

MINUTES OF A MEETING OF THE

COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ AUGUST 15, 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,
L. Redinger, G. Skaljac, K. Veras. **ROLL CALL**

Members Absent: Murphy.

Others Present: Mayor Jerry N. Hruby, Law Director D. Matty,
Assist. Law Director S. DiGeronimo,
Engineer G. Wise, Finance Director V. Price,
B.I. Steve Synek, Service Director R. Weidig,
Purchasing Director R. Riser, Fire Chief N. Zamiska,
Police Lt. Johnson, Recreation Director T. Tupa,
Council Clerk T. Tabor.

MINUTES OF THE AUGUST 1, 2017 REGULAR MEETING: Motion by Carouse, seconded by Redinger, to dispense with the reading of the August 1, 2017 regular meeting minutes and to accept same as presented. **REGULAR MEETING MINUTES OF 8-1-2017 APPROVED**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

PRESENTATION OF 2017 BEAUTIFICATION AWARDS: Council President Skaljac said the Beautification awards are an annual event that city officials look forward to. Beautification Committee member Jane Zawacki presented plaques to the following 2017 winners: Jim and Connie Sutter, 6981 Chapel Hill Dr.; Monica D. Lukas, 9054 Highland Dr., Gregory and Audrey Prinzbach, 8577 Settlers Passage. **2017 BEAUTIFICATION AWARD WINNERS**

Mayor Hruby congratulated the winners of the 2017 Beautification Award. Mayor Hruby thanked the Beautification Committee for their work throughout the City on behalf of the Administration, Horticulture and Service Departments. The volunteers on the Beautification Committee work to make Brecksville a beautiful community.

RESOLUTION 4773 Re: authorizing the Mayor to enter into a Memorandum of Understanding between the cities of Brecksville and Broadview Heights ("Community Health and Human Services Department and Senior Center") for the administration of funds awarded through the FY 2018 Creative Aging Ohio Grant through The Ohio Arts Council, and declaring an emergency, was read by title. **RES. 4773 AUTHORIZE MAYOR TO ENTER MOU BETWEEN BRECKSVILLE AND BROADVIEW HEIGHTS RE: 2018 OHIO ARTS COUNCIL CREATIVE AGING OHIO GRANT PROGRAM**

Motion by Broski, seconded by Harwood, to suspend the rules and place Resolution 4773 on third and final reading.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4773.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

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RESOLUTION 4774 Re: authorizing the Mayor to enter into a Delinquent Debt Collection Agreement with the Ohio Attorney General, and declaring an emergency, was read by title. **RES. 4774 DELINQUENT DEBT**

Motion by Broski, seconded by Harwood, to suspend the rules and place Resolution 4774 on third and final reading. **COLLECTION AGREEMENT WITH THE OHIO ATTORNEY GENERAL**
Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4774.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

RESOLUTION 4775 Re: authorizing the Mayor to enter into a Second Amendment to the Billing Services Agreement with Great Lakes Billing Associates, Inc., and declaring an emergency was read by title. **RES. 4775 GREAT LAKES BILLING ASSOCIATES, INC. BILLING SERVICES AGREEMENT SECOND AMENDMENT**

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4775 on third and final reading. **ASSOCIATES, INC. BILLING SERVICES AGREEMENT SECOND AMENDMENT**
Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4775.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

ORDINANCE 5097 Re: authorizing the Mayor to Execute an agreement with Codesummit, LLC concerning the granting by the City of certain incentives to create and preserve jobs within the City of Brecksville, and declaring an emergency, was read by title. **ORD. 5097 AGREEMENT WITH CODESUMMIT INC.**

Motion by Broski, seconded by Harwood, to suspend the rules and place Ordinance 5097 on third and final reading. **ORD. 5097 AGREEMENT WITH CODESUMMIT INC.**
Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5097.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

ORDINANCE 5098 Re: accepting the bid of LIVE! Technologies, LLC for the Brecksville Old Town Hall Lighting Improvements Project, and declaring an emergency, was read by title. **ORD. 5098 OLD TOWN HALL LIGHTING IMPROVEMENTS PROJECT BID LIVE! TECHNOLOGIES**

Motion by Harwood, seconded by Broski, to suspend the rules and place Ordinance 5098 on third and final reading. **OLD TOWN HALL LIGHTING IMPROVEMENTS PROJECT BID LIVE! TECHNOLOGIES**
Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5098.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

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BOARD OF ZONING APPEALS: Councilmember Veras reported the Board of Zoning Appeals met on August 7th and three items have been recommended for Council consideration.

BD. OF ZONING APPEALS

APPEAL 2017-26: Motion by Veras, Seconded by Broski, to accept the Board of Zoning Appeals recommendation to approve a variance from Section 1181.11(a) maximum overall height of 40 ft. to allow 41.75ft. and 2) a variance from Section 1181.11(a) maximum building height of 30 ft. to allow 32.5 ft. and (3) a variance from Section 1181.11(a) maximum roof area over 30 ft. is limited to 30% of ground floor to allow 33% located at 6785 Rivercrest Dr., PP# 601-04-003.

APPEAL 2017-26 VAR. TO BUILDING HEIGHT AT 6785 RIVERCREST DR.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

APPEAL 2017-28: Motion by Veras, seconded by Harwood, to accept the Board of Zoning Appeals recommendation to approve a variance for (1) a variance from Section 1183.05(b) minimum 40 parking spaces required to allow 14 parking spaces, and (2) a variance from Section 1157.29(c)(1) minimum required 50 ft. building side yard setback, to allow a 31.25 ft. side yard setback on the north side, and (3) a variance from Section 1157.29(c)(1) minimum required 50 ft. building side yard setback to allow an 18 ft. side yard setback on the south side, and (4) a variance from 1157.29(c)(2) minimum required 25 ft. side yard parking and driveway setback to allow 0 ft. setback on the north and south sides located at 10133 Brecksville Road, PP# 605-14-005.

APPEAL 2017-28 VAR. TO BUILDING SETBACKS AND DRIVEWAY AND PARKING SPACES AND SETBACKS

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

Nays: Skaljac.

MOTION CARRIED 5-AYES, 1-NAYS.

APPEAL 2017-29: Motion by Veras, seconded by Broski, to accept the Board of Zoning Appeals recommendation to approve a variance from Section 1326.02 to install a generator on the side of the house instead of the rear as required by code located at 2613 Hidden Canyon Drive, PP# 605-11-024.

APPEAL 2017-29 VAR. TO INSTALL A GENERATOR IN A SIDE YARD AT 2613 HIDDEN CANYON DR.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

PLANNING COMMISSION: Council Representative Harwood reported the next meeting of the Planning Commission is scheduled for August 24, 2017 at 7:00 P.M.

PLANNING COMMISSION

RECREATION COMMISSION: Councilmember Redinger reported that the next meeting of the Recreation Committee is August 28th at 7:30 P.M.

RECREATION COMMISSION

DEPARTMENT OF HUMAN SERVICES: No Report

DEPT. OF HUMAN SERVICES

TELECOMMUNICATIONS COMMISSION. Council Representative Broski reported the Telecommunications Commission met on August 14, 2017. Broski said no complaints were received by the Commission. An explanation from AT&T was given regarding the decline in franchise fees paid to the City. Direct TV has caused a loss of franchise fees to the City and U-Verse television will no longer be available to Brecksville residents. AT & T projects that the City will gain additional revenue when the purchase of Time Warner is complete and the pay-per-view option is available to residents.

TELECOMMUNICATIONS COMMISSION

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SAFETY-SERVICE COMMITTEE: Councilmember Veras reported the Safety-Service Committee met earlier this evening and has one item for Council consideration. **SAFETY-SERVICE**

Motion by Veras, seconded by Broski, to approve a Purchase Requisition to Valley Ford in the amount of \$4,627.24 for repairs to Ambulance #152. *Account #290260 2602.* **AMBULANCE #152 REPAIRS VALLEY FORD**
 Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
 Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski reported the Streets and Sidewalks Committee met earlier this evening and received a report from Engineer Wise regarding the Chippewa Bridge Project and the S.R.82 Pavement Improvement Project. Service Director Weidig provided the Committee with an update on the status of the paving of Brecksville Road in front of the Jennings Center. **STREETS & SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Carouse reported the Utilities Committee met earlier this evening and has no other items for Council consideration today. **UTILITIES COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Harwood thanked Council for the passage of an Ordinance for bid acceptance for the Lighting Improvements Project at Old Town Hall. Councilmember Harwood reported the Buildings & Grounds Committee met earlier this evening and has three items for Council consideration. **BUILDINGS & GROUNDS COMMITTEE**

Motion by Harwood, seconded by Broski, to approve a Blanket Vendor Purchase Requisition for renovations to the Brecksville Community Center Meeting Rooms in the amount of \$15,101.14 for replacement wall covering, installation and painting services. *Account #C240710 3202* **COMMUNITY CENTER MEETING ROOMS WALL COVERING & PAINTING SERVICES**
 Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
 Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Harwood, seconded by Veras, to approve a Blanket Vendor Purchase Requisition in the amount of \$3,596.77 for supplies and materials needed to replace the heat trace freeze protection system on the chiller piping at City Hall. *Account #110166 2604.* **CITY HALL HEAT TRACE FREEZE PROTECT. SYSTEM ON CHILLER**
 Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
 Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Harwood, seconded by Broski, to approve a Purchase Requisition in the amount of \$3800.00 to Ohio Flooring Company for the screening of the Community Center Fieldhouse Floor. *Account #240710 2603.* **COMMUNITY CENTER FIELDHOUSE FLOOR SCREENING**
 Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
 Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.

LEGISLATION COMMITTEE: No Report **LEGISLATION COMMITTEE**

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

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Motion by Redinger, seconded by Carouse, to approve a Blanket Vendor Purchase Requisition in the amount of \$5,500.00 for expenses related to the 25th Anniversary of the Community Center celebration week events. *Account #110150 2410.* **25TH ANNIVERSARY OF THE COMMUNITY CENTER**
Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.

REPORT OF LAW DIRECTOR: Law Director Matty reported that the City's motion for summary judgement will be filed on Monday August 21st jointly with the City of Cleveland for the Wireless Facility Case that is being heard by Judge Steven Gaul. The State of Ohio has 30 days to respond. Brecksville will expect an entry for summary judgement from Judge Gaul at that time. **LAW**

REPORT OF ENGINEER: No Report **ENGINEER**

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

REPORT OF BUILDING DEPARTMENT: No Report **BUILD. DEPT.**

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

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

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

REPORT OF FIRE DEPARTMENT: Fire Chief Zamiska thanked Council for the approval for repairs to be made to Ambulance #152. **FIRE**

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

REPORT OF THE MAYOR: Mayor Hruby reported Monday August 21st at 5:00 P.M. there will be a ground breaking event for the Police Station at the site of the new facility on Brecksville Rd. All are welcome to attend. **MAYOR**

Mayor Hruby said there will be two ceremonies commemorating the 25th Anniversary of the Community Center on September 23rd and September 26th. Events will take place during that week as well to celebrate the anniversary of the facility.

COMMENTS: No Comments

Motion by Skaljac, seconded by Carouse, to adjourn the regular meeting at 8:22 P.M. **REGULAR MEETING ADJOURNED**
Ayes: Broski, Carouse, Harwood, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL