeronimo,
Engineer G. Wise,
Department Heads