

MINUTES
Council Committee Meetings
April 16, 2019

Present: Council President M. Harwood, Councilmembers G. Broski, L. Carouse, J. Petsche, L. Redinger, D. Rose, K. Veras, Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director S. DiGeronimo, Finance Director L. Starosta, Fire Chief N. Zamiska, Purchasing Director R. Riser, C.B.O. S. Packard, Service Director R. Weidig, K. Gavin, Brecksville Magazine, Financial Advisor Matt Stuczynski, Clerk of Council T. Tabor.
Absent: Engineer G. Wise, Police Chief Goodrich.

Buildings & Grounds Committee

Chairperson - K. Veras

Committee members - L. Carouse, L. Redinger.

Chairperson Veras called the meeting to order at 7:00 P.M.

Roll Call – Present: Carouse, Redinger, Veras.

Absent - None.

Approval of the April 2, 2019 Buildings & Grounds Committee meeting minutes.

Motion by Veras, seconded by Redinger, to approve the, April 2, 2019 Buildings & Grounds Committee meeting minutes as presented. Ayes: Carouse, Veras, Redinger. Nays: None. Motion carried 3-Ayes, 0- Nays.

Councilmember Veras said a request has been made to begin asbestos abatement for properties at Blossom Hill. Service Director Weidig said the buildings are being prepared for the Brecksville Broadview Heights Pre-K and Montessori classrooms. The rooms have been primarily used for storage and have been cleared in preparation for the asbestos abatement project. The recreation office has been moved to a different building at Blossom Hill. The classrooms are in need of asbestos abatement and replacement of the flooring tile. The Montessori School will refund the cost of the improvements by the end of their lease, which is three years. Service Director Weidig said the Recreation Department will be in Building No. 5 and a new fire alarm system is needed in that building to replace the existing Thorne system installed in 1994.

- Motion by Veras, seconded by Redinger, to recommend approval of 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. *Account #C490161 3202. Project #BJ190004.* Ayes: Carouse, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.



- Motion by Veras, seconded by Redinger, 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*. Ayes: Carouse, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.
- Motion by Veras, seconded by Redinger, to approve a Purchase Requisition for an Addressable Fire Alarm System by Silent Knight for 4440 Oakes Road at Blossom Hill. Ayes: Carouse, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Veras said the Recreation Director has submitted a request for 8 pieces of equipment for the Community Center. Recreation Director Tupa said the cost of equipment is purchased through the Corporate Membership revenue. Councilmember Redinger asked if Recreation Director Tupa was satisfied with the condition of the equipment and if the purchasing schedule has been adequate. Recreation Director Tupa said he is happy that the Corporate Membership revenue is able to purchase equipment for use at the community center.

- Motion by Veras, seconded by Redinger, 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*. Ayes: Carouse, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Veras asked for any comments regarding Buildings and Grounds projects. Purchasing Director Riser said the bid opening for the re-bid of the Aquatic Center Project will be May 2nd, at City Hall. Currently there are (9) plan holders, (7) are general contractors and (2) subcontractors. The city will hold a pre-bid meeting on April 18th.

Councilmember Veras said demolition at Valor Acres is ahead of the projected schedule. Council President Harwood said he spoke with the Mayor of South Euclid and a resident of Cleveland Heights and both provided very good reviews for the new Chagrin Valley Dispatch Center.

Adjournment: Motion by Veras, seconded by Redinger, to adjourn the Buildings & Grounds Committee at 7:07 P.M. Ayes: Carouse, Redinger, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Finance Committee

Chairperson - Laura Redinger

Committee members - L. Carouse, D. Rose.

Chairman Redinger called the meeting to order at 7:07 P.M.

Roll Call – Present: Carouse, Rose, Redinger.

Absent - None.

(Finance Committee, Continued)

Approval of the April 2, 2019 Finance Committee meeting minutes.

Motion by Redinger, seconded by Rose, to approve the April 2, 2019 Finance Committee meeting minutes as presented. Ayes: Carouse, Redinger, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Redinger said an increase is needed for a purchase order for the annual audit services of James G. Zupka, CPA.

- Motion by Redinger, seconded by Carouse, to recommend to Council an increase to a Purchase Order in the amount of \$348.00 for James G. Zupka, CPA, Inc. for annual audit services. *Account #110150 2103*. Ayes: Carouse, Redinger, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Redinger said the committee has (3) pieces of legislation to consider regarding note issuance. Financial Consultant Matt Stuczynski and Finance Director Starosta will provide more information on the Ordinances.

\$250,000.00 Police Station Note (renewal) - Finance Director Starosta said the City has a \$500,000.00 note with a projected pay down over a two year period. The estimated closing of this project has been extended and final change orders may be necessary, therefore we are requesting a renewal of this note in the amount of \$250,000.00.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance authorizing the sale of notes for the Brecksville Police Station Project. Ayes: Carouse, Redinger, Abstain- Rose, Nays: None. Motion carried 2-Ayes, 1-Abstain, 0-Nays.

\$1,800,000.00 S.R. 82 Phase 1 Note (renewal) Finance Director Starosta said the expected pay down of this note is expected to be over 10 years.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance authorizing the sale of notes for the S.R. 82 Phase I – Pavement Improvement Project. Ayes: Carouse, Redinger, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

\$750,000.00 S.R. 82 Phase II- Joint project with Broadview Heights- Finance Director Starosta said this request is not a renewal. The estimated first year cost is \$750,000.00. It is estimated that this note is expected to be re-issued in 2020 for the amount of \$1,650,000.00.

- Motion by Redinger, seconded by Carouse, to recommend to Council approval of an Ordinance authorizing the sale of notes for the S.R. 82 Phase II –Joint project with Broadview Heights. Ayes: Carouse, Redinger, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

Law Director Matty reminded Councilmember Rose that he recused himself from the Police Station vote because his law firm represents Panzica Construction, the general contractor on the project. Law Director Matty reminded Councilmember Petsche that he also recused himself from voting on the Police Station Project, as he works with Panzica on other projects. Law Director

(Finance Committee, Continued)

Matty said he will recommend both Councilmembers abstain from voting or commenting on discussion regarding the Police Station Project.

Councilmember Petsche said he did not understand the language in the legislation for the SR 82 Notes. Councilmember Petsche asked if the language in Section 9 will raise taxes. Financial Advisor Stuczynski said taxes will not be raised because of this legislation. It means any millage that is in the general fund, not dedicated for any other purpose, is used to pay debt.

Finance Director Starosta reported the GASB report is available from the Auditor's Office. The report had no issues.

Adjournment: Motion by Redinger, seconded by Carouse, to adjourn the Finance Committee meeting at 7:15 P.M. Ayes: Carouse, Rose, Redinger. Nays: None. Motion carried 3-Ayes, 0-Nays.

Legislation Committee

Chairperson- Dennis Rose

Committee members - J. Petsche, K. Veras

Chairperson Rose called the meeting to order at 7:15 P.M.

Roll Call – Present: Petsche, Veras, Rose.

Absent- None.

Approval of the April 2, 2019 Legislation Committee meeting minutes.

Motion by Rose, seconded by Veras, to approve the April 2, 2019 Legislation Committee meeting minutes as presented. Ayes: Petsche, Rose, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Rose asked if there were any comments or concerns for the Legislation Committee. Council President Harwood reported the Planning Commission will hold a public hearing on April 25th to present proposed changes to the solar panel code for public comment. After the hearing the Planning Commission may make a recommendation for changes to be made to Council.

Adjournment: Motion by Rose, seconded by Veras, to adjourn the Legislation Committee meeting at 7:16 P.M. Ayes: Petsche, Veras, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

Safety-Service Committee

Chairperson- Louis Carouse

Committee members- G. Broski, K. Veras

Chairperson Carouse called the meeting to order at 7:17 P.M.

Roll Call – Present: Broski, Carouse, Veras.

Absent: None.

(Safety-Service Committee, Continued)

Approval of the April 2, 2019 Safety-Service Committee meeting minutes.

Motion by Carouse, seconded by Veras, to approve the April 2, 2019 Safety-Service Committee meeting minutes as submitted. Ayes: Carouse, Broski, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Carouse said the new Fire Truck has arrived. Fire Chief Zamiska said training on the new truck will begin next week.

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

Streets & Sidewalks Committee

Chairperson Gerald Broski

Committee members J. Petsche, L. Redinger.

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

Roll Call – Present: Broski, Redinger, Petsche.

Absent: None.

Approval of the April 2, 2019 Streets & Sidewalks Committee meeting minutes.

Motion by Broski, seconded by Redinger, to approve the April 2, 2019 Streets & Sidewalks Committee meeting minutes as presented. Ayes: Broski, Petsche, Redinger, Nays: None. Motion carried 3-Ayes, 0-Nays.

Asphalt Provider: Councilmember Broski said an Ordinance has been prepared to accept the bid of Kokosing Materials, the lowest and best bidder for the Contract for the Supplying of Asphalt Materials. Purchasing Director Riser said the same two bidders, Allied and Kokosing submitted bids for the asphalt provider, Kokosing being the lowest and best bidder. Service Director Weidig said the rates were slightly higher than last year.

- Motion by Broski seconded by Redinger, to recommend to Council approval of an Ordinance accepting the bid of Kokosing Materials for the City of Brecksville Suppling of Asphalt Materials contract. Ayes: Broski, Petsche, Redinger, Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Broski asked if Councilmembers Redinger and Petsche are available on Monday April 29th or Tuesday April 30th to review with Service Director Weidig, the road conditions. The committee annually reviews any additional damages to the roadways after winter. Councilmember Broski and Service Director Weidig will be available. Councilmembers set the date for April 30th at 1:00 P.M. to meet at City Hall.

Mayor Hruby said the City received a grant for work to be done on Fitzwater Road. The project has been included as part of the Road Program.

(Streets & Sidewalks Committee, Continued)

Councilmember Petsche said Councilmembers received an e-mail from a resident regarding Oakes Road traffic from the new school. Mayor Hruby said he will address the e-mail received from the resident concerned about the traffic on Oakes Road. Council President Harwood said it appears the resident received conflicting information. If necessary Council will provide the minutes from the City's public meeting discussing the traffic study. Council President Harwood said it is has been Council's procedure when replying to residents, the response should state the concern will be forwarded to the Committee Chairperson and discussed at a Committee or Council meeting. Following discussion, the Committee Chairperson or a designated member of the administration will respond to the requestor.

Law Director Matty said he has observed e-mail correspondence between councilmembers stating Documents received by e-mail were requested by the sender to be confidential. Law Director Matty said e-mails and any correspondence or communications regarding city business are public record. Councilmembers cannot pledge confidentiality to anyone. If a Councilmember refuses to produce or deletes an e-mail, that is a violation of state law. A policy is not needed regarding Council e-mails, there is a policy in place, the Ohio Public Records Law. If a councilmember takes an e-mail from a constituent or for any city business, it is a public record and must be made available to all of Council and anyone else that would request to see the correspondence.

Council President Harwood said Councilmember Petsche referenced an e-mail received from a resident regarding Martin Luther King Jr. holiday observance in the City. Councilmember Petsche provided an e-mail that was dated the day following that meeting. Councilmember Rose requested the original e-mail so that he could address the request and determine if legislation or policies should be considered. If the email is not produced, there are consequences and penalties that the City could incur.

Council President Harwood said the e-mail has been requested and needs to be produced. Law director Matty said when a request is made for public records from the Council office, the clerk provides the documents for review and release to Law Director Matty. Mayor Hruby and Council President Harwood are also copied on those requests to assure the information being provided is correct and complete.

Service Director Weidig said the concrete program is beginning later this week. Service Director Weidig said guardrail replacement is underway in the city. Councilmember Rose said the trees that have been planted on SR 82 are very nice. Mayor Hruby said the trees for that project are bigger than what the City normally plants.

Adjournment: Motion by Broski, seconded by Redinger, to adjourn the Streets and Sidewalks Committee meeting at 7:29 P.M. Ayes: Broski, Petsche, Redinger, Nays: None. Motion carried 3-Ayes, 0-Nays.

Utilities Committee

Chairperson Jack Petsche

Committee members G. Broski, D. Rose

Chairperson Petsche called the meeting to order at 7:30 P.M.

Roll Call – Present: Broski, Petsche, Rose.

Absent: None.

Approval of the April 2, 2019 Utilities Committee meeting minutes.

Motion by Petsche, seconded by Rose, to approve the April 2, 2019 Utilities Committee meeting minutes as presented. Ayes: Petsche, Broski, Rose, Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Petsche reviewed the Engineer's Report.

- One easement is outstanding for the Whitewood Sewer project.
- 7807 English Road Storm Sewer Improvement Project will proceed the week of April 15th with the work to install a larger catch basin.
- 10229 Hickory Ridge Slope repair project. The grass still needs to be planted on the slope. Property owner Mr. Paul has mentioned the erosion of the opposite side of his property. Previously Council agreed to provide broken concrete channel protection, however Mr. Paul would not sign an access agreement. The section of creek is on private property and Engineer Wise recommends the City maintain the position of not working on private property.
- The Log Cabin discharge headwall will need to be replaced and is recommended to be added to the capital plan for 2022 or 2023. This will probably be funded from the D-13 storm sewer account.

Adjournment: Motion by Petsche, seconded by Broski, to adjourn the Utilities Committee meeting at 7:33 P.M. Ayes: Petsche, Broski, Rose, 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 7:33 P.M. Ayes: Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

Approval of the April 2, 2019 Committee of the Whole meeting minutes. Motion by Harwood, seconded by Carouse, to approve the April 2, 2019 Committee of the Whole meeting minutes as submitted. Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

Council President Harwood said after the previous meeting, council addressed the issue of missing documents with the paper packets. Currently the paper packets are created and the documents are also available on Google Docs. Council President Harwood requested that Council use Google Docs for reviewing the packets.

Councilmember Rose asked that the date on the Google Docs file reflect the date of the meeting, instead of the packet date. Clerk Tabor will make that change.

Councilmember Rose asked if this is a read only use. Councilmembers may not change or remove documents. Council President Harwood said he will verify that with IT, however in the past that was correct. Councilmember Broski said he prints the agendas and any needed documents from the Google Docs site. Council President Harwood said all activity on the site, log in, forwarding, printing, and any changes and who was involved in that activity are recorded.

Councilmember Petsche asked if documents could be forwarded from the site. Law Director Matty advised that almost everything in the packet is a public record. Law Director Matty said any confidential memos from the law director are not public record.

Councilmember Petsche asked if the packet could be placed on the City website. Council President Harwood said the packet contains all draft items. Councilmember Petsche said residents may be interested in the recreation equipment that is being purchased, and could look on the website. The agendas are posted for the public to see, in the event they would like more information, they could request it, or to attend the meetings. Committee meeting agendas are prepared so that Council and the public are aware of the topics considered at a meeting. Councilmember Redinger said she has no objection to posting approvals after the meeting, but if people want more information about a meeting they can attend or request the documents before the meeting. Councilmember Redinger said it may not be advisable to put something out there that may be changed during a meeting. Councilmember Broski said that is the purpose of the committee meetings to discuss and possibly change an item proposed on the agenda. Council President Harwood asked if the account numbers on purchase orders should be released. Law Director Matty said that is a public record. Councilmember Veras said she does not feel that residents are very concerned about the specific items involved in purchases. Council President Harwood said the items are posted once they are approved. Council Clerk Tabor said the Council minutes, Committee minutes and approved legislation are posted at the Brecksville Library, Key Bank, Fifth Third Bank and in the lobby of City Hall. The approved Council and Committee minutes are posted on the Brecksville website. Jinny Farr, with the City's IT Department, has redesigned the City website to allow for easier use by residents and we have worked to allow more space on the site to post approved legislation. Council President Harwood said the posting of approved Council and Committee minutes and approved legislation will soon be posted to the website as well. Councilmember Petsche asked if the packets that are provided to council will be posted as well. Clerk Tabor said no, the approved legislation and supporting exhibits will be posted, as discussed with Council earlier this year. Mayor Hruby said the new website was activated on Sunday and is much easier to navigate. Councilmember Rose said he is very impressed with the Brecksville website. The website is very user friendly when using a phone to navigate, the information is easily accessible.

Law Director Matty said the summary sheets are the only part of the professional bills that are public record. What the Law Department is involved with are not public record and may not be disseminated.

Councilmember Redinger said she will not be able to attend the May 7th Council meeting.

Committee of the Whole Meeting Adjourned: Motion by Harwood, seconded by Carouse to adjourn the Committee of the Whole at 7:33 P.M. Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. Motion carried 7-Ayes, 0-Nays.

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cc: Members of Council,
Mayor Jerry N. Hruby,
Law Director D. Matty,
Asst. Law Director
S. DiGeronimo,
Engineer G. Wise,
Department Heads