

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

HELD _____ December 5, 2017

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Council was **CALLED TO ORDER** in Regular Session by Council President Greg Skaljac 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, N. Murphy,
L. Redinger, G. Skaljac, K. Veras.

ROLL CALL

Members Absent: None.

Others Present: Mayor Jerry N. Hrubby, Law Director D. Matty,
Assistant Law Director S. DiGeronimo, Engineer G. Wise,
Finance Director V. Price, CBO S. Packard,
Purchasing Director R. Riser, Fire Chief N. Zamiska,
Police Chief W. Goodrich, Recreation Director T. Tupa,
Councilmembers-Elect J. Petsche and D. Rose,
Council Clerk T. Tabor.

MINUTES OF THE NOVEMBER 21, 2017 REGULAR MEETING: Motion by Carouse, seconded by Redinger, to dispense with the reading of the November 21, 2017 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 11-21-2017 APPROVED

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras,

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4795 re: authorizing the Mayor to enter into an agreement for establishment of the Cuyahoga Valley Council of Governments, and declaring an emergency, was read by title.

RES. 4795 AUTH. AN AGREEMENT

Motion by Broski, seconded by Harwood, to suspend the rules and place Resolution 4795 on third and final reading.

TO ESTABLISH CUY. VALLEY COUNCIL OF GOVT.'S

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4795.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4796 re: authorizing the Mayor to enter into a New Member Participation agreement with the Chagrin Valley Dispatch Council, and declaring an emergency, was read by title.

RES. 4796 AUTH. NEW MEMBER

Motion by Broski, seconded by Harwood, to pass Resolution 4796 to second reading.

AGREE. WITH CHAGRIN VALLEY DISPATCH COUNCIL

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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- ORDINANCE 5133** Re: amending Section 1151.06(i)(2)B. of the Planning & Zoning Code to add permitted distance from adjoining property lines for storage of recreation equipment and vehicles in residential districts, and declaring an emergency was read by title. **ORD. 5133 AMEND. PLANNING AND ZONING CODE TO ADD SETBACK REQ. FOR STORAGE OF RECREATION VEHICLES**
- Motion by Harwood, seconded by Veras, to suspend the rules and place Ordinance 5133 on third and final reading.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
- Motion by Redinger, seconded by Carouse, to pass Ordinance 5133.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
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- ORDINANCE 5134** re: amending Section 1151.25 of the Planning and Zoning Code to update the maximum floor area of accessory structures, and declaring an emergency, was read by title. **ORD. 5134 AMEND. PLANNING AND ZONING CODE TO UPDATE MAX. FLOOR AREA OF ACCESSORY STRUCTURES**
- Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5134 on third and final reading.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
- Motion by Redinger, seconded by Carouse, to pass Ordinance 5134.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
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- ORDINANCE 5135** re: amending Section 1303.04 of the Building Code regarding amendments to the applicability of the International Property Maintenance Code, and declaring an emergency, was read by title. **ORD. 5135 AMEND. THE BUILDING CODE REGARDING AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINT. CODE**
- Motion by Broski, seconded by Harwood, to suspend the rules and place Ordinance 5135 on third and final reading.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
- Motion by Redinger, seconded by Carouse, to pass Ordinance 5135.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
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- ORDINANCE 5136** re: amending Section 1326.01 of the Building Code to permit air conditioners in the side yard of dwellings, and declaring an emergency, was read by title. **ORD. 5136 AMEND. THE BUILDING CODE TO PERMIT AIR CONDITIONERS IN THE SIDE YARD OF A DWELLING**
- Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5136 on third and final reading.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**
- Motion by Redinger, seconded by Carouse, to pass Ordinance 5136.
- Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
- MOTION CARRIED 7-AYES, 0-NAYS.**

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ORDINANCE 5137 re: amending Ordinance 5044 as it relates to employee compensation, and declaring an emergency, was read by title. **ORD. 5137 AMEND ORD. 5044 AS IT RELATES TO EMPLOYEE COMPENSATION**

Motion by Harwood, seconded by Broski, to suspend the rules and place Ordinance 5137 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5137.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5138 re: authorizing the Mayor to engage the law firm of Walter/Haverfield LLP jointly with the Regional Income Tax Agency and other municipalities for purposes of initiating litigation to challenge the constitutionality of amendments to Chapter 718 of the Ohio Revised Code, and declaring an emergency, was read by title. **ORD. 5138 AUTH. WALTER/HAVERFIELD TO JOIN R.I.T.A. TO CHALLENGE AMENDMENTS TO CHAPTER 718 OF THE O.R.C.**

Motion by Broski, seconded by Harwood, to suspend the rules and place Ordinance 5138 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5138.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5139 re: authorizing the purchase of twenty-seven (27) 700-800 MHz mobile radios for the Police and Fire Departments through the State of Ohio, Administrative Services Purchasing Program, and declaring an emergency, was read by title. **ORD. 5139 AUTH. PURCHASE OF (27) MOBILE RADIOS FOR POLICE AND FIRE DEPT.**

Motion by Veras, seconded by Harwood, to suspend the rules and place Ordinance 5139 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5139.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

BOARD OF ZONING APPEALS: Councilmember Veras reported the next meeting of the Board of Zoning Appeals will be December 11, 2017 at 7:30 P.M. **BD. OF ZONING APPEALS**

PLANNING COMMISSION: Councilmember Harwood reported the Planning Commission has one item from the November 9th meeting for Council consideration tonight. The next meeting of the Planning Commission will be December 7, 2017 at 7:00 P.M. **PLANNING COMMISSION**

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Motion by Harwood, seconded by Broski, to accept the Planning Commission's **CREVASCO** recommendation for approval of a lot consolidation at 9455 & 9450 Glen Drive, PPN's **LOT** 603-16-057 & 603-15-031 to create parcel A, 1.9158 acres at 9455 Glen Drive, **CONSOLIDA-** Brecksville, Ohio as described on the consolidation plat by R M Kole & Associates Corp., **TION AT** dated October 20, 2017, contingent on the approval of the City Engineer. **9455 & 9450**

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. **GLEN DR.**

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RECREATION COMMISSION: Councilmember Redinger reported the **RECREATION** Recreation Commission had the last meeting for 2017. Councilmember Redinger said **COMMISSION** longtime Recreation Commission member Don Lastoria will not be returning as a commission member and thanked him for his many years of service to the City.

DEPARTMENT OF HUMAN SERVICES: Councilmember Murphy reported **DEPT. OF** the Department of Human Services December 6th at 3:00 P.M. **HUMAN SERV**

TELECOMMUNICATIONS COMMISSION: No Report

TELEC. COM.

SAFETY-SERVICE COMMITTEE: No Report

**SAFETY-
SERVICE**

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski thanked **STREETS &** Mayor Hruby and the Service Department for the opening of the westbound lanes of S.R. **SIDEWALKS** 82 in advance of the Christmas parade.

UTILITIES COMMITTEE: No Report

**UTILITIES
COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: No Report

**BUILDINGS &
GROUNDS
COMMITTEE**

LEGISLATION COMMITTEE: Councilmember Murphy reported the **LEGISLATION** Legislation Committee met earlier this evening and thanked Council for the passage of the **COMMITTEE** Ordinances for accessory structures, accessory uses, grass and weed removal charges and air conditioning placement.

FINANCE COMMITTEE: Councilmember Redinger thanked Council for the **FINANCE** passage to second reading of a Resolution authorizing the agreement with the Chagrin **COMMITTEE** Valley Dispatch Council, an Ordinance to update employee compensation and an Ordinance authorizing the City to engage Walter/Haverfield along with Regional Income Tax Authority. Councilmember Redinger thanked the Finance Director and her team, Mayor Hruby and the City's department heads. The Committee held the budget meeting last evening and the amount of detail and thoroughness put into the report for Council's review is greatly appreciated. Councilmember Redinger said the Finance Committee has two additional items for Council consideration.

Motion by Redinger, seconded by Carouse, to approve a purchase Requisition in the **BLACK BOX** amount of \$9,136.80 to Black Box Network Services for the annual maintenance of the **ANNUAL** City's phone systems for the term of 1/1/18 – 12/31/2018. *Account # 110135 2612.* **MAINT. FOR**

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. **PHONE SYST.**

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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Motion by Redinger, seconded by Carouse, to approve the payment of monthly bills **MONTHLY** for professional services, as follows: Matty, Henrikson and & Greve in the amount of **BILLS FOR** \$13,837.50; Sergio I. DiGeronimo in the amount of \$5925.00; Kulchytsky Architects, LLC **PROF.** in the amount of \$112.50; J Neusser, LLC in the amount of \$2,000.00; and Donald J. Bohning **SERVICES** & Associates in the amount of \$22,320.08. Total of all Invoices: \$44,195.08.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

REPORT OF LAW DIRECTOR: Law Director Matty reported the McNair Tax **LAW** Case, in the Court of Appeals was denied, and therefore the case is closed. **DIRECTOR**

REPORT OF ENGINEER: Engineer Wise reported a letter of support is required **ENGINEERING** from Council to begin the I-77 Interchange Modification Study. Engineer Wise will work **DEPARTMENT** with Mayor Hruby on the application and letter of support for presentation to Council.

REPORT OF FINANCE DIRECTOR: No Report **FINANCE**
DEPARTMENT

REPORT OF BUILDING DEPARTMENT: CBO Packard reported that in **BUILDING** November (101) permits were issued with a valuation of almost 1.8 million dollars. The **DEPARTMENT** total receipts were \$ 37,761.67.

REPORT OF SERVICE DIRECTOR: No Report **SERVICE**
DEPT.

REPORT OF PURCHASING DIRECTOR: No Report **PURCHASING**

REPORT OF POLICE DEPARTMENT: No Report **POLICE DEPT.**

REPORT OF FIRE DEPARTMENT: No Report **FIRE DEPT.**

REPORT OF RECREATION DEPARTMENT: No Report **RECREATION**

REPORT OF THE MAYOR: Mayor Hruby reported on behalf of the Service **REPORT OF** Department, they continue to clean-up brush and damage from the November 5th storm **THE MAYOR** event. And expects the work should be completed by the end of the week. Mayor Hruby thanked the City of Independence for the use of a branch chipper, allowing for (2) crews to work on the cleanup.

Mayor Hruby informed the audience the Children's Christmas Play will be held on Saturday and Sunday at the Old Town Hall 11:00 AM and 2:00 PM., no charge please bring a donation for the Yuletide Hunger Program. Photos with Santa will be available and commemorative ornaments will be given out.

Mayor Hruby said over 200 traffic signs sold. Almost \$4,000.00 has been raised by this sale to benefit Safety Town. Several hundred are still available for purchase.

Detective Jim Lobenthal announced his retirement after 26 years with the City. January 2, 2018 will be his last day as an Officer with the City.

COMMENTS: None

COMMENTS

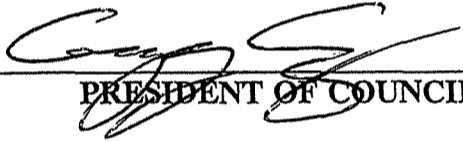
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BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following **BBHHS** Brecksville Broadview Heights students were in attendance: Gabriel Tagg, Lauren **STUDENTS** Venesile, Alyssa Reed, Cayla Nynen, Sam Wiglusz, Halle Ferry, Henry Hemsol, Danijela Popovic, Jack O'Donnel, Kevin Kelly, Chad Harper, Grant Livingston, Killian Robie, Payton Bach, Ashley Boda, Maria Martinis, Maria Studniarz, Sarah Parson and Nicholas Polcen.

Motion by Skaljac, seconded by Carouse, to adjourn the regular meeting at 8:35 **REGULAR**
P.M. **MEETING**
Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. **ADJOURNED**
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL