

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

HELD _____ November 19, 2019

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:15 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, K. 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 Chief W. Goodrich,
Recreation Director T. Tupa, Service Director
R. Weidig, Council Clerk T. Tabor.

MINUTES OF THE NOVEMBER 5, 2019 REGULAR MEETING: Motion by Carouse, seconded by Redinger to dispense with the reading of the November 5, 2019 regular meeting minutes and to accept same as presented.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.

REGULAR MEETING MINUTES OF 11-5-2019 APPROVED

MOTION CARRIED 7-AYES, 0-NAYS

RESOLUTION 4978 re: a Resolution accepting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer facilities, and appurtenances thereto in, under, across and through PP# 601-36-093 owned by United Homes Incorporated; and declaring an emergency, was read by title.
Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4978 on third and final reading.

RES. 4978 STORM SEWER EASEMENT ON PP# 601-36-093

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

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4978.

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

MOTION CARRIED 7-AYES, 0-NAYS.

BLOSSOM HILLS SCHOOL AND FIELD HOUSE PROJECT: Assistant Law Director DiGeronimo provided information regarding the proposed School and Field House Project at Blossom Hill. Assistant Law Director DiGeronimo said there are 5 pieces of legislation being presented this evening that reflect agreements with the Brecksville-Broadview Heights City School District and the City of Brecksville. Assistant Law Director DiGeronimo provided information regarding the agreements.
Conveyance Agreement: Assistant Law Director DiGeronimo said this agreement describes the conveyance of property between the school and the City of Brecksville. The City will transfer 25 acres of land to the Brecksville-Broadview Heights City School District in exchange for property on Stadium Drive, the Comstock property and the former Central School property.

BLOSSOM HILLS SCHOOL AND FIELD HOUSE PROJECT DISCUSSION AND COMMENTS

Construction Agency Agreement: Assistant Law Director DiGeronimo said the agreement allows the School district to take charge of construction of the School and Field House Project. The School District will be in a contract with Shook Construction for the School and Field House. The City of Brecksville will be in an agreement with the School District to authorize the School District to act as the construction agent for the City of Brecksville.

Shared Use Agreement: Assistant Law Director DiGeronimo said the shared use agreement refers to the available use times for the field house and shared common areas, the

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auditorium/cafeterium. The school will use the field house from 7:00 A.M. - 4:30 P.M. and other agreed upon times. The City will have use of the field house at all other times.

Lease Agreement- Stadium Drive: Assistant Law Director DiGeronimo said the agreement for Stadium Drive property states the school will continue the use of the football field, stands and other facilities on Stadium Drive. The school does not pay, but is allowed to use the property as it has in the past.

Lease Amendment- Pre-School at Blossom Hill: Assistant Law Director DiGeronimo said the extension of the Pre-School Lease at Blossom Hill is necessary because the new school will not be completed before the end of the current pre-school lease.

**BLOSSOM
HILLS
SCHOOL AND
FIELD HOUSE
PROJECT
DISCUSSION
AND
COMMENTS
CONTINUED**

Ryan Schmitt, ThenDesign Architects: The Architects have prepared schematic, design development and design construction documents. The documents were done to determine the Guaranteed Maximum Price (GMP). Those documents are 90-95% complete at this time. The estimate and GMP that have been prepared by Shook Construction. The plans are on the schedule for review by the Brecksville Board of Zoning Appeals and the Brecksville Planning Commission. Mr. Schmitt said they are ready to begin construction in early 2020. Restrooms and concession areas are part of the shared space between the school and field house.

Eric Rader, Project Manager Shook Construction: Mr. Rader said the GMP is based on the architect's drawings. The project is expected to go out to bid in early 2020.

Maggie Stumpf, Hollis Lane: Ms. Stumpf asked about Stadium Drive. Council President Harwood said at this time the legislation is for the transfer of the property. What will be done with Stadium Drive, will come at a later date. Ms. Stumpf asked if the school is using the football field, what will happen to the old baseball field. Ms. Stumpf asked if a dog park could be built there. Council President Harwood said nothing is out of the question at this time. Council President Harwood said there are many organizations that use those fields. All of the travel programs, the recreation programs and the school use that property. Soccer, lacrosse, many programs also use The Blossom Hill fields and school properties. The City plans on making upgrades to the Stadium Drive property, at this time what will be done is unknown. Ms. Stumpf said there is eleven acres on that property, other than the fields it is wooded. Ms. Stumpf asked if the City could create greenspace or a dog park. Council President Harwood said it may be used for storm water retention/detention facilities.

Karen Steffans, Pin Oak Drive: Ms. Steffans asked where the 25 acres are located that are being exchanged. Council President Harwood said there is City owned property on Oakes Road, where the service garage, turf fields, Montessori School are. The site has 185 acres, 25 acres are being transferred to the school district where the new school will be built.

RESOLUTION 4979 re: a Resolution authorizing the Mayor to execute the conveyance agreement between the Brecksville-Broadview Heights City School District and the City of Brecksville; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4979 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 Resolution 4979.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4979
CONVEY-
ANCE
AGREEMENT
WITH
BBHCSD FOR
BLOSSOM
HILL
SCHOOL &
FIELD HOUSE
PROJECT**

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RESOLUTION 4980 re: a Resolution authorizing the Mayor to execute a Construction Agency Agreement between the Brecksville-Broadview Heights City School District, as Construction Agent, and the City of Brecksville; and declaring an emergency, was read by title. Motion by Veras, seconded by Broski, to suspend the rules and place Resolution 4980 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 Resolution 4980. Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.	RES. 4980 CONSTRUCT. AGENCY AGREEMENT WITH BBHCSD FOR BLOSSOM HILL SCHOOL & FIELD HOUSE PROJECT
RESOLUTION 4981 re: a Resolution authorizing the Mayor to execute a Shared Use and Management Agreement for the new elementary school and field house located at Blossom Hills between the Brecksville-Broadview Heights City School District and the City of Brecksville; and declaring an emergency, was read by title. Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4981 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 Resolution 4981. Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.	RES. 4981 SHARED USE AND MGMT AGREEMENT WITH BBHCSD FOR BLOSSOM HILL SCHOOL & FIELD HOUSE PROJECT
RESOLUTION 4982 re: a Resolution authorizing the Mayor to execute a Lease Agreement between the City of Brecksville as Lessor and the Brecksville-Broadview Heights City School District as Lessee for certain buildings and appurtenant areas located on Stadium Drive property; and declaring an emergency, was read by title. Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4982 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 Resolution 4982. Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.	RES. 4982 LEASE AGREEMENT WITH BBHCSD FOR STADIUM DRIVE PROPERTY
RESOLUTION 4983 re: a Resolution authorizing the Mayor to enter into a First Amendment to Lease Agreement between the City of Brecksville as Lessor and the Brecksville-Broadview Heights City School District as Lessee for certain buildings and appurtenant areas located on Blossom Properties; and declaring an emergency, was read by title. Motion by Veras, seconded by Broski, to suspend the rules and place Resolution 4983 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 Resolution 4983. Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.	RES. 4983 LEASE AGREEMENT WITH BBHCSD FOR PROPERTIES AT BLOSSOM HILL

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ORDINANCE 5270 re: an Ordinance authorizing a contract with Lincoln National Life Insurance Company for an employee life insurance program; and declaring an emergency, was read by title.

Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5270 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 5270.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5270
AUTHORIZE
CONTRACT
FOR
EMPLOYEE
LIFE
INSURANCE
BENEFITS**

ORDINANCE 5271 re: an Ordinance accepting the proposals of Medical Mutual of Ohio for employee healthcare insurance, administration of the employee healthcare insurance program, and for the provision of healthcare stop loss insurance; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5271 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 5271.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5271
AUTHORIZE
CONTRACT
FOR
EMPLOYEE
HEALTH
CARE
INSURANCE
PROGRAM**

ORDINANCE 5272 re: an Ordinance accepting the proposal of Lincoln National Life Insurance Company for an employee dental insurance program; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Ordinance 5272 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 5272.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5272
AUTHORIZE
CONTRACT
FOR
EMPLOYEE
DENTAL
INSURANCE
PROGRAM**

ORDINANCE 5273 re: an Ordinance amending Section 1157.04(e) of the Planning and Zoning Code by adding two new conditional use classifications; and declaring an emergency, was read.

Motion by Broski, seconded by Carouse, to pass Ordinance 5273 to second reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5273
FIRST
READING
AMENDING
SECTION
1157.04(E) OF
THE
PLANNING &
ZONING
CODE**

BOARD OF ZONING APPEALS: Councilmember Rose reported the next meeting of the Board of Zoning Appeals will be Monday, December 9th at 7:30 P.M. There are five cases that have been recommended to City Council.

**BD. OF
ZONING
APPEALS**

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Motion by Rose, seconded by Broski, to accept the Board of Zoning Appeal's recommendation of approval of a variance from Section 1185.03(a) from the maximum 4 ft. fence height to allow 5 ft. as limited to the fence dimensions adjacent to the home and garage as depicted on the drawings submitted with the variance application, located at 6532 Summer Wind Drive, PP# 604-11-024.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2019-35
6532 SUMMER
WIND DR.
FENCE
HEIGHT**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeal's recommendation to City Council for approval of a variance from Section 1151.24, minimum 10 ft. side yard setback required to allow 8.4 ft., and a minimum 30 ft. total side yards required to allow 20.5 ft., for construction of a house located at 8736 Riverview Road, PP# 602-14-010.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2019-36
8736
RIVERVIEW
RD. SIDE
YARD
SETBACK**

Motion by Rose, seconded by Veras, to accept the Board of Zoning Appeals recommendation to City Council for approval of a variance from Section 1151.25(d)(2)(B) from the maximum 192 sq. ft. to allow 267 sq. ft. for the construction of a shed located at 9515 Greystone Parkway, PP# 603-21-06.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2019-37
9515
GREYSTONE
PKWY
ALLOW
OVERSIZED
SHED**

Motion by Rose, seconded by Broski, to accept the Board of Zoning Appeals recommendation to City Council for approval for a variance from Section 1151.24 from the minimum required 80 ft. rear yard setback to allow 61 ft. for the construction of a porch addition located at 6488 Summer Wind Drive, PP# 604-10-011.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2019-38
6488 SUMMER
WIND DR.
SETBACK
FOR A
PORCH
ADDITION**

Motion by Rose, seconded by Broski, to accept the Board of Zoning Appeals recommendation to City Council for approval for (1) a variance from Section 1151.21(d), of 60% from the requirement that each lot shall abut a dedicated street for a distance not less than 60% of the lot width to allow 0%, and (2) a variance from Section 1151.23(g) minimum required 300 feet from the edge of a high tension power line easement to allow 173 feet for the construction of a new single family dwelling located at 5411 Valley Parkway, PP# 603-12-013.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**VAR. 2019-39
5411 VALLEY
PKWY
REQUIRED
SETBACKS**

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will be December 5th at 7:00 P.M. At the November 7th meeting a presentation was given, no recommendations were made for Council consideration.

**PLANNING
COMMISSION**

RECREATION COMMISSION: Council Representative Redinger reported the next meeting of the Recreation Commission will be December 2nd. Councilmember Redinger said there are several holiday events on the city calendar. The Christmas Parade will be December 1st at 4:00 P.M. The Children's Christmas play will be December 7th and December 8th at the Old Town Hall. Many other events are taking place.

**RECREATION
COMMISSION**

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DEPARTMENT OF HUMAN SERVICES: Council Representative Veras reported the next meeting of the Human Services Advisory Board will be December 11th at 3:00 P.M. Councilmember Veras thanked Council for approving the fee schedule for the Human Services Center.

**DEPT. OF
HUMAN
SERVICES**

TELECOMMUNICATIONS COMMISSION: No Report.

TELEC. COM.

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

**SAFETY-
SERVICE**

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski thanked the Service Department for great work in the City during the first snow event of the season.

**STREETS &
SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier and thanked Council for passage of the storm sewer easement.

**UTILITIES
COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Veras reported the Buildings & Grounds Committee met earlier this evening and has no additional items for Council consideration.

**BUILDINGS &
GROUNDS
COMMITTEE**

LEGISLATION COMMITTEE: Councilmember Rose reported the committee met earlier today and discussed the legislation amending the Planning & Zoning Code and recommended passage of that Ordinance.

**LEGISLA-
TION
COMMITTEE**

FINANCE COMMITTEE: Councilmember Redinger thanked Council for the passage of the legislation presented this evening regarding the Blossom Hill School & Field House Project. Councilmember Redinger thanked Assistant Law Director DiGeronimo for his work on those agreements. Councilmember Redinger also thanked the Finance Director and Purchasing Director for the work on the employee medical, dental, and life Insurance Programs. The Finance Committee has several additional items for Council consideration. The Finance Committee will be holding a meeting on Tuesday November 26th for review of the 2020 Budget.

**FINANCE
COMMITTEE**

Motion by Redinger, seconded by Carouse, to recommend to Council continuation with Wage Works for 2020 for administration of our FSA account.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

**WAGE
WORKS
CONTRACT
CONTINU-
ATION**

Motion by Redinger, seconded by Carouse, to recommend to approval of an Increase to Blanket Purchase Order #FN190009 in the amount of \$2,450 for Independent Contractor Payments for Class Instructors at the Community Center. *Account #240730 2102.*
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

**INCREASE
P.O. FOR
INDEPEND-
ENT REC.
CONTRACT-
ORS**

Motion by Redinger, seconded by Carouse, to recommend approval of the Recreation and Human Services Department Fee Schedule for 2020.
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS

**HUMAN
SERV. &
RECREATION
2020 FEE
SCHEDULE**

REPORT OF LAW DIRECTOR: No Report

LAW

REPORT OF ENGINEER: No Report.

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report

FINANCE

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REPORT OF BUILDING DEPARTMENT: No Report.

BUILDING

REPORT OF PURCHASING DIRECTOR: No Report

PURCHASING

REPORT OF POLICE DEPARTMENT: Police Chief Goodrich reported the Police Department will be participating in the Beards in Blue to benefit the Shop with a Cop program. Raffle tickets are for sale in the Court office or the Police Department through December 5th. The event will be held on December 14th, volunteer help is always needed.

POLICE

REPORT OF FIRE DEPARTMENT: No Report

FIRE

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

REPORT OF SERVICE DIRECTOR:

SERVICE

REPORT OF THE MAYOR: Mayor Hruby commended Assistant Law Director DiGeronimo and David Riley, legal counsel for the school, for the work on the agreements with the School Board. The cooperation of the School Board has been outstanding and Mayor Hruby thanked City Council for approving the legislation presented today. Mayor Hruby recognized Ryan Schmitt and Eric Rader for their work on the project. Mayor Hruby reminded Council and the audience that Sunday, December 1st will be the Parade and Tree Lighting at 4:00.

MAYOR

BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following Brecksville Broadview Heights students were in attendance: Avery Mayfield, Dasha Marchick, MacKenzie DeAngelo, Hunter Lewicki, Gabe Boyas, Weston Kimball, Alex Pawlecki, Sophia Szczesniak, Justin Semik, Colin Sell, Olivia Cunningham.

BBHHS

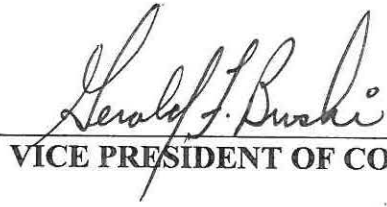
STUDENTS

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:59 P.M. **ADJOURN**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.


VICE PRESIDENT OF COUNCIL


CLERK OF COUNCIL