

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

**HELD** \_\_\_\_\_ July 3, 2018 \_\_\_\_\_

Page 1

Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:09 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 Lt. R. Johnson,  
Recreation Director T. Tupa, Council Clerk T. Tabor.

**MINUTES OF THE JUNE 19, 2018 REGULAR MEETING:** Motion by Carouse, seconded by Redinger to dispense with the reading of the June 19, 2018 regular meeting minutes and to accept same as presented.

**REGULAR MEETING MINUTES OF 6-19-2018 APPROVED**

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**PROCLAMATION:** Mayor Hruby introduced Brian Stuckey and Chloe Caniglia. Brian Stuckey is the director of the Run 4 Your Life Program. Chloe is being recognized for her volunteer work with the Run 4 Your Life Program. Mayor Hruby said Chloe's volunteerism and her success as an honor student in the Brecksville Broadview Hts. School District should be acknowledged. Mayor Hruby presented her with a Proclamation as a small token of appreciation for her part in the Run 4 Your Life Program.

**RECOGNITION OF VOLUNTEER C. CANIGLIA FOR RUN FOR YOUR LIFE**

Mr. Stuckey said Chloe has been an outstanding volunteer and is a wonderful example of what we hope for our young people. On behalf of the Run 4 Your Life Program, Mr. Stuckey is presenting Chloe with a scholarship for her dedicated, enthusiastic and heartfelt volunteerism to the Run 4 Your Life Program.

Chloe introduced her family and thanked Mayor Hruby for the Proclamation. Chloe said she has enjoyed working with children and getting them involved with running and plans to continue with the program.

**OHIO DIVISION OF LIQUOR CONTROL NOTICE:** Hearing no objections by Council, Council President Harwood authorized the Council Clerk to notify the Ohio Division of Liquor Control there are no objections to the application for change of LLC membership interests for the Broadview Restaurant LLC, DBA Peppermill Pub & Grill, 7011 Mill Road, Brecksville, Ohio 44141.

**ODLC BROADVIEW REST., LLC PEPPERMILL PUB & GRILL**

**RESOLUTION 4871 re:** a Resolution amending Resolution 4868 to correct the amount of the Independent Contractor Agreement with Tom English; and declaring an emergency, was read by title.

**RES. 4871 AMEND RES. 4868 TO CORRECT AMOUNT OF FEES PAID TO YOUTH BASEBALL & SOFTBALL LEAGUE DIRECTOR AGREEMENT**

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4871 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 4871.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

MINUTES OF A MEETING OF THE

COUNCIL OF THE CITY OF BRECKSVILLE

HELD July 3, 2018

Page 2

**ORDINANCE 5189** re: an Ordinance authorizing an increase in the storm sewer portion (C10075S-SEWER MAINTENANCE) of the storm and sanitary fees maintenance fee for deposit in Cuyahoga County's District 13 Fund by increasing the city's storm sewer rates from sixty cents (\$.60) to two dollars and ten cents (\$2.10) per linear front foot, and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5189 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 5189.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**BOARD OF ZONING APPEALS:** Councilmember Rose reported the July 9<sup>th</sup> meeting has been cancelled for lack of a quorum, the next meeting of the Board of Zoning Appeals will be Monday, August 13<sup>th</sup> at 7:30 P.M.

**PLANNING COMMISSION:** Councilmember Harwood reported the next meeting of the Planning Commission will be July 5<sup>th</sup> at 7:00 P.M.

Motion by Harwood, seconded by Carouse, to accept the Planning Commission recommendation for approval of an application to permit a 34.8 sq. ft. per side, 69.6 sq. ft. total, double sided, non-illuminated Permanent Multi-Tenant Ground Identification Sign located at 10300-10330 Brecksville Road, Brecksville, Ohio as described in the application dated May 21, 2018, and attached plans by Epic Signs & Graphics dated May 18, 2018, with the following deviations:

- A deviation from Section 1187.10© of the requirement of a minimum of forty feet (40') from the right of way to allow a five foot (5') distance.
- A deviation from Section 1187.10(d)(3)A of the requirement of the height of the letters in the development / building name and addresses are larger than the individual business names and occupy at least 20% to allow only an address, the address the same height as business names minimum five inches (5") and the address to occupy 10.6% of the sign.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

Motion by Harwood, seconded by Veras, to accept the Planning Commission recommendation for approval of an application for the establishment of a front yard setback of 56.0 at 9540 Highland Dr., Brecksville, Ohio Permanent Parcel no. 603-14-018, as described in the application dated May 4, 2018 and shown on the plan by AZTECH Engineering and Surveying dated May 1, 2018.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**ORD. 5189  
AUTH.  
INCREASE TO  
STORM  
MAINT. FEES,  
C10075S-  
SEWER  
MAINT. FOR  
DISTRICT 13  
FUND**

**BD. OF  
ZONING  
APPEALS  
  
PLANNING  
COMMISSION**

**SIGN  
APPROVAL  
COVEN  
GOLDMAN &  
ASSOC. 10300-  
10330  
BRECKS-  
VILLE RD.**

**9540  
HIGHLAND  
DRIVE DREES  
HOMES  
FRONT YARD  
SETBACK**

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

HELD \_\_\_\_\_ July 3, 2018 \_\_\_\_\_

Page 3

Motion by Harwood, seconded by Broski, to accept the Planning Commission **6401 MILLER RD. TSENG** recommendation for approval of an application to permit the establishment of a Front Yard **RD. TSENG** Setback of 21.0' at 6401 Miller Rd. Brecksville, Ohio Permanent Parcel no. 604-06-012, as **FRONT YARD** described in the application dated May 4, 2018 and shown on plan by Canyon Creek Homes **SETBACK** dated April, 25, 2018.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

Motion by Harwood, seconded by Veras, to accept the Planning Commission **6896 MILLER RD. AT & T** recommendation for approval of plans for the installation of 3 new antennas and associated **RD. AT & T** equipment and re-installation of 3 existing antennas on new mounts at the 140' level at the **MOBILITY** AT&T tower located at 6896 Miller Rd., Brecksville, Ohio 44141, for AT&T Mobility in **ANTENNA** the application dated April 21, 2018 as described on the attached drawings by Black & **UPGRADE** Veatch, dated November 7, 2017, and Structural Analysis Report by Paul J. Ford & Company dated March 8, 2018.

- Title Page Title Page, C-1 Shelter Plan & DC Circuit Schedule, T-1 Elevation, T-2 Antenna Configuration & Layout, T-3 Antenna Configuration & Layout, T-4 Equipment Details, T-5 Equipment Details, T-6 Mount Modification Details, T-7 Structural Notes, T-8 Equipment Notes, E-1 Electrical Section Notes, N-1 General Notes, N-2 General Notes, 3 pages Diagrams

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

Motion by Harwood, seconded by Carouse, to accept the Planning Commission **ROW 7043** recommendation for approval for OH Exchange Facilities Networks, LLC for the proposed **MILL RD. OH** installation of a Non-Switched RF Transport Service within the City of Brecksville Right of **EXCHANGE** Way, 7043 Mill Road, as described in the application dated May 11, 2018 and attached plans **FACILITIES** by KMB Design Group LLC, all dated May 1, 2018, contingent on the approval of the City **NETWORKS** Engineer and also contingent on the installation of the new electrical service pedestal being **LLC** addressed to the City's satisfaction at any pre-construction meeting.

- T-1 Title Sheet, SP-1 Exhibit Photo & Site Plan, EV-1 Pole Elevations, EV-2 Pole Elevations, PL-1 Plumbing & Riser Diagram, EQ-1 Equipment Details, EQ-2 Equipment Details, E-1 Electrical Details, G-1 Grounding Details, TC-1 Vehicular Traffic Control Plan, TC-2 Pedestrian Traffic Control Plan, GN-1 General Notes, GN-2 General Notes, N-3 General Notes

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**RECREATION COMMISSION:** Council Representative Redinger reported that **RECREATION** Home Days was again a success. Run 4 Your Life and the Dog Jog were well attended. **COMMISSION** Councilmember Redinger thanked everyone that contributed to the event.

**DEPARTMENT OF HUMAN SERVICES:** Council Representative Veras **DEPT. OF** reported the next meeting of the Human Services Advisory Board will meet July 11th at 3:00 **HUMAN** P.M. and thanked everyone for the successful Taste of Brecksville event held at the Human **SERVICES** Services Center.

**TELECOMMUNICATIONS COMMISSION:** Council Representative Broski **TELEC. COM.** had no report.

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

HELD July 3, 2018

Page 4

**SAFETY-SERVICE COMMITTEE:** Councilmember Carouse reported the **SAFETY-SERVICE** Committee met earlier this evening and has one item for Council Consideration.

Motion by Carouse, seconded by Broski, to approve a purchase requisition in the **PATROL** aggregate amount of \$7,894.07 to Pro Armament Co. for the purchase of eighteen (18) FN15 **RIFLE** SRP tactical patrol rifles and necessary accessories for those rifles. The total purchase price **PURCHASE** for all items is \$22, 719.07, and the vendor has extended a trade –in credit of \$14,825.00 for **FOR THE** retired department weapons and court forfeited weapons. *Account # 110210 2209.* **POLICE DEPT.**

Councilmember Petsche said he regrets that every Police Officer needs to carry assault rifles. Although he heard the remarks and information from Sgt. Reppa regarding the **COMMENTS** purpose and the need for the weapons, he is concerned about collateral damage. Councilmember Petsche said he regrets the militarization of society.

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

Abstain: Petsche.

Nays: None.

**MOTION CARRIED 6-AYES, 1- ABSTAIN, 0-NAYS.**

Mayor Hruby speaking as the Safety Director, with a background in Law **COMMENTS** Enforcement, had comments on the rifle purchase. Mayor Hruby said he is concerned that unless Police Officers are equipped to protect our citizens and take on the situations if they arise, the society will continue to fail. Mayor Hruby has seen a deterioration of the concern for the lives of Police Officers in society. If a person threatens the life of our officers or the lives of our residents, the Police are equipped with the best possible weapons to defend the public and to defend the Police Department.

Councilmember Carouse thanked the Police Department for the tremendous support and extensive participation during Home Days.

**STREETS & SIDEWALKS COMMITTEE:** Councilmember Broski reported the **STREETS & SIDEWALKS** Streets & Sidewalks Committee met earlier this evening and has one item for Council consideration. Councilmember Broski thanked Engineer Wise for his continuing work on the S.R. 82 Pavement Improvement Project which has opened to traffic both east and west bound lanes.

Motion by Broski, seconded by Rose, to approve a change order to CATT'S **S.R. 82** Construction, Inc. for the S.R. 82 Pavement Improvement Project for the addition of **PAVEMENT** guardrail reflectors and elimination of the existing crosswalk & curb ramps across from Short **IMPROVE.** Stadium Dr. Amount of the increase \$4,100.00. *Account # C480171 3501 Project* **PROJECT** *#RD160003.* **CHANGE**

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

Abstain: Petsche.

Nays: None.

**MOTION CARRIED 6-AYES, 1- ABSTAIN, 0-NAYS.**

**UTILITIES COMMITTEE:** Councilmember Petsche reported the committee met **UTILITIES** earlier and discussed the increase to the Storm Sewer Maintenance fee and thanked Council **COMMITTEE** for the passage of the increase. The Hickory Ridge Slope Slippage Project has been delayed, pending the authorization of an easement and right of entry from the property owner. The Brecksville Road Water Main Replacement Project is progressing, drivers should be aware of the occasional closure of the northbound curb lane during working hours.

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

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

HELD \_\_\_\_\_ July 3, 2018 \_\_\_\_\_

Page 5

Motion by Veras, seconded by Broski, to approve a purchase requisition to Zenith FIRE STATION CARD SYSTEMS in the amount of \$19,900.00 for the purchase and installation of a DSX Card Reader SYSTEM on various internal and exterior doors of the Fire Station. *Account # C490260 3202.*

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**READER FOR  
DOOR  
ACCESS**

**LEGISLATION COMMITTEE:** Councilmember Rose said the Committee met earlier today and discussed and moved to introduce legislation to the Planning Commission for small cell facilities and wireless support structures to be added to the Business Regulation Code. City Council will have the opportunity to adopt legislation after the Planning Commission has provided a recommendation. **LEGISLATION COMMITTEE**

**FINANCE COMMITTEE:** Councilmember Redinger reported the committee met earlier this evening and has one item for Council consideration. **FINANCE COMMITTEE**

Motion by Redinger, seconded by Carouse, to approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$15,201.00; Sergio I. DiGeronimo in the amount of \$6,875.00; Roger Wadsworth in the amount of \$700.00; Kulchytsky Architects, LLC in the amount of \$193.73; J Neusser, LLC in the amount of \$2,000.00; and Donald J. Bohning & Associates in the amount of \$24,939.51. Sixmo in the amount of \$350.00. Total of all invoices \$50,259.24.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**MONTHLY  
BILLS FOR  
PROFESS-  
IONAL  
SERVICES**

**REPORT OF LAW DIRECTOR:** No Report

**LAW**

**REPORT OF ENGINEER:** No Report

**ENGINEER**

**REPORT OF FINANCE DIRECTOR:** No Report

**FINANCE**

**REPORT OF BUILDING DEPARTMENT:** C.B.O. Packard reported for the month of June the Building Department issued 137 permits with a valuation of over \$1.5 million dollars and fees collected were in the amount of \$ 44,635.30. **BUILDING DEPT.**

**REPORT OF PURCHASING DIRECTOR:** No Report

**PURCHASING**

**REPORT OF POLICE DEPARTMENT:** Lt. Johnson thanked Council for the approval of the purchase of rifles for Brecksville's officers. Officer Mark Dickenson graduated from the Ohio State Patrol Academy as the best shot in his class and is now on the road. As a reminder the re-dedication of Safety Town will be at 2:00 P.M. on Wednesday July 11<sup>th</sup>. The Brecksville Police Department was recognized for being part of the D.A.R.E. program for 25 years. **POLICE DEPT.**

**REPORT OF FIRE DEPARTMENT:** Chief Zamiska thanked Council for authorizing the purchase of the card reader system for the Fire Department doors. **FIRE DEPT.**

**REPORT OF RECREATION DEPARTMENT:** No Report

**RECREATION**

**REPORT OF THE MAYOR AND SERVICE DIRECTOR:** Mayor Hruby thanked Councilmember Broski for his support of the S.R. 82 Pavement Project from the beginning stages. Mayor Hruby thanked everyone that helped to make Home Days successful. The City of Brecksville received praise from the Flags of Honor group for the overwhelming volunteers that worked on the project provided for a quick set up and take down. Mayor Hruby thanked the Flags of Honor Group for selecting Brecksville as a City for the display and ceremony. Mayor Hruby wished everyone a safe and Happy 4<sup>th</sup> of July. **MAYOR**

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

HELD \_\_\_\_\_ July 3, 2018 \_\_\_\_\_

Page 6

Councilmember Redinger said as she worked the booth at Home Days she received **COMMENTS** many compliments from residents and non-residents on the community feel of the celebration. She received many positive comments regarding the Home Days program.

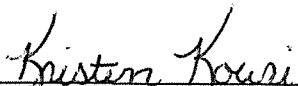
Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:39 P.M.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

  
\_\_\_\_\_  
Acting CLERK OF COUNCIL