

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

HELD June 19, 2018

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:25 P.M. in Ralph W. Biggs Council Chambers.

CALL TO ORDER

Following the **PLEDGE OF ALLEGIANCE**, members of Council answered to **PLEDGE OF ALLEGIANCE**
ROLL CALL as follows:

Members Present: G. Broski, L. Carouse, Jr., M. Harwood, J. Petsche,
L. Redinger, D. Rose, K. Veras.

ROLL CALL

Members Absent: None.

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

MINUTES OF THE JUNE 5, 2018 REGULAR MEETING: Motion by Carouse, seconded by Redinger to dispense with the reading of the June 5, 2018 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 6-5-2018 APPROVED

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4865 re: a Resolution authorizing the purchase of software upgrades for the Mayor's Court BGI software from the Baldwin Group, Inc.; and declaring an emergency, was read by title.

RES. 4865 AUTH. PURCHASE OF BGI SOFTWARE FOR MAYOR'S COURT.

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4865 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4865.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4866 re: a Resolution adopting the alternate format tax budget for the year 2019; and declaring an emergency, was read by title.

RES. 4866 ADOPT THE 2019 ALTERNATE FORMAT TAX BUDGET

Motion by Veras, seconded by Rose, to suspend the rules and place Resolution 4866 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4866.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4867 re: a Resolution making necessary Transfers between certain funds and to return an advance of funds for the fiscal year ending December 31, 2018; and declaring an emergency, was read by title.

RES. 4867 AUTH. TRANSFERS BETWEEN CERTAIN FUNDS AND RETURN ADVANCE FUNDS

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4867 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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Motion by Redinger, seconded by Carouse, to pass Resolution 4867.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4867,
CONTINUED**

RESOLUTION 4868 re: a Resolution authorizing the Mayor to enter into an Independent Contractor Agreement with Tom English for work as the Youth Baseball and Softball League Director for the City of Brecksville Recreation Department for the Year 2018; and declaring an emergency, was read by title.

**RES. 4868
AUTH. A
CONTRAC-
TOR
AGREEMENT
WITH T.
ENGLISH AS
THE YOUTH
BASEBALL &
SOFTBALL
DIRECTOR**

Motion by Veras, seconded by Broski, to suspend the rules and place Resolution 4868 on third and final reading.

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

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4868.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4869 re: a Resolution authorizing the Mayor to enter into an Independent Contractor Agreement with Margaret English for work as the BTBA Brecksville Travel Baseball Association President and Liaison to the City of Brecksville Recreation Department for the year 2018; and declaring an emergency, was read by title.

**RES. 4869
AUTH. AUTH.
A CONTRAC-
TOR
AGREEMENT
WITH M.
ENGLISH AS
THE BTBA
PRESIDENT
AND LIAISON
FOR 2018.**

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4869 on third and final reading.

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

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4869.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4870 re: a Resolution authorizing the Mayor to enter into an Independent Contractor Agreement with Geoffrey Thacker for work as the Community Youth Soccer Director for the year 2018; and declaring an emergency, was read by title.

**RES. 4870
AUTH. A
CONTRAC-
TOR AGREE.
WITH G.
THACKER
FOR WORK
AS THE
YOUTH
SOCCER
DIRECTOR**

Motion by Broski, seconded by Rose, to suspend the rules and place Resolution 4870 on third and final reading.

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

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4870.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5186 re: an Ordinance accepting the proposal of Innovative Financial Technologies, LLC (Infinittech) for third party credit card payments; and declaring an emergency, was read by title.

**ORD. 5186
ACCEPT.
PROPOSAL OF
INFINITECH
FOR CREDIT
CARD
PROCESSING**

Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5186 on third and final reading.

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

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5186.

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Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5186
CONTINUED**

ORDINANCE 5187 re: an Ordinance to amend Ordinance No. 5145, making appropriations for current expenses of the City of Brecksville during the Fiscal Year ending December 31, 2018, making necessary appropriation and revenue adjustments; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5187 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5187.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5187
AMENDING
ORD. 5145
MAKING
APPROPRIA-
TIONS FOR
THE FY
ENDING
12-31-2018**

ORDINANCE 5188 re: an Ordinance authorizing the Mayor to enter into a Development Agreement with the Brecksville Community Improvement Corporation (CIC) and DiGeronimo Development, LLC; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5188 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5188.

Mr. Kevin DiGeronimo was present to answer any questions related to the development agreement. Mayor Hruby thanked Mr. DiGeronimo for his cooperation with the City in the creation of the Development Agreement and is looking forward to working with the DiGeronimo Companies in developing the former VA Property.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD: 5188
AUTH.
DEVELOP-
MENT
AGREEMENT
WITH CIC
AND
DIGERONIMO
FOR 10000
BRECKS-
VILLE ROAD**

BOARD OF ZONING APPEALS: Councilmember Rose reported the Board of Zoning Appeals has seven applications for variances to present to Council for consideration. The next meeting of the Board of Zoning Appeals will be Monday, July 9th at 7:30 P.M.

**BD. OF
ZONING
APPEALS**

Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Zoning Appeals recommendation to approve Appeal 2018-21 for (1) a variance from Section 1181.11(a) maximum building height of 30 ft. to allow 30 ft. 4 in. and (2) a variance from Section 1181.11(a) maximum roof area over 30 ft. is limited to 10% of ground floor to allow 45.8% for the construction of a new house located at 6516 Crabtree Lane, PP# 601-21-062.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR 2018-21
6516
CRABTREE
MAX. LOT
COVERAGE
AND
MAXIMUM
ROOF AREA**

Motion by Rose, seconded by Broski, that City Council accept the recommendation of the Board of Zoning Appeals recommendation to approve Appeal 2018-22 for a variance from Section 1183.08(a) maximum three open parking spaces permitted, to allowed two additional open parking spaces located at 10247 Barr Road, PP# 604-14-007.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR 2018-22
10247 BARR
RD.
DECREASE
OPEN PARK.
SPACES**

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Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Zoning Appeals recommendation to approve Appeal 2018-23 for a variance from Section 1151.25(d)(2)B of 370 sq. ft. from the maximum 192 sq. ft. to allow 562 sq. ft. to enlarge an approved pool cabana located at 5171 Miller Road, PP# 604-04-005.

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

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR 2018-23
5171 MILLER
RD.
OVERSIZED
POOL
CABANA**

Motion by Rose, seconded by Broski, that City Council accept the recommendation of the Board of Zoning Appeals recommendation to approve Appeal 2018-24 for a variance from Section 1151.24 of 77 ft. from the minimum 125 ft. front yard to allow 48 ft. for the construction of a porch on a non-conforming house located at 6638 Oakes Road, PP# 603-14-027.

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

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2018-24
6638 OAKES
RD. PORCH
ON A NON-
CONFORM.
LOT**

Motion by Rose, seconded by Broski, that City Council accept the recommendation of the Board of Zoning Appeals recommendation to approve Appeal 2018-25 for a variance from Section 1151.25(d)(2)C of 1088 sq. ft. from the maximum 240 sq. ft. to allow 1328 sq. ft. for the construction of an accessory structure (stable) located at 2711 Boston Road, PP# 604-19-003.

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

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2018-25
2711 BOSTON
RD.
OVERSIZED
ACCESSORY
BUILDING**

Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Zoning Appeals to approve Appeal 2018-26 for a variance from Section 1183.15(a) not to install the required hard surface driveway to a detached garage located at 10614 Fitzwater Road, PP# 602-03-014.

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

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2018-26
10614
FITZWATER
RD. HARD
SURFACE
DRIVEWAY**

Motion by Rose, seconded by Veras, that City Council accept the recommendation of the Board of Zoning Appeals recommendation to approve Appeal 2018-27 for (1) a variance from Section 1185.03(a) maximum fence height of 4 ft., to allow a 6 ft. gate, and (2) a variance from Section 1185.03(a) fences not allowed in the front yard, to allow a driveway gate to be located 25 ft. from the right-of-way, located at 6780 and 6785 Rivercrest Drive PP# 601-04-004 and PP# 601-04-003.

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

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2018-27
6780 & 6785
RIVERCREST
DR. 6 FOOT
DRIVEWAY
GATE IN A
FRONT YARD**

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will be June 21st at 7:00 P.M. Thendesign presented the Aquatics Facility Design, discussing variances/deviations, and concept. Members of the Recreation Commission were in attendance as well.

**PLANNING
COMMISSION**

RECREATION COMMISSION: Council Representative Redinger said the next meeting of the Recreation Commission will be June 25th. The commission is finalizing the plans for the Fun Run during Home Days.

**RECREATION
COMMISSION**

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DEPARTMENT OF HUMAN SERVICES: Council Representative Veras said the next meeting of the Advisory Board of Human Services will be July 11th at 3:00 P.M. The Taste of Brecksville will be held July 21st 5:30 - 8:00 P.M. in the Human Services Gathering Room beginning at 5:30 P.M. The University Heights Symphonic Band will be playing July 12th and the Chippewa Garden club was named Garden Club of the year at the annual convention.

DEPT. OF HUMAN SERVICES

TELECOMMUNICATIONS COMMISSION: Council Representative Broski said the Telecommunications Board met on June 11th. Two concerns were addressed and communications were sent to AT & T and Spectrum to resolve those issues.

TELEC. COM.

SAFETY-SERVICE COMMITTEE: Councilmember Carouse reported the committee met earlier today has two additional items for Council Consideration.

SAFETY-SERVICE

Motion by Carouse, seconded by Redinger, to Increase Blanket Purchase Order #BL186909 in the amount of \$300.00 for Annual Blow-In Mulch Service.

BLOW-IN MULCH SERVICE

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Carouse, seconded by Redinger, to approve a purchase requisition to HKM Printing Services, LLC in the amount of \$4230.00 for the printing of a new Recycling Awareness Brochure. the total cost of this order is funded through the Cuyahoga County Solid Waste District Recycling Awareness. *Account #251622 2201.*

AUTH. RECYCLING BROCHURE PRINTING

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski said the committee met earlier and discussed updates to the S.R. 82 project and the project should be completed at the Town Center intersection for Home Days. Highland Drive is closed at the S.R. 82 intersection and detours are being monitored.

STREETS & SIDEWALKS

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier and discussed an increase of \$1.50, per front lot footage, to the Storm Sewer assessment from \$.60 to \$2.10 for the Cuyahoga County District 13 Fund.

UTILITIES COMMITTEE

Motion by Petsche, seconded by Redinger to authorize legislation to increase the storm sewer fees to \$2.10 to be deposited in the District 13 Fund.

CUY. COUNTY DISTRICT 13 STORM AND SANITARY MAINTENANCE FUND

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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

BUILDINGS & GROUNDS COMMITTEE

Motion by Veras, seconded by Broski, to increase Blanket Vendor Purchase Order #P171179 in the amount of \$15,382.00 for Construction of the New Brecksville Safety Town at Blossom Hill, Inc. *Account #C480171 3102 Project #LII60002.*

INCREASE P.O. FOR SAFETY TOWN CONSTRUCTION

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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<p>Motion by Veras, seconded by Broski, to Approve a Purchase Requisition to Direct Air Systems in the amount of \$4,190.00 for the replacement of a faulty original Variable Frequency Drive (VFD) on the return fan of air handler #2 at the Human Services Center building. <i>Account #110330 2604</i> Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.</p>	<p>HUMAN SERVICES CENTER AIR HANDLER VFD REPLACEMENT</p>
<p>LEGISLATION COMMITTEE: Councilmember Rose said the committee had no report.</p>	<p>LEGISLATION COMMITTEE</p>
<p>FINANCE COMMITTEE: Councilmember Redinger thanked Council for the passage of the legislation presented this evening. The committee has two additional items for Council consideration.</p>	<p>FINANCE COMMITTEE</p>
<p>Motion by Redinger, seconded by Carouse to accept the recommendation of the Community Improvement Corporation to approve the Development Agreement with DiGeronimo Companies for the development of the former VA property at 10000 Brecksville Road. Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.</p>	<p>10000 BRECKSVILLE ROAD DEVELOPMENT AGREEMENT</p>
<p>Motion by Redinger, seconded by Carouse, to approve an increase to blanket purchase order #FN180017 in the amount of \$2,000.00 for Recreation Participant Refunds. <i>Account #240710 2125.</i> Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.</p>	<p>RECREATION DEPARTMENT P.O. INCREASE FOR REFUNDS</p>
<p>REPORT OF LAW DIRECTOR: Law Director Matty reported 4 Communities requested and received agreements to join the Chagrin Valley Dispatch Council. Cuyahoga Heights, Newburg Heights, Brooklyn Heights and Valley View may become effective members on August 1, 2018 and service to begin July 1, 2019.</p>	<p>LAW DIRECTOR</p>
<p>REPORT OF ENGINEER: Engineer Wise reported the application for NEORS community share application for the Whitewood aerial sewer repair is being completed and will be awaiting feedback from NEORS.</p>	<p>ENGINEER</p>
<p>REPORT OF FINANCE DIRECTOR: No Report</p>	<p>FINANCE</p>
<p>REPORT OF BUILDING DEPARTMENT: No Report</p>	<p>BUILDING DEPT.</p>
<p>REPORT OF PURCHASING DIRECTOR: No Report</p>	<p>PURCHASING</p>
<p>REPORT OF POLICE DEPARTMENT: Police Chief Goodrich reported Safety Town began the 46th year at the new facility at Blossom Park on Monday June 18th. The re-dedication will be held July 11th and all are welcome.</p>	<p>POLICE</p>
<p>REPORT OF FIRE DEPARTMENT: No Report</p>	<p>FIRE</p>
<p>REPORT OF RECREATION DEPARTMENT: No Report</p>	<p>RECREATION</p>

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REPORT OF THE MAYOR AND SERVICE DIRECTOR: Mayor Hruby **MAYOR** reported Home Days will be held June 29, 30th and July 1st. Flags of Honor will be part of the celebration. Over 400 flags will be placed representing those lives lost, from Ohio, in Iraq and Afghanistan and many family members and dignitaries will be present for the ceremony. Home days will begin after the opening ceremony has ended. Mayor Hruby congratulated Chief Goodrich on the opening of Safety Town.


COMMENTS:

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:57 P.M.

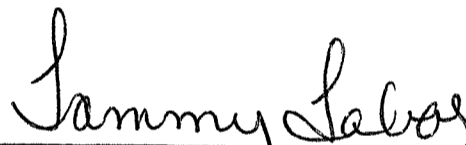
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL