

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

March 3, 2020

HELD _____

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood 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: L. Carouse, Jr., D. Caruso, M. Harwood, A. Koepke, J. Petsche, L. Redinger, 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, Special Counsel G. Daniels, Council Clerk T. Tabor.

MINUTES OF THE FEBRUARY 18, 2020 REGULAR MEETING: Motion by Carouse, seconded by Redinger, to dispense with the reading of the February 18, 2020 regular meeting minutes and to accept same as presented.
Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.
Nays: None.

REGULAR MEETING MINUTES OF 2-18-2020 APPROVED

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5303 re: an Ordinance accepting the bids of J.D. Striping & Services, Inc, Specialized Construction, Inc., Set in Stone Contracting, LLC, Cuyahoga Fence LLC, Asphalt Fabrics & Specialties, Inc., and Chagrin Valley Paving for various portions of the 2020 Road Maintenance Program for the Service Department of the City of Brecksville; and declaring an emergency, was read by title.

ORD. 5303 ACCEPT. BIDS FOR 2020 ROAD PROGRAM

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5303 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5303.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5312 re: an Ordinance authorizing the purchase of replacement rooftop units through Trane on the U.S. Communities contract purchases; and declaring an emergency, was read by title.

ORD. 5312 AUTH. RTU FOR COMMUNITY CENTER THRU U.S. COMMUNITIES CONTRACT PURCHASES

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5312 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5312.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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ORDINANCE 5313 re: an Ordinance establishing procedures for selecting depositories for active and interim funds of the City of Brecksville; and declaring an emergency, was read by title.

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5313 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5313.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5036 re: a Resolution authorizing the Mayor to complete the application process for funding through the NOPEC Community Event Sponsorship Program; and declaring an emergency, was read by title.

Motion by Caruso, seconded by Veras, to suspend the rules and place Resolution 5036 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 5036.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5037 re: a Resolution determining the amount of inactive funds of this municipality and making an award of active and interim funds to eligible depositories; and declaring an emergency, was read by title.

Motion by Veras, seconded by Caruso, to suspend the rules and place Resolution 5037 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 5037.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5038 re: a Resolution making necessary transfers between certain funds and return an advance of funds for the fiscal year ending December 21, 2020; and declaring an emergency, was read by title.

Motion by Caruso, seconded by Veras, to suspend the rules and place Resolution 5038 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 5038.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5313
ESTABLISH
PROCED. FOR
SELECTING
DEPOSITOR-
IES**

**RES. 5036
AUTH. NOPEC
COMMUNITY
EVENT
SPONSOR
GRANT
APPLICATION**

**RES. 5037
DETERM.
AMOUNT OF
INACTIVE
FUNDS AND
AWARD TO
ELIGIBLE
DEPOSITORY**

**RES. 5038
MAKING
NECESSARY
TRANSFERS
FOR FY
ENDING 12-31-
2020**

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ORDINANCE 5306 re: an Ordinance creating the Valor Acres Sherwin Williams TIF pursuant to Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43, declaring improvements to certain parcels of real property to be a public purpose, and requiring the owners of the improvements on such parcels to make service payments in lieu of taxes; and declaring an emergency, was read by title.

**ORD. 5306
CREATING
VALOR
ACRES
SHERWIN-
WILLIAMS
TIF**

Motion by Carouse, seconded by Redinger, to place Ordinance 5306 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5307 re: an Ordinance establishing an urban redevelopment tax increment equivalent fund for the deposit of service payments; and declaring an emergency, was read by title.

**ORD. 5307
ESTABLISH
AN URBAN
REDEVELOP-
MENT TAX
INCREMENT
EQUIV. FUND**

Motion by Carouse, seconded by Redinger, to place Ordinance 5307 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5308 re: an Ordinance authorizing an amended and restated compensation agreement with the Brecksville-Broadview Heights City School District; and declaring an emergency, was read by title.

**ORD. 5308
AUTH COMP-
ENSATION
AGREEMENT
WITH
BBHCSD**

Motion by Carouse, seconded by Redinger, to place Ordinance 5308 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5309 re: an Ordinance authorizing a development agreement with the Sherwin-Williams company to provide for the construction of the Sherwin Williams Research and Development Facility on a portion of the Valor Acres site in order to provide for the further redevelopment of that site and create and retain jobs in the city; and declaring an emergency, was read by title.

**ORD. 5309
AUTH
DEVELOP-
MENT
AGREEMENT
WITH THE
SHERWIN-
WILLIAMS
CO.**

Motion by Carouse, seconded by Redinger, to place Ordinance 5309 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5310 re: an Ordinance authorizing a job incentive agreement with the Sherwin-Williams Company to provide for the construction of the Sherwin-Williams Research and Development facility on a portion of the Valor Acres Site in order to provide for the further redevelopment of that site and create and retain jobs in the city; and declaring an emergency, was read by title.

**ORD. 5310
AUTH. JOB
CREATION
AGREEMENT
WITH
SHERWIN-
WILLIAMS
COMPANY**

Motion by Carouse, seconded by Redinger, to place Ordinance 5310 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5311 re: an Ordinance authorizing a Tax Increment Financing Agreement with the Sherwin-Williams Company to provide for the construction of the Sherwin-Williams Research and Development Facility on a portion of the Valor Acres site in order to provide for the further redevelopment of that site and create and retain jobs in the city; and declaring an emergency, was read by title.

**ORD. 5311
AUTH TAX
INCREMENT
FINANCING
AGREEMENT**

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Motion by Carouse, seconded by Redinger, to place Ordinance 5311 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**WITH
SHERWIN
WILLIAMS
R&D
FACILITY**

BOARD OF ZONING APPEALS: Councilmember Caruso reported the next meeting of the Board of Zoning Appeals will be Monday, March 9th at 7:30 P.M.

**ZONING
APPEALS**

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will be March 5th at 7:00 P.M.

**PLANNING
COMMISSION**

Motion by Harwood, seconded by Veras, to accept the Planning Commission recommendation of approval of a permit for a 17 sq. ft. per side, double sided, illuminated ground sign for Russell Real Estate Services, 33 Public Square, Brecksville, Ohio as described in the application dated February 4, 2020 and attached plans by Schramm Signs, contingent upon City Council's approval of the following deviations:

**33 PUBLIC
SQUARE
RUSSELL
REAL ESTATE
SIGN.**

- A deviation from the requirement in Section 1187.09(c) of 1 ground sign per lot to allow 3 ground signs
- A deviation from the requirement in Section 1187.09(c) for 5 foot maximum height to allow 5.58 feet."

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RECREATION COMMISSION: Council Representative Redinger said

**RECREATION
COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Council Representative Veras reported the next meeting of the Human Services Advisory Board will be March 11th at 3:00 P.M.

**DEPT. OF
HUMAN
SERVICES**

TELECOMMUNICATIONS COMMISSION: Council Representative Carouse

TELEC. COM.

SAFETY-SERVICE COMMITTEE: Councilmember Caruso reported the committee met earlier today and thanked Council for the passage of legislation

**SAFETY-
SERVICE**

Motion by Caruso, seconded by Veras, to approve a purchase requisition in the amount of \$5,344.24 to Adler Team Sports for the annual purchase of apparel for the Service Department. Account # 110610 1404 (Service) \$4,418.70, Account # 110165 1404 (Housekeeping) \$925.54.

**SERVICE
DEPARTMENT
APPAREL
PURCH FROM
ADLER TEAM
SPORTS**

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Veras, to approve a Purchase Requisition in the amount of \$3,468.34 to Maverick for the annual purchase of gloves for the Service Department. A tabulation of the Request for Quote process, and an order summary are provided for Council's review. This order will be charged in the following manner:

**SERVICE
DEPT. GLOVE
PURCHASE
FROM
MAVERICK**

Account #110610 1404 (Service) \$3,311.66

Account #110165 1404 (Housekeeping) \$156.68

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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Motion by Caruso, seconded by Veras, to approve a purchase requisition in the amount of \$22,500.00 to Southwest Council of Governments for annual membership fees. **SOUTHWEST COUNCIL OF GOVERNMENTS DUES**
Southwest Enforcement Bureau -Police \$12,500.00 Account #110210 2103
Southwest Emergency Response Team -Fire \$10,000.00 Account #290260 2103

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Carouse thanked Council for approving the Ordinance accepting the bids for the 2020 road Maintenance Program. **STREETS & SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier and discussed the NEORSD Project for Chippewa Creek Condo Project and a settlement agreement for residents on Highland Drive. **UTILITIES COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Veras reported the Buildings & Grounds Committee met earlier this evening and has one item for Council consideration. **BUILDINGS & GROUNDS COMMITTEE**

Motion by Veras, seconded by Caruso, to approve a blanket vendor purchase requisition in the amount of \$20,000.00 for the replacement of the indoor pool heater and spa heater. Lakeside Supply Co. would provide the two boilers in the amount of \$17,173.31, and the balance of \$2,826.69 would be held as contingency for necessary pipe/fittings, electrical flue piping. *Account #C490240 3202. Project #B1200006.* **INDOOR POOL AND SPA HEATERS FOR THE COMMUNITY CENTER**

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

LEGISLATION COMMITTEE: Councilmember Koepke reported the committee met earlier today and discussed the **LEGISLATION COMMITTEE**

FINANCE COMMITTEE: Councilmember Redinger thanked Council for the passage of the legislation presented this evening and for passing the Sherwin-Williams legislation to a third reading. The Finance Committee 2 items for Council consideration. **FINANCE COMMITTEE**

Motion by Redinger, seconded by Carouse, to recommend to Council authorizing the Purchasing Director to advertise for bids for the HVAC Piping Replacement Project at Blossom Hill Building No. 7. **AUTH. BID ADVERT. FOR BLOSSOM BLDG. #7 PIPING REPLACE. PROJECT**

Ayes: Carouse, Caruso, Harwood, Koepke, Redinger, Veras.

Abstain: Petsche.

Nays: None.

MOTION CARRIED 6-AYES, 1-ABSTAIN, 0-NAYS.

Motion by Redinger, seconded by Carouse, to recommend to Council approval of monthly bills for professional services as follows: Matty, Henrikson and & Greve in the amount of \$12,335.87; Matty, Henrikson and & Greve in the amount of \$18,224.42; Sergio I. DiGeronimo in the amount of \$5,967.50; Roger Wadsworth in the amount of \$700.00; Squire Sanders(US) LLP in the amount of \$114.75; Kulchytsky Architects, LLC in the amount of \$75.00, J Neusser, LLC in the amount of \$2,000.00; and Donald G. Bohning & Associates in the amount of \$22,531.90; and Sixmo in the amount of \$762.50. Total of all invoices \$62,741.94. **MONTHLY BILLS FOR PROFESSIONAL SERVICES**

Ayes: Carouse, Caruso, Harwood, Koepke, Redinger, Veras.

Abstain: Petsche.

Nays: None.

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MOTION CARRIED 6-AYES, 1-ABSTAIN, 0-NAYS.

REPORT OF LAW DIRECTOR: Law Director Matty said the title company is **LAW** requiring changes to the purchase agreement for the Noble Road property. Law Director Matty said he will have legislation amending the previous agreement at the March 17th Council meeting.

REPORT OF ENGINEER: Engineer Wise reported tree clearing will begin at **ENGINEER** Blossom Hill on the site of the new school and tree clearing will be done by NEORSD on the Stadium Drive property in preparation for the Chippewa Creek Condos Compensatory Storage Project.

REPORT OF FINANCE DIRECTOR: No Report.

FINANCE

REPORT OF BUILDING DEPARTMENT: C.B.O. Packard reported in February **BUILDING** the Building Department issued 56 permits with a valuation of just over \$1.3 million and the **DEPT.** total receipts collected of \$50,263.17.

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: No Report.

FIRE

REPORT OF RECREATION DEPARTMENT: No Report.

RECREATION

REPORT OF THE MAYOR:

MAYOR

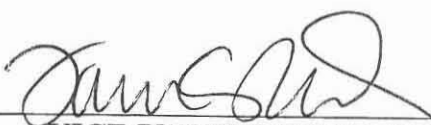
COMMENTS: Council President Harwood said he will be travelling and will not be **COMMENTS** in attendance at the March 17th City Council meeting. Council President Harwood said he supports all of the legislation relating to the Sherwin-Williams project.

BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following Brecksville Broadview Heights students were in attendance: Courtney Began, Conor Rafferty, Frank Faron, Kristi Okeafor, Daniel Hilts, Domenic Ticchione, Gio Feliciano, Jack Falko.

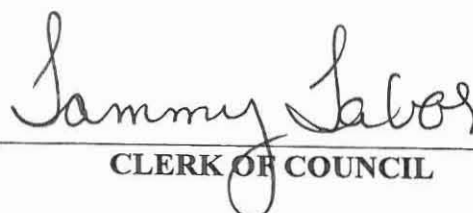
Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:23 P.M.

Ayes: Carouse, Caruso, Harwood, Koepke, Petsche, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



VICE PRESIDENT OF COUNCIL



CLERK OF COUNCIL