

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

HELD _____ September 19, 2017 _____

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Council was **CALLED TO ORDER** in Regular Session by Council President Greg Skaljac at 8:18 P.M. in Ralph W. Biggs Council Chambers. **CALL TO ORDER**

Following the **PLEDGE OF ALLEGIANCE**, members of Council answered to **PLEDGE OF ROLL CALL** as follows: **ALLEGIANCE**

Members Present: G. Broski, L. Carouse, Jr., M. Harwood, N. Murphy, G. Skaljac, K. Veras. **ROLL CALL**

Members Absent: L. Redinger.

Others Present: Mayor Jerry N. Hruby, 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, Council Clerk T. Tabor.

MINUTES OF THE SEPTEMBER 5, 2017 REGULAR MEETING: Motion by Carouse, seconded by Veras to dispense with the reading of the September 19, 2017 regular meeting minutes and to accept same as presented. **REGULAR MEETING MINUTES OF 9-5-2017 APPROVED**

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

MOTION CARRIED 6-AYES, 0-NAYS.

RESOLUTION 4778 re: Appointing John T. Muller to the position of Patrolman in the Police Department of the City of Brecksville, and declaring an emergency, was read by title. **RES. 4778 APPOINTING JOHN**

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4778 on third and final reading. **MULLER AS PATROLMAN IN THE**

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

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Carouse, seconded by Broski, to pass Resolution 4778.

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

MOTION CARRIED 6-AYES, 0-NAYS.

Mayor Hruby introduced John Muller and said he is a Police Officer with the Regional Transit Authority and has been trained and certified by OPATA. Officer Muller will begin his training and will replace an officer that was promoted to Detective within the Brecksville Police Department. Mayor Hruby administered the Oath of Office to Mr. Muller. Mayor Hruby introduced John's grandfather, Tom Beiswenger. Mr. Beiswenger was a volunteer firefighter and instrumental in obtaining the first ambulance service and full time Fire Department for the City of Brecksville. Mr. Beiswenger had the honor of presenting the badge of The Brecksville Police Department to Officer Muller. John introduced his parents and family members in attendance. Officer Muller thanked the Mayor and City Council for the opportunity to serve the City of Brecksville. **OATH OF OFFICE**

RESOLUTION 4779 re: Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 605-15-010 owned by Petros Homes Snowville, LLC, and declaring an emergency, was read by title. **RES. 4779 ACCEPTING A STORM SEWER**

Motion by Harwood, seconded by Broski, to suspend the rules and place Resolution 4779 on third and final reading. **EASEMENT FOR PP# 605-15-010**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Veras, seconded by Broski, to pass Resolution 4779.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

CONTINUED

RES. 4779

ACCEPTING A

STM. SEWER

EASEMENT

FOR PP# 605-

15-010

RESOLUTION 4780 Re: Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 605-15-010 owned by Petros Homes Snowville, LLC, and declaring an emergency, was read by title. **RES. 4780**

Motion by Veras, seconded by Harwood, to suspend the rules and place Resolution 4780 on third and final reading. **ACCEPTING A**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Veras, seconded by Broski, to pass Resolution 4780. **SANITARY**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS

EASEMENT

FOR PP# 605-

15-010

RESOLUTION 4781 re: Accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing sanitary sewer facilities, and appurtenances thereto in, under, across and through PP# 605-15-009 owned by Petros Homes Snowville, LLC, and declaring an emergency, was read by title. **RES. 4781**

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4781 on third and final reading. **ACCEPTING A**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Carouse, seconded by Murphy, to pass Resolution 4781. **SANITARY**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS

SEWER

EASEMENT

FOR PP# 605-

15-009

ORDINANCE 5102 re: Rescinding Ordinance No. 5035 and the acceptance of the Bid of Minute Men Staffing and accepting the bid of Safe Staffing of Ohio for temporary general labor for the Service Department of the City of Brecksville for the remainder of the year 2017; and declaring an emergency, was read by title. **ORD. 5102**

Motion by Broski, seconded by Harwood, to suspend the rules and place Ordinance 5102 on third and final reading. **RECINDING**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Broski, seconded by Veras, to pass Ordinance 5102. **ORD. 5035**

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

AND

ACCEPTING

THE BID OF

SAFE

STAFFING OF

OHIO FOR

THE SERVICE

DEPARTMENT

TEMP. LABOR

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ORDINANCE 5103 re: Retaining the Local Government Services of the Auditor of State's Office to assist in the preparation of the City's Comprehensive Annual Financial Reports (CAFR) for the years 2017, 2018, and 2019; and declaring an emergency, was read by title.

Motion by Harwood, seconded by Broski, to suspend the rules and place Ordinance 5103 on third and final reading.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Carouse, seconded by Murphy, to pass Ordinance 5103.

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

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

**ORD. 5103
RETAIN THE
SERVICES OF
AUDITOR OF
THE STATE'S
OFFICE TO
ASSIST IN
THE
PREPARA-
TION OF THE
CAFR FOR
2017, 2018,
AND 2019**

BOARD OF ZONING APPEALS: Council Representative Veras reported the next meeting of the Board of Zoning Appeals will be October 9, 2017 at 7:30 P.M. The Board of Appeals has four items to present for Council consideration.

Motion by Veras, seconded by Broski, to accept the recommendation of the Board of Appeals and approve (1) a variance from Section 1151.25(d) of 348 sq. ft. from the maximum 660 sq. ft. to allow 1008 sq. ft. and (2) a variance from Section 1181.11(b) of 8 in. from the maximum 15 ft. building height to allow 15 ft. 8 in. and (3) a variance from Section 1151.26(1) to permit an accessory structure in the side yard instead of the required rear yard for the construction of a detached garage located at 10143 Barr Road, PP# 604-13-005.

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

Nays: None.

Motion Carried 6-Ayes, 0-Nays.

**BD. OF
ZONING
APPEALS

APPEAL
2017-30
ZIEGLER
GARAGE
VARIANCE
10143 BARR
RD. PP# 604-13-
005**

Motion by Veras, seconded by Broski, to accept the recommendation of the Board of Appeals and approve a variance from Section 1151.24 of 5.5 ft. from the minimum required 10 ft. side yard setback to allow 4.5 ft. for the construction of a deck on a non-conforming house located at 6932 Westview Drive, PP# 603-21-043.

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

Nays: None.

Motion Carried 6-Ayes, 0-Nays.

**APP. 2017-31
DUBIEL DECK
VARIANCE
6932
WESTVIEW
DR. PP# 603-21-
043**

Motion by Veras, seconded by Broski, to accept the recommendation of the Board of Appeals and approve a variance from Section 1151.29(a) that a maximum of one (1) garage is permitted (attached or detached) to allow the construction of a second garage (detached) located at 7036 Arlington Street, PP# 601-34-070.

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

Nays: None.

Motion Carried 6-Ayes, 0-Nays.

**APP. 2017-32
VARIANCE
FOR 2ND
GARAGE FOR
SITKO AT 7036
ARLINGTON
STREET**

Motion by Veras, seconded by Harwood, to accept the recommendation of the Board of Appeals and approve a variance from Section 1183.05, a minimum of 60 parking spaces required, to allow 24 parking spaces for an office addition located at 10325 Brecksville Rd. PP# 605-21-006.

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

Nays: None.

Motion Carried 6-Ayes, 0-Nays.

**APP. 2017-33
VARIANCE
FOR PARKING
SPACES 10325
BRECKS-
VILLE RD.**

PLANNING COMMISSION: Council Representative Harwood reported that there are (3) three items for Council consideration from the September 7th Planning Commission meeting. The next meeting of the Planning Commission will be September 21, 2017 at 7:00 P.M.

**PLANNING
COMMISSION**

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Motion by Harwood, seconded by Broski, that Council accept the recommendation of the Planning Commission to approve an application for the consolidation and partition for 6744 and 6810 Farview Road as depicted in the consolidation and partition plan by Neff & Associates dated August 16, 2017, contingent upon the approval of the City Engineer.

**KOLAR LOT
SPLIT &
CONSOLIDA-
TION 6744 &
6810 FARVIEW
ROAD**

Ayes: Broski, Carouse, Harwood, Murphy, Skaljic, Veras.
Nays: None.
Motion Carried 6-Ayes, 0-Nays.

Motion by Harwood, seconded by Broski, that Council accept the recommendation of the Planning Commission to approve Preliminary and Final approval for the proposed new 1.250 sq. ft., office addition located at 10325 Brecksville Road, Brecksville, Ohio 44141, as described in the application dated August 21, 2017, and plans by Sixmo Inc.:

**JOHN LEWIS
INC., OFFICE
ADDITION
10325
BRECKS-
VILLE RD.**

SD- 1 Schematic Site Plan 8-21-2017,
SD-2 Schematic Site Plan 8-21-17,
SD-3 Original Site Plan by GMA 5-17-1995.

Ayes: Broski, Carouse, Harwood, Murphy, Skaljic, Veras.
Nays: None.
Motion Carried 6-Ayes, 0-Nays.

Motion by Harwood, seconded by Veras, that Council accept the recommendation of the Planning Commission to approve Preliminary and Final Plan approval for the proposed new 11,965 sq. ft. one story Steel Storage Building located at 10133 Brecksville Road, Brecksville, Ohio 44141, as described in the application dated August 21, 2017, and plans by Oliver Architecture and Wohlwend Engineering Group:

**STORAGE
ZONE-NEW
BUILDING
10133
BRECKS-
VILLE ROAD**

G-001	Title Sheet	8/21/2017
C-TS	Title Sheet	7/31/2017
C-1	Overall Site Plan	7/31/2017
C-2	Existing Conditions and Demolition Plan	7/31/2017
C-3	Site Plan	7/31/2017
C-4	Grading and Drainage Plan	7/31/2017
C-5	SWPPP Plan	7/31/2017
C-6	SWPPP Notes and Details	7/31/2017
C-6A	SWPPP Notes and Details	7/31/2017
C-7	Construction Notes and Details	7/31/2017
C-8	Construction Notes and Details	7/31/2017
C-9	Construction Notes and Details	7/31/2017
E-001	Electrical Site Photometric Plan	6/15/2017
A-001	Site Plan	8/21/2017
A-100	Floor Plans	8/21/2017
A-200	Exterior Building Elevations	8/21/2017

And contingent on the following variances:

1. A variance from Section 1183.05(b) minimum 40 parking spaces required to allow 14 parking spaces.
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.
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.
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.

Approval is further contingent upon the fence installation being Code compliant and the building siding color grey approved by the Planning Commission at their September 7, 2017 meeting.

Ayes: Broski, Carouse, Harwood, Murphy, Skaljic, Veras.
Nays: None.
Motion Carried 6-Ayes, 0-Nays.

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RECREATION COMMISSION: Council President reported on behalf of **RECREATION** Councilmember Redinger that there are several events at the Community Center through **COMMISSION** next Tuesday October 26th. Events have been planned for the 25th Anniversary of the Community Center Celebration on Saturday the 23rd beginning at 10:00 AM.

DEPARTMENT OF HUMAN SERVICES: Council Representative Murphy **DEPT. OF** reported there will be a Tailgate Party On September 22nd at 5:30 P.M. at the Human Services **HUMAN** Center. The next meeting of the Human Services Commission will be October 11th at 3:00 **SERVICES** P.M.

TELECOMMUNICATIONS COMMISSION. Council Representative Broski **TELECOMMU-** reported that the Commission members have scheduled a meeting for October 17th at 5:00 **NICATIONS** P.M. and hope to have a representative from Spectrum to address resident concerns.

SAFETY-SERVICE COMMITTEE: Councilmember Veras reported the **SAFETY-** committee met earlier this evening and has two items for Council consideration. **SERVICE**

Motion by Veras, seconded by Broski to approve a Purchase Requisition to Finley **FINLEY FIRE** Fire Equipment in the amount of \$17,281.00 for a Paratech Rescue Airbag Vehicle **RESCUE AIR** Stabilization System for the Brecksville Fire Department. *Account #C450260 3300.* **BAGS**
Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras.
Nays: None.
Motion Carried 6-Ayes, 0-Nays.

Motion by Veras, seconded by Broski, to approve a Blanket Vendor Purchase **CARBIDE** Requisition in the amount of \$7,794.23 for Carbide Plow Blades and Curb Guard for the **PLOW** upcoming winter season. *Account #202410 2608.* **BLADES AND**
Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. **CURB**
Nays: None. **GUARDS**
Motion Carried 6-Ayes, 0-Nays.

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski reported the **STREETS &** committee met earlier this evening and discussed the 2017 road program and the projects are **SIDEWALKS** almost complete for the year and the Committee has one additional item for Council consideration.

Motion by Broski, seconded by Harwood to approve Change Order No. 2 to CATTS **S.R. 82** Construction, Inc. in the amount of \$34,248.51 for the placement of additional steel in the **PAVEMENT** pavement for the S.R. 82 Pavement Improvement Project to prevent possible "mid-slab" **CHANGE** cracking and extend the life of the pavement. *Account # C480171 3501 Project #RD160003.* **ORDER NO. 2**
Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. **CATTS**
Nays: None. **CONSTRUC-**
Motion Carried 6-Ayes, 0-Nays. **TION**

UTILITIES COMMITTEE: Councilmember Carouse reported the Utilities **UTILITIES** Committee met earlier this evening and thanked Council for the approval of three easements, **COMMITTEE** and no further items for consideration at this time.

BUILDINGS & GROUNDS COMMITTEE: Councilmember Harwood reported **BUILDINGS &** the committee met earlier this evening and has three items for Council consideration. **GROUNDS**

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Motion by Harwood, seconded by Broski, to approve a Blanket Purchase Requisition in the amount of \$17,335.00 to A.R.J., Inc. for the removal and replacement of skylight covers on the ceiling of the Brecksville Service Garage located at 9023 Brecksville Road. Account # C490170 3202. Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. Nays: None. **Motion Carried 6-Ayes, 0-Nays.** **A.R.J. INC. REMOVAL AND REPLACE-MENT OF SKYLIGHT COVERS AT THE SERVICE GARAGE**

Motion by Harwood, seconded by Broski, to authorize the Purchasing Director to advertise for bids for the installation of Sprayfoam Insulation on the ceiling of the Brecksville Service Garage located at 9023 Brecksville Road. Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. Nays: None. **Motion Carried 6-Ayes, 0-Nays.** **AUTH. BIDS FOR SPRAYFOAM INSTALL AT THE SERVICE GARAGE**

Motion by Harwood, seconded by Veras, to authorize the purchase of the Builders Risk insurance Policy for the Brecksville Police Station Construction Project. Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. Nays: None. **Motion Carried 6-Ayes, 0-Nays.** **POLICE STATION PROJECT RISK INSURANCE**

LEGISLATION COMMITTEE: Councilmember Murphy thanked Council for the appointment of John Muller as a Patrolman in the Police Department. **LEGISLATION COMMITTEE**

FINANCE COMMITTEE: On behalf of Councilmember Redinger Councilmember Carouse thanked Council for the approval of an Ordinance retaining the Local Government Services to assist in preparing the Comprehensive Annual Financial Reports and said the Finance Committee met earlier this evening and has one item for Council consideration. **FINANCE COMMITTEE**

Motion by Carouse, seconded by Murphy, to approve an increase to a Blanket Purchase Requisition for Basketball Supplies for the Community Center in the amount of \$3000.00. Account # 240743 2201. Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. Nays: None. **Motion Carried 6-Ayes, 0-Nays.** **AUTHORIZE BASKETBALL SUPPLIES FOR THE COMMUNITY CENTER**

REPORT OF LAW DIRECTOR: Law Director Matty reported the appellant in the McNair case has filed an appeal with the Court of Appeals to request the Court of Appeals to hear the case in its entirety. Law Director Matty has filed a brief in opposition on behalf of the City and will report back to the City. **LAW DIRECTOR**

REPORT OF ENGINEER: No Report **ENGINEER**

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

REPORT OF BUILDING DEPARTMENT: No Report **BUILDING**

REPORT OF SERVICE DIRECTOR: Mayor Hruby reported as the Interim Service Director since the retirement of Service Director Ron Weidig. He wished to have Council commend Mr. Weidig on his years of service to the City. Mayor Hruby also reported the City administration and the Engineer recommended the change order for the additional steel for the SR 82 Pavement Improvement Project. The additional steel should extend the life of the roadway and help to hold off any damage. **SERVICE DIRECTOR**

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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 **FIRE DEPT.** authorization to purchase the Rescue Airbag Vehicle Stabilization System.

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

REPORT OF THE MAYOR: Mayor Hruby said the guest speaker at the **MAYOR** Community Center will be former Councilmember Dan Skaljac. Mr. Skaljac was instrumental in obtaining the funding and the planning of the Brecksville Community Center.

COMMENTS: None


The following Brecksville-Broadview Heights High School students were in **BBHHS** attendance. Ashley Bodd, Andrew Bodd, Emma Stefano, Alyssa Reed, Adrian Asimou, **STUDENTS IN** Isabelle Gaglione, Logan Havens, Austin Matsako. **ATTENDANCE**

Motion by Skaljac, seconded by Carouse, to adjourn the regular meeting at 8:48 PM. **ADJOURN**

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

Nays: None.

Motion Carried 6-Ayes, 0-Nays.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL