

JERRY N. HRUBY, **MAYOR AND SAFETY DIRECTOR**
CITY COUNCIL
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MINUTES
Council Committee Meetings
October 6, 2020, 2019

Present: Council President M. Harwood, Councilmembers L. Carouse, D. Caruso, D. Kingston, A. Koepke, L. Redinger, K. Veras. Mayor Jerry N. Hruby, Law Director Matty, Assistant Law Director S. DiGeronimo, Engineer G. Wise, Purchasing Director Riser, Finance Director Starosta, Fire Chief N. Zamiska, Police Chief Goodrich, and Clerk of Council T. Tabor.

Via Teleconference: 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 6:19 P.M.

Roll Call – Present: Caruso, Redinger, Veras.

Absent - None.

September 15, 2020 Buildings & Grounds Committee Minutes: Motion by Veras, seconded by Redinger to approve the September 15, 2020 Buildings & Grounds Committee meeting minutes as submitted. Ayes: Caruso, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

City Hall Retaining Wall (Field “C”): Councilmember Veras said a purchase requisition has been submitted for construction of a retaining wall. Mayor Hruby said the request submitted is for a list of supplies to allow the City to re-build the retaining wall behind Field “C” at City Hall. The retaining wall failed and was removed by the Service Department. Mayor Hruby said cost estimates from independent contractors were more than expected. Mayor Hruby said the construction will be done by the Service Department when their schedule permits. Councilmember Redinger said the Recreation Commission discussed this project at their last meeting and supports the reconstruction of the retaining wall.



- Motion by Veras, seconded by Redinger, to recommend to Council approval of a Purchase Requisition for the restoration of the retaining wall behind City Hall (Field "C") in the amount of \$5,000.00. *Account #240710 2606*. Ayes: Caruso, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

Service Garage Man Doors: Councilmember Veras said the Service Department has requested approval for equipment and labor to replace (4) doors in the Service Garage. Service Director Weidig said the doors are needed as part of the updates for the Service Garage roof and gutter replacement. The doors will be compatible with key code access.

- Motion by Veras, seconded by Redinger, to recommend to Council approval of a Blanket Vendor Purchase Requisition in the amount of \$22,000.00 for the material and labor to install (4) replacement man doors in the Service Garage. *Account #C490170 3202*. Ayes: Caruso, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

Police Station Generator Exhaust Extension Project: Councilmember Veras asked Service Director Weidig for more information on the project. Service Director Weidig said the Generator at the Police Station will run the Police Station and the Dispatch Center when needed. Service Director Weidig said the area where the generator is located has been allowing fumes to collect and not dissipate as expected. Karpinski Engineering is familiar with the building and location of the generator. Karpinski will provide engineering for extending the generator exhaust away from the building.

- Motion by Veras, seconded by Redinger, to recommend to Council approval of a Resolution accepting an agreement with Karpinski Engineering in the amount of \$3,200.00 for professional engineering services on the Police Station Generator Exhaust Extension Project. *Account C490210 3202 Project #BI200015*. Ayes: Caruso, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0- Nays.

Service Director Weidig said the Kids Quarters projects are complete. The pavilion roof and sidewalks on Community Drive are also completed. The project to connect the auxiliary parking at the Lutheran Church and the Community Center is scheduled to begin. A new sign has been built and installed on Community Drive.

Adjournment: Motion by Veras, seconded by Redinger, to adjourn the Buildings & Grounds Committee at 6:27 P.M. Ayes: Caruso, Redinger, Veras. 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 6:27 P.M.

Roll Call – Present: Carouse, Koepke, Redinger.

Absent - None.

September 15, 2020 Finance Committee Minutes: Motion by Redinger, seconded by Carouse, to approve the September 15, 2020 Finance Committee meeting minutes as submitted. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Liquor Permit: Councilmember Redinger asked if there are any concerns regarding the renewal of any liquor licenses in the City of Brecksville. Mayor Hruby, as Safety Director, said he does not have an issue with renewal of the existing liquor licenses

- Motion by Redinger, seconded by Carouse, to respond to the Ohio Department of Liquor Control that City Council has no objections to the renewal of Liquor Permits in the City of Brecksville. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

CARES Act. Funding: Purchasing Director Riser provided information on six purchases for consideration and approval, in accordance with the CARES Act guidelines. The aggregate total of the current request for CARES act expenditures total \$77,000.00.

Temperature Scanning Kiosks: Purchasing Director Riser said (5) temperature scanning kiosks are recommended for placement in Brecksville City Hall, Police Department, Fire Department, the Human Services Building and the Community Center. People entering these facilities will take instant temperature and mask confirmation. The kiosk will provide notification upon detection of above normal temperatures.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a Purchase Requisition for Temperature Scanning Kiosks in the amount of \$15,074.69. *Account # 211150 2201*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

City Hall Community Room Chairs: Purchasing Director Riser said the purchase of 60 chairs are requested for the Community Room at City Hall. The all poly material will allow for a lower maintenance, routine sanitation and disinfection process. The purchase will be through the Ohio State Vendoe Contractor, Ohio Desk. The chairs currently used in the Community Room will go to Old Town Hall to replace many that are damaged and in disrepair.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance for the purchase of replacement chairs for the City Hall Community Room in the amount of \$9,985.80 *Account # 211150 2201*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

Mobile Computer Systems: Purchasing Director Riser said mobile computer systems are requested for the IT Department and Fire Department. These mobile systems will allow for remote access to all City Files and software through the City VPN.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance for the purpose of (4) Mobile Computer Systems for the Fire and IT Departments in the aggregate amount of \$14,008.04. The amount of \$6,534.00 charged to *Account # C211150 3300* and \$7,474.04 charged to *Account #211150 2201*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

IT Network Switches: Purchasing Director Riser said many of the City Network Switches are approximately (15) years old. The replacement switched will increase network speed as employees spread out to various City buildings to allow for distancing.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a Purchase

Requisition for IT Network Switches in the amount of \$11,010.29 *Account # 211150 2201*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Timeclocks & Network Switches: Purchasing Director Riser said timeclocks are needed for the Blossom Service Garage, former Brecksville Center for the Arts, Human services and the New Aquatic Center. These time clocks are necessary at locations where employees spread out to various City buildings to allow for distancing.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a Purchase Requisition for Timeclocks & Network Devices in the amount of \$16,993.83 *Account #211150 2201*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Firewall Upgrades: Purchasing Director Riser said the firewall at the Horticulture building and the WebTrac system to increase speed and security for additional employees relocated for distancing at Hort, and the large increase of WebTrac and online registration transactions.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a Purchase Requisition for Firewall Upgrades for the Horticulture Building and WebTrac System in the amount of \$2,475.52 *Account #211150 2201*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

COVID-19 PPE: Purchasing Director Riser said the balance of the funds available from the first round of CARES Act funding is requested to increase P.O. #P200446 in the amount of \$7,451.83 for the purchase of PPE Supplies & Equipment.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an increase to Purchase Order #P200446 for the COVID-19 PPE supplies and equipment purchases in the amount of \$7,451.83. *Account #211150 2201*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Appropriations: Finance Director Starosta said the Police Department received a grant and is requesting an increase to estimated resources to reflect the grant award. Finance Director Starosta said the Service Department has requested an adjustment between existing funds to allow for the purchase of a vehicle lift. Finance Director Starosta said the CARES Act funding, estimated to be \$490,230.00 will be distributed to the City and used toward payroll expenses related to the COVID-19 emergency. Councilmember Redinger asked if anyone had questions regarding the appropriation and fund transfer legislation proposed.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance amending Ordinance No. 5277, making appropriations for current expenses. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Transfers:

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a Resolution authorizing necessary advances between certain funds. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

IP Flex Phone System Maintenance & Support: Carolyn Jatsek said the annual contract for Mitel Support, Parts & Software Upgrades at \$2,650.00 will be for the term of 11/30/20-11/29/21. The Black Box Comprehensive 24x7 Support contract at \$3,201.87 renews in November for the Police Station, and the remaining sites on 5/6/21.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a purchase requisition to Black Box Network Services in the aggregate amount of \$5,851.87 for the Annual Maintenance and Support contracts for the City's new IP Flex phone system. *Account #110135 2612*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

PremWatch Firewall Monitoring: Carolyn Jatsek said the PremWatch Firewall primary service plan is needed for the Brecksville Community Center. The firewall creates a secure VPN tunnel for all online WebTrac transactions.

- Motion by Redinger, seconded by Koepke, to recommend to Council approval of a purchase requisition to Acuative in the aggregate amount of \$4,180.00 for the PremWatch Firewall Monitoring primary service plan option for the Brecksville Community Center for a three-year term. *Account #110135 2612*. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Preschool Lease and Chamber of Commerce Rental Fees:

Mayor Hruby said the Cooperative Preschool has experienced a drop in attendance and low revenue due to the pandemic. The legislation presented reflects a waiver of \$19,644.89 in lease payments for the preschool. The Brecksville Chamber of Commerce rental agreement waiver, if approved would be \$2,500.00. The credits to these groups would greatly assist them during the COVID-19 pandemic. Mayor Hruby asked Council to consider the recommendations presented for relief to the Cooperative School and Chamber of Commerce.

Cooperative Preschool Lease Agreement Amendment:

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a Resolution amending a lease agreement with the Cooperative Preschool at Blossom Hill. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Chamber of Commerce Rental Fee:

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of changes in fees relating to the rental of facilities to the Brecksville Chamber of Commerce. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

OPWC Project Loan Agreement Promissory Note: Finance Director Starosta said the OPWC has offered the City a \$750,000.00 loan towards the Chippewa Road Sanitary Sewer project. The loan carries a 0% interest rate and is to be paid back over the useful life of the project, not to exceed (30) years. Finance Director Starosta said utilizing this loan instead of issuing bond could save an estimated \$217,000 in interest and issuance costs.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of a Resolution to recommend to Council authorizing the execution of a Promissory Note as part of the OPWC Project Loan Agreement for the Chippewa Road Sanitary Sewer Project. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Employee Healthcare Insurance: Finance Director Starosta said no changes are proposed for 2021 as the plan offerings for are set through 2022. Finance Director Starosta said the Finance Department is recommending the Services for Employee Health Care Coverage, Dental Coverage, Life & Accidental Death & Dismemberment Insurance and administration if the employees flexible spending accounts.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance recommending to Council acceptance of the proposals of Medical Mutual of Ohio for employee health care, health care insurance administration and stop loss insurance. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Employee Dental Insurance: Finance Director Starosta said negotiations with Lincoln National Life Insurance Company resulted in no increases and therefore no further market negotiations were performed.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance recommending to Council acceptance of the proposal from Lincoln National Life Insurance Company for an employee dental insurance program. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Employee Life Insurance: Finance Director Starosta said the life and accidental death and dismemberment insurance coverage for 2020 and 2021 is under a two year rate guarantee contract with Lincoln. The rate remains at \$0.251 per \$1,000 of coverage for 2021.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance recommending to Council acceptance of a contract with Lincoln National Life Insurance for an employee life insurance program. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Wage Works 2021: Finance Director Starosta said Wage Works is the administrator for the employee FSA's and has not raised fees for this service since 2016. The fee is \$5.25 per employee along with a \$50.00 per month service fee.

- Motion by Redinger, seconded by Carouse, to recommend to Council continuation of an agreement with Wage Works for 2021 for administration of our FSA account. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Cemetery Grant: Service Director Weidig said Cemetery Sexton Kristin Kouri successfully submitted a grant for repair and resetting headstones at the Highland Road Cemetery. Service Director Weidig said the Service Department Employees will provide the labor to repair these headstones.

- Motion by Redinger, seconded by Koepke, to recommend to Council approval of a Resolution recommending to Council acceptance of an Ohio Department of Commerce FY2021 Cemetery Grant. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Quit Claim Deeds: Councilmember Redinger said the Community Improvement Corporation (CIC) met earlier and approved resolutions authorizing the transfer of property related to the development of Valor Acres. Assistant Law Director DiGeronimo said the CIC will be transferring

approximately 88 acres of land, known as “Crowland”, to the City of Brecksville, for the purpose of applying Tax Incremental Financing to the property. Shortly after, the City of Brecksville will Quit Claim the property back to the CIC to fulfill obligations of a development agreement.

Councilmember Redinger said a resolution has been prepared to approve the DiGeronimo Development LLC Valor Acres Phase 1-Mixed Use Plan. Law Director Matty said the two deeds, from the coming to the City and back to the CIC can both be approved this evening. The deeds will be finalized as part of the closing and transferred on separate days. The mixed use area requested for approval is the orange box marked Valor Acres Phase 1-Mixed Use on Exhibit “A” of the Resolution. Councilmember Koepke asked if residential properties will be notified when projects are brought in to the Planning Commission. Council President Harwood said yes, there is also a residential part of the development. Mayor Hruby said he believes the area Councilmember Koepke is referring to is part of the land conservancy.

Law Director Matty said there are (2) Ordinances which will be held for the October 20th meeting, assuming the closing schedule is accomplished by October 14th. Those Ordinances need to be approved after ownership of the property occurs.

Accept Quit Claim Deed:

- Motion by Redinger, seconded by Carouse, to recommend to Council a Resolution accepting a Quit Claim Deed from the Brecksville CIC. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Convey Quit Claim Deed:

- Motion by Redinger, seconded by Carouse, to recommend to Council a Resolution to convey a Quit Claim Deed to the Brecksville CIC. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Valor Acres Phase 1-Mixed Use Plan:

- Motion by Redinger, seconded by Koepke, to recommend to Council a Resolution approving the DiGeronimo Development LLC Valor Acres Phase 1-Mixed Use Plan. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Professional Bills: Councilmember Redinger asked if there were questions related to the payment of bills. Hearing none, Councilmember Redinger went forward with a motion.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$11,642.55; Sergio I. DiGeronimo in the amount of \$6,572.50, Roger Wadsworth in the amount of \$350.00; Squire Patton Boggs in the amount of \$7,554.00, Kulchytsky Architects, LLC in the amount of \$468.75; J Neusser, LLC in the amount of \$2,000.00; and Donald G. Bohning & Associates in the amount of \$22,840.00 and Sixmo in the amount of \$425.00. Total of all invoices \$51,853.35. Ayes: Carouse, Koepke, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Redinger asked if Councilmembers are available to attend a Budget meeting later in the month of November. After discussion, a budget meeting date of November 24th at 5:30 was agreed upon.

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, Redinger, Koepke.

Absent- None.

September 15, 2020 Legislation Committee Minutes: Motion by Koepke, seconded by Redinger, to approve the September 15, 2020 Legislation Committee meeting minutes as submitted. Ayes: Caruso, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0- Nays.

September 24, 2020 Legislation Committee Minutes: Motion by Koepke, seconded by Redinger, to approve the September 24, 2020 Legislation Committee meeting minutes as submitted Ayes: Caruso, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0- Nays.

Council President Harwood asked if the Sign Ordinance discussion and legislation would be on the agenda soon. Assistant Law Director DiGeronimo said he hopes to have additional discussion at an upcoming meeting, there will be a lot to discuss.

Adjournment: Motion by Koepke, seconded by Caruso, to adjourn the Legislation Committee meeting at 7:07 P.M. Ayes: Caruso, Redinger, Koepke. Nays: None. Motion carried 3-Ayes, 0-Nays.

Safety-Service Committee

Chairperson- Dominic Caruso

Committee members- D. Kingston, K. Veras.

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

Roll Call – Present: Kingston, Veras, Caruso.

Absent: None.

September 15, 2020 Safety-Service Committee Minutes: Motion by Caruso, seconded by Kingston, to approve the September 15, 2020 Safety-Service Committee meeting minutes as submitted. Ayes: Kingston, Veras, Caruso. Nays: None. Motion carried 3-Ayes, 0- Nays.

Police Vehicles and Police Vehicle Equipment: Councilmember Caruso said the first two items on the agenda are in relation to the purchase and outfitting of (3) new vehicles for the Police Department. Chief Goodrich said the Department would like to replace 3 aging vehicles. The vehicles will have over 100,000 miles each at this time. The vehicles being replaced will be handed

down for use by other departments in the City. The departments will be purchasing 2021 models with 2020 pricing through state contract purchasing. The outfitting and labor includes the removal of equipment in the vehicles and installation in the new vehicles when possible.

- Motion by Caruso, seconded by Veras, to recommend to Council approval of an Ordinance recommending to Council authorizing the purchase of (3) 2021 Ford Utility Interceptors from Lebanon Ford in the amount of \$97,133.00 with various state contract options. *Account #C110210 3300*. Ayes: Caruso, Kingston, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.
- Motion by Caruso, seconded by Kingston, to recommend to Council approval of an Ordinance authorizing the purchase of the State Contract Equivalent in the aggregate amount of \$39,213.05 from Hall Public Safety for labor and equipment needed to decommission (3) aging police vehicles and equip (3) new vehicles for Police service. This request includes equipment and vehicle decals at a cost of \$28,488.05, labor at \$9,525.00 and a contingency amount of \$1,200.00 for unforeseen labor or equipment needs during the changeover process. *Account #C110210 3300*. Ayes: Caruso, Kingston, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Service Department Truck: Councilmember Caruso asked Service Director Weidig to provide information of the purchase of a truck and equipment to be used by the Service Department. Service Director Weidig said the purchase of a 2021 Freightliner Truck and additional equipment of a dump body, plow spreader, hydraulic system and lighting to outfit the truck. Service Director Weidig said the time from purchase to completion of a fully operational truck is approximately a year. Service Director Weidig said he hopes to have this truck in service for next winter.

Service Department Freightliner Truck:

- Motion by Caruso, seconded by Kingston, to recommend to Council approval of an Ordinance authorizing the purchase of one 2020 Freightliner 108SD Single Axle Truck from Cleveland Freightliner in the amount of \$83,410.00 for use by the Service Department. *Account # C202410 3300*. Ayes: Caruso, Kingston, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Service Department Truck Equipment:

- Motion by Caruso, seconded by Kingston, to recommend to Council approval of an Ordinance authorizing the State Purchase of a Stainless Dump Body, Plow, Spreader, Hydraulic System and Lighting from Concord Road Equipment Mfg. for installation on the Freightliner Model 108SD Single Axle Truck from Cleveland Freightliner in the aggregate amount of \$65,621.46. *Account #C202410 3300*. Ayes: Caruso, Kingston, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Vehicle Lift: Councilmember Caruso said a purchase requisition has been submitted for a vehicle lift. Service Director Weidig said the current vehicle lift in the mechanics bay of the Service Garage is in need of replacement.

- Motion by Caruso, seconded by Kingston, to recommend to Council approval of a blanket vendor purchase requisition in the aggregate amount of \$8,607.00 for the purchase and installation of a Heavy Duty Two-Post Vehicle Lift for the Mechanics Bay in the Service Garage. *Account #C110610 3300*. Ayes: Caruso, Kingston, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Plow Blades & Curb Guards: Councilmember Caruso said a purchase requisition has been submitted for winter plow equipment. Service Director Weidig said the Service Department uses a variety of equipment for snow removal. The items listed are used on many different vehicles and uses for roads and parking lots.

- Motion by Caruso, seconded by Kingston, to recommend to Council approval of a blanket vendor purchase requisition in the amount of \$17,960.81 for Carbide Plow Blades and Curb Guards for the upcoming winter season. *Account #110430 2201*

The order detail is as follows:

Block Buster Blade Kit	<i>Winter Equipment</i>	\$5,275.00
Curb Shoes	<i>Iron Hawk</i>	\$3,667.23
Carbide & Cover Blades	<i>Best Truck Equipment</i>	\$8,240.00
Snow Dog Blade & Xtendor	<i>Winter Equipment</i>	\$778.58

Ayes: Caruso, Kingston, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Adjournment: Motion by Caruso, seconded by Veras, to adjourn the Safety-Service Committee meeting at 7:18 P.M. Ayes: Caruso, Kingston, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Streets & Sidewalks Committee

Chairperson Lou Carouse

Committee members D. Kingston, K. Veras.

Chairperson Carouse called the meeting to order at 7:18 P.M.

Roll Call – Present: Carouse, Kingston, Veras.

Absent: None.

September 15, 2020 Streets & Sidewalks Committee Minutes: Motion by Carouse, seconded by Veras, to approve the September 15, 2020 Streets & Sidewalks Committee meeting minutes as submitted. Ayes: Kingston, Veras, Carouse. Nays: None. Motion carried 3-Ayes, 0-Nays.

Updates: Councilmember Carouse thanked Mayor Hruby, engineer Wise and Service Director said the department will begin repair work on (2) areas of SR 82. The Department has beenidig working on gathering information for the 2021 Road program.

Engineer Report: Engineer Wise said the contractor for the SR 82 project in Broadview Heights will be paving all 5 lanes of the road way on Saturday. One lane of traffic in each direction will

be monitored all day. Engineer Wise recommended residents avoid the area on Saturday. The sidewalks and roadway is expected to be completed this year, landscaping will be done in 2021.

Adjournment: Motion by Carouse, seconded by Kingston, to adjourn the Streets and Sidewalks Committee meeting at 7:22 P.M. Ayes: Kingston, Veras, Carouse. Nays: None. Motion carried 3-Ayes, 0-Nays.

Utilities Committee

Chairperson Daryl Kingston.

Committee members L. Carouse, A. Koepke.

Chairperson Kingston called the meeting to order at 7:22 P.M.

Roll Call – Present: Kingston, Carouse, Koepke.

Absent: None.

September 15, 2020 Utilities Committee Minutes: Motion by Kingston, seconded by Carouse, to approve the September 15, 2020 Utilities Committee meeting minutes as submitted. Ayes: Kingston, Carouse, Koepke. Nays: None. Motion carried 3-Ayes, 0- Nays.

Engineer Report: Engineer Wise reported Hugh Blocksidge, of the County Department of Public Utilities, has requested discussion regarding the establishment of a sanitary sub-district with connection fees that would be placed on all undeveloped property tributary to the Wallings Road Pump Station. The fees collected would go into the City’s account for future improvements to the pump station and Brecksville Road Sanitary Sewer.

Engineer Wise said a sink hole was reported following a storm on labor day of this year. After investigating, the sewer runs through property at 8055 Robin Lane. The plans show a sewer terminating at the right of way. Engineer Wise said the sewer was extended, presumably by the home builder, without an easement. The sewer is in a state of disrepair and requires corrective measures. After discussions with the Law Director, the City will move forward with repairs and assume the homeowner will give the City an easement for the sewer. If the homeowner does not grant the City an easement, the Law Director will look for other means to obtain an easement or require the homeowner to make repairs.

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

Executive Session: Motion by Harwood, seconded by Carouse to adjourn into executive session at 7:29 to discuss matters of imminent litigation. . Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

Executive session attendance: Council President Harwood, Council Vice President Redinger, Councilmembers, L. Carouse, D. Caruso, D. Kingston, A. Koepke, K. Veras. Engineer G. Wise, Law Director D. Matty, Assistant Law Director S. DiGeronimo, Mayor J. Hruby.

Council President Harwood reopened the Committee of the Whole at 8:03.

Law Director Matty asked to address Council regarding conflict of interest and voting when there is a conflict of interest based on discussions with a Councilmember and actions observed in the past month. Law Director Matty said in the past, Council had to reconsider a vote due to a misunderstanding of the conflict of interest voting. Law Director Matty asked Councilmembers to refresh their understanding of the issue by looking at Chapter 121 in the Brecksville Code, Rules of Council. Chapter 121.01.

- § VII. Section (a) *Duty to vote*. Every member present at any meeting of Council shall vote on all questions presented for a vote unless excused by unanimous consent of Council. No member shall vote on any question involving his personal or financial interest or personal or private rights.

Law Director Matty said that sometimes a vote is difficult because of neighbors, because of the issues, because of personal beliefs. Law Director Matty said Councilmembers are elected to vote and your rules say you shall vote unless you have a personal or financial interest or personal or private right. Mr. Matty said he has a request, which is made respectfully to all members of Council, is if you feel you have that situation, to contact him or Assistant Law Director DiGeronimo in advance of the meeting so that the Law Department would know if there will be (7) members available to vote on an issue. Law Director Matty said someone may be on vacation, or if Council is down by (2) members so that we do not get into a situation, as we did last year, where a vote had to be reconsidered and Council had to schedule a special meeting. Law Director Matty said the only reasons you are not to vote, even if you have to vote yes or no on an issue, and you may not be comfortable doing that, you have been elected to do that and your rules say you shall do that. If Councilmembers are going to abstain on issues they don't want to vote on, the rules will need to be amended. Law Director Matty said the rules would need to be amended to say and an abstention vote would be considered a vote for a majority, which is not advisable. Law Director Matty said there have been recent abstentions that he was not advised of and does not know why there is an abstention. In those cases, he does not know if an abstention is valid. The rule states the only reason you cannot vote. Please contact the Law Department if you feel you may have a conflict. The issue had come up, a Councilmember contacted Mr. Matty, found no conflict and the Councilmember voted on the issue presented for a vote.

Committee of the Whole Meeting Adjourned: Motion by Harwood, seconded by Carouse to adjourn the Committee of the Whole at 8:08 P.M. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.