

## **MINUTES**

### **Council Committee Meetings**

July 7, 2020

Present: Council President M. Harwood, Councilmembers L. Carouse, D. Caruso, A. Koepke, J. Petsche, L. Redinger, K. Veras, Law Director D. Matty, Assistant Law Director S. DiGeronimo, Engineer G. Wise, Finance Director L. Starosta, Fire Chief N. Zamiska, Police Lt. R. Johnson, Purchasing Director R. Riser, Clerk of Council T. Tabor.

Guests: Kathy Gaivin – Brecksville Magazine, Adam Cook - The Gazette, Merri Gunzler, P. Pattakos, T. Collin,

Teleconference: Mayor Jerry N. Hruby, Service Director R. Weidig.

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, L. Redinger Veras.

Absent - None.

### **Approval of the June 16, 2020 Buildings & Grounds Committee meeting minutes.**

Motion by Veras, seconded by Caruso, to approve the, June 16, 2020 Buildings & Grounds Committee meeting minutes as presented. Ayes: Caruso, L. Redinger Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

### **Window Replacement Project at 4450 Oakes Road, Blossom Hill, Building 7:**

Councilmember Veras said the first two agenda items are for the Window Replacement Project at Building 7 at Blossom Hill. Purchasing Director Riser said there was two plan holders and one bidder. Capitol Aluminum and Glass, the only bidder, is located in Bellvue, Ohio. Capitol Aluminum and Glass is the leader in this type of project for the installation and replacement of windows for schools and institutional buildings. During the pre-award scope meeting, the representative from Capitol, proposed (3) value engineering options for the City's consideration. The options were acceptable modifications to the City for the significant cost savings. The value engineering options resulted in a savings on the contract of \$35,900.00. Purchasing Director Riser is recommending Council's acceptance of the bid of Capitol Aluminum & Glass Corp., as well as the proposed Value Engineering items proposed, for the final aggregate amount of \$73,000.00 for the Window Replacement Project. This will include all windows specified in the base bid, alternate 1 and alternate 2 locations, and will leave the section specified in alternate 3 remaining for future completion over the next 2-3 years. Purchasing Director Riser said the NOPEC Energized Communities Grant Program Award of \$60, 456.00 will be put toward this project.



Councilmember Redinger asked if the timeline for the project is known. Due to circumstances and delivery of materials, Capitol has stated the project would start around the third week of September. The City will work with the window removal contractor to complete their work as close to the installation date as possible.

- Motion by Veras, seconded by Redinger, to recommend to Council passage of an Ordinance to accept the bid of Capitol Aluminum & Glass Corp. in the aggregate amount of \$73,000.00 for the Window Replacement Project at 4450 Oakes Road, Blossom Hill, Building 7. *Account #C490161 3202. Project #BI200007.* Ayes: Caruso, L. Redinger Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

**Window Replacement Project at 4450 Oakes Road Asbestos Removal:** Councilmember Veras said approval is needed for a purchase requisition to HEPA Environmental Services for the removal and disposal of asbestos containing windows. Purchasing Director Riser said HEPA Environmental was the low bidder through the RFQ process for removal of the windows. The reason for the different contractors is due to the small amounts of asbestos in the window seals and wanted to hire directly rather than rely on the general contractor to sub-contract for this part of the project.

- Motion by Veras, seconded by Redinger, to recommend to Council passage of a motion to approve a purchase requisition to HEPA Environmental Services, Inc. in the aggregate amount of \$12,900.00 for the removal and disposal of asbestos-containing windows at 4450 Oakes Road, Blossom Hill, Building 7. *Account #C490161 3202. Project #BI200007.* Ayes: Caruso, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

Service Director Weidig said the projects at this Blossom Building have moved along this year. The boilers and floors have been replaced. The piping project for the same building is scheduled to be completed at the end of July.

**City Hall Roof Replacement & New Air Handlers Project Contingency:** Councilmember Veras said there are contingency funds that will be used for approved change orders due to Owner, Design, Field or Scope changes encountered during the project. Purchasing Director Riser said the funds were approved in the capital budget for the City Hall Roof and Air Handlers Replacement Project. Purchasing Director Riser said the contractor is finishing the project to decommission the firing range and the contractor for the roof project is preparing to mobilize this week. Service Director Weidig said the contractor will begin working with the air handlers in the attic and the final part of the project will be the building automation project.

- Motion by Veras, seconded by Caruso, to recommend to Council passage of a motion to approve a blanket vendor purchase requisition in the amount of \$50,000.00 for the City's management of the contingency funding budgeted for the City Hall Roof Replacement & New Air Handlers Project. *Account #C490166 3202. Project #BI190003.* Ayes: Caruso, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

**Community Center Overflow Parking Lot:** Councilmember Veras said a request has been submitted for the Community Center Overflow Parking Project, this has been included in the 2020 capital improvements budget. Service Director Weidig said the concrete crew is finishing up some current projects and expects to begin this project later this month. This will connect the driveway on Community Drive to the Lutheran Church parking lot and then a sidewalk from the Church parking lot to the Community Center. All work will be done by the Service Department concrete crew. Council President Harwood asked if the soil will be taken to Valor Acres from this site. Service Director Weidig said the grass will be removed and the excavated soil from this project

and the Police Station Stormwater Drive Project will be taken to Valor Acres.

- Motion by Veras, seconded by Redinger, to recommend to Council passage of a motion to approve a blanket vendor purchase requisition in the amount of \$11,053.00 for the Community Center Overflow Parking Lot Project. *Account #C480171 3501. Project #RD200001.* Ayes: Caruso, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

**New Fire Alarm System in Old Town Hall:** Councilmember Veras said approval has been requested to approve a purchase requisition to ABC Fire for the Alarm System at Old Town Hall. Service Director Weidig said the system is antiquated and parts are no longer available for the system. This was approved by City Council on January 21, 2020, with vendor Select Security. However, it was discovered that since this is a new system, the rules require a code compliant system with an updated plan. Both Chief Building Official Packard, and Fire Chief Zamiska have approved to move forward with ABC Fire, Inc. on this project.

- Motion by Veras, seconded by Redinger, to recommend to Council passage of a motion to approve a purchase requisition to ABC Fire, Inc. in the amount of \$9,574.00 for a New Fire Alarm System in Old Town Hall. *Account #C490162 3202. Project #BI200003.* Ayes: Caruso, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

**New Fire Alarm System in Blossom Cooperative Preschool:** Councilmember Veras said a new fire alarm system is needed at the Blossom Hill Cooperative Preschool Building. Service Director Weidig said the cost will include the purchase and installation of a code compliant cellular dialer fire alarm system from Silent Knight, replacement and update of devices, and one year of monitoring through Calcom. Service Director Weidig said this has been reviewed by the Fire Chief and Building Official to make sure the product is Code compliant.

- Motion by Veras, seconded by Redinger, to request passage of a motion to approve a purchase requisition to Calcom, Inc. in the amount of \$7,550.00 for a New Fire Alarm System in Blossom Cooperative Preschool, Building #10. *Account # C490161 3202. Project #BI200009.* Ayes: Caruso, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

**Brecksville Police Department Concrete Stormwater Drive Project:** Councilmember Veras said a request has been made to approve a blanket vendor purchase requisition for the Brecksville Police Station Stormwater Drive Project. Service Director Weidig said there is a creek on the property that includes a headwall that becomes clogged with debris, soil and branches. Service Director Weidig said it has become difficult to clean out the headwall. The driveway is being built to obtain access to the headwall for maintenance purposes. A backhoe and truck could be brought in to clear the headwall if needed. In the future the driveway may extend to a vehicle storage building.

**Community Center Sidewalks Project:** Service Director Weidig said the sidewalk from Community Center on Community Drive needs to be replaced. The sidewalk is currently five feet wide and will be increased to 6 feet to allow for easier snow maintenance. Service Director Weidig said additional drainage will be added to alleviate water drainage and freezing on the sidewalk.

- Motion by Veras, seconded by Redinger, to approve a blanket vendor purchase requisition in the amount of \$8,107.00 for the Community Center Sidewalks Project budgeted in 2020 capital improvements. *Account #C490240 3202. Project #BI 200010.* Ayes: Caruso, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.
- Motion by Veras, seconded by Redinger, to approve a blanket vendor purchase requisition

in the amount of \$9,464.00 for the Brecksville Police Department Concrete Stormwater Drive Project budgeted in 2020 capital improvements. *Account #C490210 3202. Project #BI200001.* Ayes: Caruso, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

**Adjournment:** Motion by Veras, seconded by Caruso, to adjourn the Buildings & Grounds Committee at 6:53 P.M. Ayes: Caruso, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

### **Finance Committee**

Chairperson - Laura Redinger

Committee members - L. Carouse, A. Koepke.

Vice Chairperson called the meeting to order at 6:53 P.M.

Roll Call – Present: Carouse, Koepke, Redinger.

Absent -None.

### **Approval of the June 16, 2020 Finance Committee meeting minutes.**

Motion by Redinger, seconded by Carouse, to approve the June 16, 2020 Finance Committee meeting minutes as presented. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

### **Valor Acres, TIF, DiGeronimo Developers:**

Councilmember Redinger said several items have been presented for approval for the Valor Acres TIF project. There has been a request to include additional property to the project to include the Dalad properties. The legislation prepared will be the compensation agreement with the schools, the creation of a TIF Fund, authorizing a modified form of a TIF agreement and repealing Ord. 5311, adoption of a TIF Incentive area and a Development Plan with DiGeronimo Developers for the additional property. Assistant Law Director DiGeronimo said the Development Agreement with DiGeronimo Development was adopted in June 2018, before the Dalad property was considered as part of the project. The agreement needs to be adjusted to include the additional 88 acres. Councilmember Petsche asked if the .40(b) and .41 TIF maps overlap, is that correct. Assistant Law Director DiGeronimo said yes it appears that way. Councilmember Petsche asked how those work. Assistant Law Director DiGeronimo said Legal Counsel Greg Daniels at Squire Patton Boggs would be able to answer those questions. Law Director Matty said his limited knowledge of the .40(b) is being placed on the property now and when the City acquires the property it will be a .41, it is a two-step process. It cannot be a one-step process since the property is not owned by the CIC at this time. Additional information will come from Mr. Daniels. Councilmember Petsche asked if they overlap completely. Law Director Matty suggested the question should be directed to Mr. Daniels. Mr. Daniels will attend prior to the vote. Councilmember Carouse asked if Law Director Matty is suggesting that Council wait on this legislation. Law Director Matty said no, he is suggesting Council have the first reading of this legislation today. Law Director Matty asked if the Developer has agreed to the Amendment to the Development Agreement. Asst. Law Director DiGeronimo said yes the amendment has been agreed to by all counsel. Councilmember Petsche said there is an addition of the 88 acres, and does the City feel it is beneficial for the Sherwin-Williams building to be located partially on the 88 acres. Asst. Law Director DiGeronimo said moving the Sherwin-Williams building to the Dalad property allows more area for development in the Valor Acres site. Mayor Hrubby said Sherwin-Williams asked if the Dalad property was available and would the City be willing to make it part of the development area. Sherwin-Williams will be using 75 acres, which will allow for more development opportunities at Valor Acres. Mayor Hrubby said moving the Sherwin-Williams building to the Dalad parcel will allow a more standard development of Valor Acres.

**BBHCSD Second Amended and Restated Compensation Agreement:**

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance authorizing a Second Amended and Restated Compensation Agreement with the BBHCSD which will include the expected addition of 88 acres of property adjacent to Valor Acres. Ayes: Carouse, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

**TIF Fund:**

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance establishing a Municipal Public Improvement Tax Increment Equivalent Fund into which the Service Payments shall be deposited and authorize the use of such Service Payments. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Repeal Ordinance No. 5311 and Authorized a Modified Form of a TIF Agreement:**

- Motion by Redinger, seconded by Koepke, to recommend to Council approval of an Ordinance repealing Ordinance No. 5311 and replacing with a modified form of TIF agreement to include a portion of the land adjacent to the Valor Acres property and a portion of the Valor Acres Property for the construction of the Sherwin-Williams Research and Development Facility. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Adopt TIF Incentive:**

- Motion by Redinger, seconded by Koepke, to recommend to Council approval of an Ordinance creating a tax increment financing incentive pursuant to RC 5709.40 and subsequently, after the City is able to acquire title to the Adjacent Site, adopt a tax increment financing incentive pursuant to RC 5709.41. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Development Agreement with Brecksville CIC:**

- Motion by Redinger, seconded by Koepke, to recommend to Council approval of a Resolution amending a Development Agreement with the Brecksville Community Improvement Corporation (CIC) and DiGeronimo Development, LLC. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Appropriations:** Councilmember Redinger said a request has been made to amend appropriation Ordinance 5277. Councilmember Redinger said Recreation Director Tupa said there has been an increase in the requests for the tennis program. The Appropriation Ordinance will place funds in the proper account to reflect those increased costs. Finance Director Starosta said an increase to the blanket vendor purchase order is also needed to pay the tennis instructors.

**Councilmember Koepke said her children are involved in the tennis program and asked if she should abstain from voting. Law Director Matty said this is a general interest and does not involve a conflict.**

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance to amend Ordinance 5277 making appropriations for current expenses during fiscal year ending 12-31-2020. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Increase Tennis Instructor Purchase Order:**

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an increase to Blanket Purchase Order #FN200012 in the amount of \$4,500.00 for Tennis Instructors. *Account #240744 2102*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Monthly Bills:** Councilmember Redinger asked if there were questions related to the payment of bills.

- Motion by Redinger, seconded by Koepke, to recommend to Council approval of the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$8,940.83; Matty, Henrikson and & Greve in the amount of \$1,015.00, Sergio I. DiGeronimo in the amount of \$4,757.50, Roger Wadsworth in the amount of \$350.00; Squire Patton Boggs in the amount of \$2,797.50, Kulchytsky Architects, LLC in the amount of \$150.00; J Neusser, LLC in the amount of \$2,000.00; and Donald J. Bohning & Associates in the amount of \$25,296.69 and Sixmo in the amount of \$725.00. Total of all invoices \$46,032.52. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Adjournment:** Motion by Redinger, seconded by Koepke, to adjourn the Finance Committee meeting at 7:05 P.M. Ayes: Carouse, Koepke, Redinger. 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 7:06 P.M.

Roll Call – Present: Caruso, Koepke, Redinger.

Absent- None.

**Approval of the June 16, 2020 Legislation Committee meeting minutes.**

Motion by Koepke, seconded by Redinger, to approve the June 16, 2020 Legislation Committee meeting minutes as presented. Ayes: Caruso, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Council President Harwood said a resident, Mrs. Rybak 9732 Forge Dr. requested information regarding procedures to change the ordinance regarding the removal of certain monstrous trees. Council President Harwood said Mrs. Rybak's neighbor has some large trees that she feels may come down and destroy property. Also, there is a dead tree that may come down and damage a fence and gazebo. She has also requested information on how to have the rules changed or modify the ordinance. Mayor Hruba said trees and the condition of trees would fall under the Building Department and the Legal Department. Mayor Hruba said the concerns should be forwarded to the Chief Building Official and Service Director Weidig may contact the arborist for information. Mayor Hruba said they will meet with the committee and discuss the issue regarding the current rules. Council President Harwood said Councilmember Koepke should return the call and let Mrs. Rybak know the issue has been forwarded to the Building Official and will be discussed with the appropriate Council committee members.

**Adjournment:** Motion by Koepke, seconded by Redinger, to adjourn the Legislation Committee meeting at 7:08 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 7:09 P.M.

Roll Call – Present: Caruso, Petsche, Veras.

Absent: None.

### **Approval of the June 16, 2020 Safety-Service Committee meeting minutes.**

Motion by Caruso, seconded by Petsche, to approve the June 2, 2020 Safety-Service Committee meeting minutes as submitted. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Leaf Machine Repair:** Councilmember Caruso said repairs are needed for the leaf collection machine. Service Director Weidig said in 2009 the City purchased a vehicle that has two steering wheels and equipment to experiment with a one man leaf collection truck. Service Director Weidig said it has been a success and the City has since bought a second vehicle. The unit in need of repair is from 2009, the body and all other components are fine. Service Director Weidig said this vehicle runs from October thru early January, six days a week for eight hours a day collecting leaves. The Service Department put together a proposal and quotes for repairs to this machine. Service Director Weidig said this machine saves a lot of man-hours and has been very valuable to the Service Department.

- Motion by Caruso, seconded by Veras, to recommend to Council passage of a motion to approve a purchase requisition to Murphy Tractor & Equipment Co., Inc. in the amount of \$6,470.88 for the leaf machine engine replacement on the City's one-man leaf machine, vehicle #B-42. *Account #110623 2601*. Ayes: Caruso, Petsche, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Adjournment:** Motion by Caruso, seconded by Veras, to adjourn the Safety-Service Committee meeting at 7:11 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 7:11 P.M.

Roll Call – Present: Carouse, Petsche, Veras.

Absent: None.

**Ohio Turnpike Sound Walls:** Councilmember Carouse said many members of Council have received requests for sound walls from residents along Sweetwater in recent weeks. Council president Harwood has responded to those requests. Council President Harwood said Engineer Wise has also been in communication with the Ohio Turnpike regarding these requests. Council President Harwood said he has included in his response how the cost of sound barriers were financed and the Turnpike's stand on sound barrier walls in that location. Engineer Wise said the Turnpike has not changed their stance, they do not construct sound walls. Where sound walls exist along the Turnpike, most were constructed by the Ohio Turnpike Mitigation Grant, a program which was available for a few years. Communities were able to request funding for the walls, and communities were then installing the walls in easements. That program was funded through the Ohio Department of Transportation (ODOT). Residents are aware of sound walls being installed along I-77. ODOT uses federal money and sound studies are required to be performed prior to sound walls being installed. The Turnpike is self-funded, they do not have

those requirements and therefore the Turnpike may have the policies they do. Engineer Wise said the City submitted requests for funding in 2014 and 2015 for installation along Sweetwater from the service plaza approximately 1700 feet. The estimate for that project was approximately one million dollars. The primary benefit of sound walls are for structures within 200-300 feet of the sound wall. In this situation, the houses against the Turnpike, only 10-12 houses, would benefit. The 10-12 houses across the street would have a diminished benefit. Engineer Wise said for the rest of the development the sound would go over the sound walls and provide little to no benefit to the residents. Engineer Wise said the request has been submitted to the Turnpike previously and the response has always remained the same. Along I-77 the sound walls are for the constant sound of the cars. Near the Turnpike Plaza the sounds are from the trucks "jake" braking. Engineer Wise said he does not know if the sound walls would be effective to eliminate those noises. Council President Harwood said Mayor Hruby has also received questions in addition to the 6 or 7 residents Council President Harwood has responded to. Mayor Hruby said a letter will be forthcoming to the residents of the subdivision after he receives additional information from the Turnpike. Council President Harwood asked for any input from Councilmembers regarding this subject. Council President Harwood believes the questions will continue. Councilmember Carouse said he agrees with the Engineer's assessment of the effectiveness and who will be responsible for paying the costs of installation. Councilmember Carouse said he believes residents are seeing the installation of sound walls on I-77 and they do not realize that the projects are very different. Residents may also believe that when the City applied for grant funding, it was awarded. The funding was not awarded for that project. Councilmember Redinger asked that the correspondence clarify how the installation of the sound walls were funded in the past. Councilmember Petsche asked who would be sending the letter. Council President Harwood said Mayor Hruby would be sending a letter, and some of the requests came from areas other than the Sweetwater development. Councilmember Koepke asked if the Turnpike owns the property up to the residential lots. Engineer Wise said that is correct, easements would need to be obtained if installation of sound walls was proposed.

Service Director Weidig said the road program is continuing. The concrete work is complete and the asphalt work is underway. Reimbursement from Cuyahoga County for the \$90,000.00 grant will be submitted for the Fitzwater Road project.

Councilmember Carouse thanked Mayor Hruby for providing road program updates for residents in his e-mail reports.

Council President Harwood said Councilmember Caruso received correspondence regarding the Tanager Trail Slope Repair Project. Council President Harwood asked if anything should be done to address those questions. Mayor Hruby said he will set up a meeting with Mr. Demuth to discuss his concerns. Councilmember Petsche asked when Tanager Trail project will begin. Councilmember Carouse said that has not been determined at this time, funding for this project may be delayed due to the decrease in revenue to the City.

**Approval of the June 2, 2020 Streets & Sidewalks Committee meeting minutes.**

Motion by Carouse, seconded by Petsche, to approve the June 16, 2020 Streets & Sidewalks Committee meeting minutes as presented. Ayes: Petsche, Veras, Carouse. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Adjournment:** Motion by Carouse, seconded by Petsche, to adjourn the Streets and Sidewalks Committee meeting at 7:24 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 7:24 P.M.

Roll Call – Present: Petsche, Carouse, Koepke.

Absent: None.

### **Approval of the June 16, 2020 Utilities Committee meeting minutes.**

Motion by Petsche, seconded by Koepke, to approve the June 2, 2020 Utilities Committee meeting minutes as presented. Ayes: Petsche, Carouse, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

**Whitewood Road Aerial Sewer and Storm Sewer Improvement Project:** Engineer Wise said the contractor has mobilized for the Whitewood Aerial Sewer repair project. Construction has begun on this project. Councilmember Petsche asked if construction has begun. Engineer Wise said the contractor began moving on site Monday (July 6<sup>th</sup>).

**10307-10317 Highland Drive – Sanitary Sewer Installation:** Engineer Wise reported Council agreed to cost sharing on the cost to connect the sanitary sewer under the roadway. Property owners have authorized the contractor to proceed. The contractor has provided additional information for construction of the connection and is expected to begin construction soon.

**Adjournment:** Motion by Petsche, seconded by Koepke, to adjourn the Utilities Committee meeting at 7:28 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 7:28 P.M. Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

**Approval of the June 16, 2020 Committee of the Whole meeting minutes.** Motion by Harwood, seconded by Carouse, to approve the June 16, 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.

**Legal Counsel Petsche Removal Proceedings:** Council President Harwood said a Resolution has been prepared authorizing an agreement with Walter Haverfield for the representation of Council at the July 21<sup>st</sup> public hearing for the presentation in the matter of Councilmember Jack Petsche. Councilmember Koepke asked what the cost would be to hire this legal counsel. Council President Harwood said the purchase order provided stated \$4,500.00. However the fee is based on an hourly rate based on what is being prepared for the public hearing. Merri Gunzler 9494 River Birch Run, asked if the public could see the proposal. Council President Harwood said a purchase order has been prepared. Merri Gunzler asked what the billable hour is. Purchasing Director Riser said \$275.00 per hour. Merri Gunzler asked if this was for one lawyer. Council President Harwood said he believed it was one attorney. Council President Harwood said the representation is for the public hearing on July 21<sup>st</sup>. Purchasing Director Riser said the expected number of hours is (15) for \$4,125.00 and the City is not anticipating additional unless unforeseen circumstances would require more.

- Motion by Harwood, seconded by Carouse, to approve a Resolution authorizing the Mayor to enter into an agreement with Walter Haverfield, Attorneys at Law for the representation of City Council in the removal proceedings of Councilmember Petsche. Ayes: Carouse, Caruso, Harwood, Koepke, Redinger, Veras. Abstain: Petsche, Nays: None. Motion carried 6-Ayes, 1-Abstain, 0-Nays.

Council President Harwood said Cuyahoga County issued protocols for the baseball and softball leagues under COVID-19 procedures. Megan English has worked with Human Services Director Dr. Paciorek regarding the requirements for social distancing. Council President Harwood said all of the requirements are being met and Ms. English goes to each field every day to assure compliance with the requirements. Council President Harwood said a parent on one of the CVBA teams was quarantined, which caused the team to be removed from the league for at least 2 weeks. Council President Harwood said one of the girl's teams also had a parent reported that may have the virus. Neither of these teams had been on Brecksville facilities.

**Committee of the Whole Meeting Adjourned:** Motion by Harwood, seconded by Carouse to adjourn the Committee of the Whole at 7:31 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. Hruba,  
Law Director D. Matty,  
Asst. Law Director  
S. DiGeronimo,  
Engineer G. Wise,  
Department Heads