

MINUTES OF THE MEETING OF THE
CITY OF BRECKSVILLE COUNCIL COMMITTEE MEETING

HELD: April 20, 2021

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Virtual Meeting Notice

For the safety of our staff and residents, to listen to the live stream of the meeting please go to: <https://www.facebook.com/233577357056186/live/> or the City's website: www.brecksville.oh.us. Questions and comments may be e-mailed to ttabor@brecksville.oh.us or by phone to (440) 526-2609 and will be forwarded to the appropriate personnel for a response.

BUILDINGS & GROUNDS COMMITTEE

Call to Order at 6:32 PM

Chairperson: K. Veras

Committee members – D. Caruso, L. Redinger.

Roll Call

Present: Veras, Caruso, Redinger. Absent: None.

Items for Consideration:

B&G 1. Approval of 4-6-2021 Safety Service Committee Minutes

Motion made by Veras, Seconded by Redinger.

Voting Yea: Caruso, Redinger, Veras

B&G 2. Bicentennial Memorial Obelisk - Consideration of a motion recommending to Council approval of a Blanket Vendor Purchase Requisition in the amount of \$3,760.00 for the installation of concrete sidewalk on the north end of City Hall as part of the Historical Walkway project. The fund for this project has a balance of \$9,467.00 from the money raised through the 2020 Inaugural Ball. Account #C480171 3102 Project #LI110001

Motion made by Veras, Seconded by Redinger.

Voting Yea: Caruso, Redinger, Veras

B&G 3. HVAC Equipment - Consideration of a motion recommending to Council approval of an Ordinance authorizing the Turnkey Installation of HVAC Equipment for 4410 Oakes Road at the Blossom Hill property through the U.S. Communities Government Purchasing Alliance.

Motion made by Veras, Seconded by Redinger.

Voting Yea: Caruso, Redinger, Veras

Other Matters deemed appropriate

Motion to Adjourn at 6:34 PM.

Motion made by Veras, Seconded by Redinger.

Voting Yea: Caruso, Redinger, Veras

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FINANCE COMMITTEE

Call to Order 6:34 PM

Chairperson: L. Redinger

Committee members – A. Koepke, L. Carouse, L. Redinger.

Roll Call

Present: Carouse, Koepke, Redinger. Absent - None.

Items for Consideration:

FIN 1. Approval of 4-6-2021 Finance Committee Minutes

Motion made by Redinger, Seconded by Carouse.

Voting Yea: Carouse, Koepke, Redinger

FIN 2. Amend Administrative Code - Consideration of a motion recommending to Council approval of an Ordinance amending Section 145.08 of the Administrative Code to eliminate snow removal work.

Motion made by Redinger, Seconded by Carouse.

Voting Yea: Carouse, Koepke, Redinger

FIN 3. Pay Increase -Consideration of a motion recommending to Council approval of an Ordinance amending Ordinance No. 5376 as it relates to employee compensation.

Motion made by Redinger, Seconded by Carouse.

Voting Yea: Carouse, Koepke, Redinger

Other Matters deemed appropriate

Motion to Adjourn at 6:37 PM

Motion made by Redinger, Seconded by Carouse.

Voting Yea: Carouse, Koepke, Redinger

LEGISLATION COMMITTEE

Call to Order 6:37 PM

Chairperson- Ann Koepke

Committee members – D. Caruso, L. Redinger.

Roll Call

Present: Caruso, Redinger, Koepke. Absent: None.

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Items for Consideration:

LEG 1. Approval of Legislation Committee Minutes 4-6-2021

Motion made by Koepke, Seconded by Caruso.

Voting Yea: Caruso, Koepke, Redinger.

Other Matters deemed appropriate

Motion to Adjourn at 6:38 PM.

Motion made by Koepke, Seconded by Caruso.

Voting Yea: Caruso, Koepke, Redinger.

SAFETY-SERVICE COMMITTEE

Call to Order at 6:38 PM

Chairperson- Dominic Caruso

Committee members- D. Kingston, K. Veras.

Roll Call

Present: Kingston, Veras, Caruso. Absent: None.

Items for Consideration:

SAF 1. Approval of 4-20-2021 Safety Service Committee Minutes

Motion made by Caruso, Seconded by Kingston.

Voting Yea: Caruso, Kingston, Veras

- SAF 2. Police Vehicle Equipment & Graphics** - Consideration of a motion recommending to Council approval of a Purchase requisition to Hall Public Safety Upfitters in the aggregate amount of \$5,010.77 for the replacement of emergency equipment and vehicle graphics on Police SUV #1821 and Police Sedan #1812 following the vehicle chase incident on March 20, 2021. Damages were caused by an uninsured motorist, this claim has been submitted to the City's carrier, Selective Insurance, who will be reimbursing the City the replacement amounts. Account #110150 2125.

Police Chief Goodrich reported Council approved repairs to (2) damaged police vehicles. This request is for replacement of emergency equipment and vehicle graphics. This includes lights, sirens, etc.

Motion made by Caruso, Seconded by Kingston.

Voting Yea: Caruso, Kingston, Veras

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SAF 3. Flock Safety MOU - Consideration of a motion recommending to Council approval of a Resolution authorizing a memorandum of understanding with Flock Group, Inc. to access their technology platform and safety dashboard to be used for investigative purposes for the Brecksville Police Department.

Police Chief Goodrich said Flock Group has a program that installs cameras throughout communities. This Memorandum of Understanding will allow Brecksville officers access to existing cameras at no charge.

Motion made by Caruso, Seconded by Veras.

Voting Yea: Caruso, Kingston, Veras

Other Matters deemed appropriate

Motion to Adjourn at 6:42 PM

Motion made by Caruso, Seconded by Veras.

Voting Yea: Caruso, Kingston, Veras

STREETS & SIDEWALKS COMMITTEE

Call to Order at 6:42 PM

Chairperson- Louis Carouse

Committee members- D. Kingston, K. Veras.

Roll Call: Present: Kingston, Veras, Carouse. Absent: None.

Items for Consideration:

S&S 1. Approval of April 6, 2021 Streets & Sidewalks Minutes

Motion made by Carouse, Seconded by Veras.

Voting Yea: Carouse, Kingston, Veras

S&S 2. Asphalt Supply- Consideration of a motion recommending to Council approval of an Ordinance accepting the bid of Kokosing Materials, Inc. for the furnishing of various types of asphalt for road repairs in the City of Brecksville.

Service Director Weidig said there were slight increases in the bids received for materials and delivery from 2020.

Motion made by Carouse, Seconded by Veras.

Voting Yea: Carouse, Kingston, Veras.

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Councilmember Carouse asked if Service Director Weidig would recommend a ride along with the committee to review any street and sidewalk conditions that will require attention this year. Service Director Weidig said he will check with Human Services Director Dr. Paciorek regarding the COVID-19 protocols for travelling together.

S&S 3. SR 82 Widening Project - Brecksville Broadview Heights Cost Sharing Agreement -
Discussion regarding additional costs.

Engineer Wise said he received information from the City Engineer in Broadview Height regarding the cost. Engineer Wise said he has been involved and received updates regarding the progress of the project. Brecksville has been paying its share of the cost and recently reached the approved amount for this project. Broadview Heights was advised that Brecksville had reached the maximum agreed amount for the project. The Broadview Heights Engineer has provided an estimate of the costs to finish the Project. The project has a cost of \$11,750,000. There could be up to a million in over runs for the total package. This includes construction, construction management, design services during construction, right of way acquisition. Engineer Wise said the worst case would be if there is one million over run, Brecksville owns 30% of the frontage, if Council agrees Brecksville would be responsible for 30%. There is ODOT funding with this project, if ODOT continues funding for the project, the amount (30%) would be less. Engineer Wise said he feels Broadview Heights treated the City of Brecksville fairly during the project and wanted to bring this to the attention of Council for consideration. Law Director Matty would need to meet with Broadview Heights Law Director to create legislation approving an increase if Council agrees.

Councilmember Carouse asked if the agreement had a not to exceed amount, is it up to Council to approve any overages? Law Director Matty said it is up to Council. Either stand on the agreement or amend it. If Council agrees to amend, Law Director Matty recommends any additional charges should be at 30% of the overages.

Mayor Hruby said Law Director Matty negotiated the final contract with Broadview Heights for this project. There was a not to exceed amount on the project. Was there flexibility. Law Director Matty said the agreement was not to exceed. Mayor Hruby said there was another number that was originally presented which determined the 'not to exceed' number. Law Director Matty said the agreement could be amended, but it would be Council's decision to amend. The engineer has indicated the cooperative experience he has had with Broadview Heights and their Engineer. The residents of Brecksville have benefitted from that, but it will be Council's decision. Broadview Heights knew there was a cap on the 30% Brecksville was paying.

Councilmember Carouse asked if Broadview Heights had a responsibility to notify Brecksville of the amount. Law Director Matty said yes.

Councilmember Redinger asked if the project used contingency funds first and this is the remainder.

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Engineer Wise said this is an ODOT project, which cannot carry contingency. If you do, at the end of the project, the contractor would be able to claim a portion of any unused funds. In an ODOT project it is just the cost of the project and all changes in the project items are processed as change orders. Councilmember Redinger asked if the items are all change orders. Engineer Wise said some of the items are anticipated, and this is what they are anticipating to finish the job. Engineer Wise said he has a breakdown of what is needed to finish the project. The majority of the work has been done, with the project 95% complete.

Mayor Hruby said Broadview Heights has been extremely cooperative with Brecksville on this project. Any concerns the City has made they addressed them, any requests for added work, Broadview Heights has agreed to. It has been a positive experience. The City of Brecksville has benefitted from this project. Mayor Hruby said he has concerns about stormwater, that always is a concern when you are downstream.

Councilmember Carouse asked if an answer is not required tonight, perhaps additional information regarding what is needed from Brecksville could be obtained.

Council President Harwood asked if that is what Engineer Wise needs to move forward. Engineer Wise said the City only pays what is submitted to the City with the breakdown of Broadview Heights, ODOT and the City of Brecksville. Council could either have the Law Director prepare an amended agreement with a 'not to exceed' number or wait until the project is complete. Law Director Matty said Council could request an increase if that is what they would like to do. If authority is given to amend the agreement and coordinate with the Broadview Heights Law Director. Law Director Matty said the process will remain the same. Authorizing legislation tonight would allow time to draft an amendment to the agreement. If Council authorizes the total cost not to exceed a million, and not exceed 30%. Councilmember Carouse said Council is being asked to approve a higher cap. Councilmember Redinger said Council is authorizing legislation today to be presented at the next meeting. Mayor Hruby asked if the Finance Director has been consulted on the additional dollars. Engineer Wise said other than having information forwarded to her, no. Engineer Wise said he wanted to know if Council was considering an amendment before going further. Councilmember Koepke said she does not want to make enemies with Broadview Heights, but \$300,000.00 can go a long way toward projects here. The increases were mostly incurred for materials in 2019. Councilmember Koepke said she does not feel it is appropriate to ask for additional funding now. Councilmember Koepke asked if Brecksville owns both sides of the road. Engineer Wise said Brecksville only has 30% of the project frontage, that is why Brecksville is only paying for 30% of the cost. Councilmember Koepke asked if the City has to give 100% of what they are asking for. Council President Harwood said Engineer Wise said there was no contingency in this project. Any changes would have went toward the contingency. Councilmember Redinger said she appreciates Councilmember Koepke's comments. Engineer Wise, it is difficult to know what the cost overruns are going to be on a project like this. Residents were probably pleased the road was ready for the winter. Brecksville residents benefitted from the road re-opening. Councilmember Redinger asked if Engineer Wise felt the added costs were

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warranted as part of the project and reasonable. Councilmember Redinger said she has no objection if the project was being run properly and not frivolously spending money. Engineer Wise said he has the list of how funding was spent. Much of the cost was for pavement materials. Other costs were right-of-way acquisition. Some of the values came in higher than expected. When people argue the value, and are settled it can be higher. A few went to court to settle the acquisition costs. The construction manager was on site everyday monitoring the project on behalf of Brecksville and Broadview Heights. Brecksville residents did call to debate mailbox damage, brick driveways, etc. Those costs add up.

Councilmember Caruso asked if Engineer Wise expects the additional costs to exceed \$1 million. Engineer Wise said he does not. ODOT may contribute additional money to the cost increase. If a new agreement is reached the City would pay a maximum of 30%. Law Director Matty suggested Council could decide what the maximum amount would be. Council would then authorize the Law Director to draft legislation to increase the allowable contribution to the project, with a not to exceed amount. Councilmember Koepke said she felt the City of Broadview Heights should have provided information to the City of known increases, and was that done. Engineer Wise said the City was aware of the cost the entire time. If Brecksville decided not to contribute, Broadview Heights would move forward & cover the cost. Broadview Heights is the contract holder, the City of Brecksville does not have an agreement with the contractor.

Councilmember Carouse said he is aware that (3) of the current Councilmembers were not present on Council when this agreement was made. The Engineer was aware of the project updates and if Brecksville would have been the project holder, would have proceeded the same way.

Motion to authorize the Law Director to prepare an amendment to the SR 82 Pavement widening project with Broad view Heights to increase the project cost not to exceed \$1 million and the maximum cost share of Brecksville not to exceed 30%.

Motion made by Carouse, Seconded by Veras.

Voting Yea: Carouse, Kingston, Veras

Service Director Weidig said the road program has been delayed due to the snow event expected tonight. Work has begun on the Chippewa Road Bridge Electrical Project has also begun, and is now on hold until after the adverse weather. Work on Snowville Road for partial depth repair has begun.

Councilmember Carouse asked what the progress was for the Tanager Trail Pavement Reduction Project. Engineer Wise said the contractor was forming the curbs today and the project should finish the project in the next few weeks.

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Councilmember Kingston asked if there is a meeting for the sidewalk and connectivity discussion that took place recently. Councilmember Carouse and Council President Harwood discussed placing the discussion on the next meeting of the Committee on May 4th.

Other Matters deemed appropriate

Motion to Adjourn at 7:08 PM

Motion made by Carouse, Seconded by Veras.

Voting Yea: Carouse, Kingston, Veras.

UTILITIES COMMITTEE

Call to Order at 7:08 PM

Chairperson Daryl Kingston.

Committee members L. Carouse, A. Koepke.

Roll Call

Present: Kingston, Carouse, Koepke

Items for Consideration:

UTL 1. Approval of 4-6-2021 Utilities Committee Minutes

Motion made by Kingston, Seconded by Koepke.

Voting Yea: Carouse, Kingston, Koepke.

Other Matters deemed appropriate

Engineer Wise reported the Conifer Acres Storm Sewer Project is wrapping up. Contractors will be returning to complete the Whitewood Aerial Sewer project to complete final landscaping. CTL Engineering will proceed with soil borings on Riverview Road south of Fitzwater.

Motion to Adjourn at 7:09 PM

Motion made by Kingston, Seconded by Koepke.

Voting Yea: Carouse, Kingston, Koepke

COMMITTEE OF THE WHOLE

Call to Order

Roll Call

Present: L. Carouse, D. Caruso, M. Harwood, D. Kingston, A. Koepke, L. Redinger, K. Veras.

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Items for Consideration:

CoW 1. Approval of Council Committee Minutes 4-6-2021.

CoW 2. Condolences - a Resolution expressing condolences to the Family of David J. Deuch and commending his contribution to the City of Brecksville.

Motion made by Harwood, seconded by Carouse.

Voting Yea: L. Carouse, D. Caruso, M. Harwood, D. Kingston, A. Koepke, L. Redinger, K. Veras.

Amend the agenda to include an executive session.

Motion made by Harwood, seconded by Carouse.

Voting Yea: L. Carouse, D. Caruso, M. Harwood, D. Kingston, A. Koepke, L. Redinger, K. Veras.

Convene an Executive Session to discuss matters pertaining to imminent and pending litigation.

Motion made by Harwood, seconded by Redinger.

Voting Yea: L. Carouse, D. Caruso, M. Harwood, D. Kingston, A. Koepke, L. Redinger, K. Veras.

Other Matters deemed appropriate

Motion to Adjourn

Motion made by Harwood, seconded by Carouse.

Voting Yea: L. Carouse, D. Caruso, M. Harwood, D. Kingston, A. Koepke, L. Redinger, K. Veras.

Mayor and Safety Director: Jerry N. Hruby,

City Council Members: Michael T. Harwood, *President*; Laura C. Redinger, *Vice President*; Louis N. Carouse, Jr.; Dominic Caruso; Daryl Kingston; Ann Koepke; Kimberly A. Veras

Clerk: Tammy Tabor