

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

**HELD** April 16, 2019

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:00 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, 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, Service Director  
R. Weidig, Council Clerk T. Tabor.

**MINUTES OF THE APRIL 2, 2019 REGULAR MEETING:** Motion by Carouse, seconded by Redinger to dispense with the reading of the April 2, 2019 regular meeting minutes and to accept same as presented. **REGULAR MEETING MINUTES OF 4-2-2019 APPROVED**

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

Nays: None.

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

**FISCAL OFFICER'S CERTIFICATE:** Finance Director Starosta read the Fiscal Officer's Certificate. **FISCAL OFF. CERTIFICATE**

**ORDINANCE 5239** re: an Ordinance providing for the issuance and sale of not to exceed \$750,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving State Route 82 by reconstructing, paving, grading, draining, curbing, replacing guardrails, repairing slopes, replacing ADA ramps, constructing storm sewers and related drainage facilities, and, in connection therewith, acquiring rights-of-way, together with all necessary related improvements and appurtenances thereto; and declaring an emergency, was read by title. **ORD. 5239 \$750,000 NOTE SR 82 PHASE II PROJECT WITH BROADVIEW HEIGHTS**

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5239 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 5239.

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

Nays: None.

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

**FISCAL OFFICER'S CERTIFICATE:** Finance Director Starosta read the Fiscal Officer's Certificate. **FISCAL OFF. CERTIFICATE**

**ORDINANCE 5240** re: an Ordinance providing for the issuance and sale of not to exceed \$1,800,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving State Route 82 by reconstructing, paving, grading, draining, curbing, replacing guardrails, repairing slopes, replacing ADA ramps, and constructing storm sewers and related drainage facilities, together with all necessary related improvements and appurtenances thereto ; and declaring an emergency, was read by title. **ORD. 5240 \$1,800,000 NOTE RENEWAL SR 82 PHASE I**

Motion by Rose, seconded by Broski, to suspend the rules and place Ordinance 5240 on third and final reading.

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

Nays: None.

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Motion by Redinger, seconded by Carouse, to pass Ordinance 5240.  
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.  
Nays: None.  
**MOTION CARRIED 7AYES, 0-NAYS.**

**ORD 5240  
CONTINUED**

**FISCAL OFFICER'S CERTIFICATE:** Finance Director Starosta read the Fiscal Officer's Certificate. **FISCAL OFF. CERTIFICATE**

**ORDINANCE 5241** re: an Ordinance providing for the issuance and sale of not to exceed \$250,000 of notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of constructing, furnishing, and equipping a new building to house the Police Department, and otherwise improving the site therefor, together with the necessary appurtenances thereto; and declaring an emergency, was read by title. **ORD. 5241 \$750,000 NOTE RENEWAL POLICE STATION PROJECT**

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5241 on third and final reading.

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

**MOTION CARRIED 5-AYES, 2-ABSTAIN, 0-NAYS.**

Motion by Redinger, seconded by Carouse, to pass Ordinance 5241.

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

**MOTION CARRIED 5-AYES, 2-ABSTAIN, 0-NAYS.**

**ORDINANCE 5242** re: an Ordinance accepting the bid of Kokosing Materials, Inc. for the furnishing of various types of asphalt for road repairs in the City of Brecksville; and declaring an emergency, was read by title. **ORD. 5242 ACCEPT THE BID OF KOKOSING MATERIALS FOR ASPHALT SUPPLY**

Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5242 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 5242.

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

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

**BOARD OF ZONING APPEALS:** Councilmember Rose reported the next meeting of the Board of Zoning Appeals will be Monday, May 13<sup>th</sup> at 7:30 P.M. The Board has four variance applications for Council consideration. **BD. OF ZONING APPEALS**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1151.24 from the minimum required 60 ft. rear yard setback to allow 53 ft. for construction of an addition located at 4750 Sentinel Drive, PP# 604-02-021 **APP. 2019-08 4750 SENTINEL DR. REAR YARD SETBACK**

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

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

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Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for (1) a variance from Section 1151.24 from the minimum required 125 ft. front setback to allow 121.5 ft., and (2) a variance from Section 1197.01, to appeal the determination of the City Engineer of The City of Brecksville that a minimum of a 27 ft. driveway approach is required for a side entry garage to allow 22 ft. for the construction of a detached garage in the rear of a non-conforming house located at 9368 Brecksville Road, PP# 603-16-011

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

Nays: None.

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

**APP. 2019-09  
9368  
BRECKSVILLE RD.  
FRONT  
SETBACK &  
DRIVEWAY  
VARIANCE**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for (1) a variance from Section 1151.24 a minimum 30 ft. total side yards to allow 20 ft., and (2) a variance from Section 1151.24 from the minimum required 60 ft. rear yard setback to allow 40 ft. 4 in. for construction of additions on a non-conforming house located at 8736 Riverview Road, PP# 602-14-010.

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

Nays: None.

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

**APP. 2019-10  
8736  
RIVERVIEW  
RD. SIDE &  
REAR YARD  
SETBACKS.**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation of approval for (1) a variance from Section 1185.03(a), maximum fence height of 4 ft. to allow a 6 ft. fence height, and (2) a variance from Section 1185.02(d) to install a solid board type fence instead of the permitted types of fence located at 7802 Fitzwater Road, PP# 601-09-008.

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

Nays: None.

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

**APP. 2019-11  
7802  
FITZWATER  
RD. FENCE  
HEIGHT AND  
TYPE  
VARIANCE**

**PLANNING COMMISSION:** Councilmember Harwood reported the next meeting of the Planning Commission will be April 25<sup>th</sup> at 7:00 P.M.

**PLANNING  
COMMISSION**

**RECREATION COMMISSION:** Council Representative Redinger reported the Recreation Commission will meet on April 22<sup>nd</sup> at 7:30 P.M.

**RECREATION  
COMMISSION**

**DEPARTMENT OF HUMAN SERVICES:** Council Representative Veras reported the next meeting of the Human Services Advisory Board will be May 8<sup>th</sup> at 3:00 P.M.

**DEPT. OF  
HUMAN  
SERVICES**

**TELECOMMUNICATIONS COMMISSION:** Council Representative Broski reported the commission will reschedule the April 15<sup>th</sup> meeting that had been cancelled.

**TELEC. COM.**

**SAFETY-SERVICE COMMITTEE:** Councilmember Carouse reported the committee met earlier today and has no items for Council's consideration

**SAFETY-  
SERVICE**

**STREETS & SIDEWALKS COMMITTEE:** Councilmember Broski reported the committee met earlier this evening and thanked Council for the passage of legislation accepting the bid of Kokosing for asphalt materials for the 2019 Road Program The committee will meet at City Hall on Tuesday April 30<sup>th</sup> at 1:00 P.M. The group will tour the City to review road conditions and add any necessary projects that will require repair.

**STREETS &  
SIDEWALKS**

**UTILITIES COMMITTEE:** Councilmember Petsche reported the committee met earlier and discussed the Whitewood Arial Sewer Prokject, the 7807 English Drive catch basin installation is scheduled to begin this week and the 10229 Hickory Ridge Slope Repair

**UTILITIES  
COMMITTEE**

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

**BUILDINGS & GROUNDS COMMITTEE**

Motion by Veras, seconded by Rose, to approve a Blanket Vendor Purchase Requisition in the aggregate amount of \$23,419.00 for the Asbestos Abatement at 4450 & 4448 Oakes Road in various rooms. This project will include the removal of asbestos-containing floor tile and sink bases in the amount of \$21,619.00, as well as the required AHERA air clearance inspection in the amount of \$1,800.00. Account #C490161 3202  
Project #BII90004.

**ASBESTOS ABATEMENT 4450 & 4448 OAKAES ROAD.**

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

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

Motion by Veras, seconded by Rose, to approve a Purchase Requisition to D&R Commercial Flooring in the amount of \$11,528.00 for supplying and installing replacement vinyl floor tile and vinyl cove base at 4450 & 4448 Oakes Road. Account #C490161 3202  
Project #BII90004.

**FLOOR REPLACE- MENT 4450 & 4448 OAKES RD.**

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

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

Motion by Veras, seconded by Rose, to approve a Purchase Requisition will be requested for an Addressable Fire Alarm System by Silent Knight for 4440 Oakes Road at Blossom Hill.

**FIRE ALARM SYSTEM AT 4440 OAKES ROAD**

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

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

Motion by Veras, seconded by Rose, to approve a Purchase Requisition to Commercial Fitness Solutions, Inc. in the amount of \$9,705.00 for the purchase, delivery and set-up of various pieces of new fitness equipment for the Community Center. Account #241710 2501.

**PURCHASE FITNESS EQUIPMENT**

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

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

**LEGISLATION COMMITTEE:** Councilmember Rose reported the committee met earlier today and reported the Planning Commission will hold a public meeting to review proposed changes to the solar panel installation code. The Planning Commission expects to forward a recommendation to Council in the near future.

**LEGISLATION COMMITTEE**

**FINANCE COMMITTEE:** Councilmember Redinger thanked Council for the passage of the Ordinances authorizing the sale of notes this evening. The Finance Committee is requesting approval of one additional item for Council consideration today.

**FINANCE COMMITTEE**

Motion by Redinger, seconded by Carouse, to increase a Purchase Order in the amount of \$348.00 for James G. Zupka, CPA, Inc. for annual audit services. Account #110150 2103.

**INCREASE PURCHASE ORDER FOR ZUPKA AUDIT SERVICES**

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

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

**REPORT OF LAW DIRECTOR:** No Report

**LAW**

**REPORT OF ENGINEER:** No Report

**ENGINEER**

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<b>REPORT OF BUILDING DEPARTMENT:</b> No Report	<b>BUILD DEPT.</b>
<b>REPORT OF PURCHASING DIRECTOR:</b> No Report	<b>PURCHASING</b>
<b>REPORT OF POLICE DEPARTMENT:</b> No Report	<b>POLICE</b>
<b>REPORT OF FIRE DEPARTMENT:</b> No Report	<b>FIRE</b>
<b>REPORT OF RECREATION DEPARTMENT:</b> No Report	<b>RECREATION</b>
<b>REPORT OF SERVICE DIRECTOR:</b> No Report	<b>SERVICE</b>

**REPORT OF THE MAYOR:** Mayor Hruby reported the death of Pete Baur. Mr. **MAYOR** Baur was an active member of the community and had served the city as a member of the Recreation Commission. Mayor Hruby said former Browns Football Coach and Brecksville resident Forest Gregg also passed away. Mayor Hruby offered condolences to the families on behalf of the City.  
Mayor Hruby introduced the Executive Director, Ferzan Ahmed of the Ohio Turnpike Commission. Mr. Ahmed thanked Mayor Hruby.

**BRECKSVILLE BROADVIEW HEIGHTS STUDENTS:** The following **BBHHS** Brecksville Broadview Heights students were in attendance: Lana Kanawati, Luke Bazan, **STUDENTS** Ian Pickering, Abby Myers, Megan Costanzo, Gavin Cortes.


Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:23 **ADJOURN**  
P.M.

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

Nays: None.

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

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

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