

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

HELD: April 05, 2022

Page 1

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.

FINANCE COMMITTEE

Call to Order

Chairperson Dominic Caruso
Daryl Kingston, Beth Savage

6:00 PM

Roll Call

Present: Caruso, Savage.
Absent: Kingston.

Items for Consideration:

FIN 1. Finance Committee Minutes 3-15-2022

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

- FIN 2. TIF Bond** - Consideration of a motion recommending to Council approval of an Ordinance authorizing the issuance of revenue bonds in the maximum principal amount of \$12,000,000 for the purpose of paying (i) the costs of Public Improvements, (ii) the Financing Costs of such revenue bonds, (iii) costs of debt service reserve deposit and (iv) capitalized interest on such revenue bonds.

Greg Daniels and Russ Malfas of Squire Patton Boggs are present to provide information on the TIF legislation presented to Council. Mr. Daniels said this is another step in the process of the redevelopment of the Valor Acres site. Mr. Daniels said he has been involved with the project for several years, the TIF for Sherwin Williams and Development Agreements related to that. Also on the residential and mixed use projects. Mr. Daniels said the TIF activity was discussed in 2019 and 2020. Council approved (2) TIF agreements last year. One TIF Agreement is for the single family and multi-family development and the other is for mixed use development. The TIF bonds focus on the residential areas and monetizes some of the TIF revenue from the multifamily development. From the residential and multi-family development TIF agreement approximately \$15 million of TIF costs approved. Those are right of way improvements roadway and infrastructure water and sewer improvements and storm improvements that enable the development of the northern portion of the site. Mr. Daniels said monetizing the 30 year revenue stream is what is being discussed tonight. The Developer has requested, which is their right under the TIF Agreement, that the City issue bonds to help

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

HELD: April 05, 2022

Page 2

finance the upfront cost of the infrastructure. Those funds would be used for approximately ½ of the cost of the infrastructure. Mr. Daniels said there is no City credit issued for these bonds, the only revenue pledged for these bonds are the TIF revenue generated by the site. If there is a shortfall, that is the bond holders risk. Council has received a copy of the projected TIF revenue. Mr. Daniels said if the TIF is approved today there is an underwriter for the bonds, which is Key Bank Capital Markets. Key Bank Capital Markets will negotiate and close the sale with the purchaser(s) of the bond.

Mayor Hruby asked Mr. Daniels to explain what the City's role is. Mr. Daniels said the City is the conduit bond issuer. The reason a bond conduit issuer is in order to issue bonds that are federally tax exempt, a private party cannot do that. Mayor Hruby said the City's credit is not on the line so this will not affect the City's future credit rating. Mr. Daniels said yes, that is correct. Mayor Hruby asked Mr. Daniels to explain any benefit or revenue the City may obtain from this transaction. Mr. Daniels said the benefits are the larger re-development. The second is the developer has agreed to pay a \$250,000.00 up front fee to defray the City's costs and provide additional revenue to the City. Mr. Daniels said there is also a \$15,000 per year ongoing fee to further defray any costs the city may incur in association with these bonds or the development as a whole. Mayor Hruby said if there is a failure of the bond holder to pay, does the City have any obligation. Mr. Daniels said no.

Councilmember Caruso said the City is not responsible and the bond holders are sophisticated institutional investors. Mr. Daniels responded that is correct. There is a lien that is placed on the multi - family project to secure these bonds.

Councilmember Stucky asked how long before they begin paying on the bonds. Mr. Daniels said it is approximately (2) years before the City receives TIF revenue. 2023 if the first year in which the TIF is applied, revenue is recovered in 2024. Council President Redinger said there is a repayment schedule in the documents provided to Council.

Councilmember Koepke asked what costs the City may incur regarding the TIF. Mr. Daniels said, at this time he expects very little. Included in the administrative expenses is an expense called the TIF administrator. The TIF Administrator is responsible to make sure the property owners are making the payments that will generate the revenue.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

- FIN 3. Appropriations** - Consideration of a motion recommending to Council approval of an Ordinance to amend Ordinance No. 5457 making appropriations for current expenses of the City of Brecksville during the fiscal year ending December 31, 2022, making necessary appropriation and revenue adjustments.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

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

HELD: April 05, 2022

Page 3

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- FIN 4. City Network** - Consideration of a motion recommending to Council the State of Ohio contract purchase of upgrades for the City network. Quotes are submitted from state contract vendor, CDW Government, for the equipment needed for the City Hall network upgrades. *Account #C110135 3300.*

Purchasing Director Riser said the upgrades are less than previously expected. Dan Grein with Chagrin Valley Dispatch provided information to Council regarding the security upgrades and purchase of new computers to replace older models.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

- FIN 5. Computer Purchases** - Consideration of a motion recommending to Council approval of an Ordinance for the State of Ohio contract purchase from CDW Government of twenty-one (21) replacement computers for various departments. *Account #110135 2506*

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

- FIN 6. Then and Now Certificates** - Consideration of a motion recommending to Council approval of a Resolution to authorize the execution of Then and Now Certificates by the Fiscal Officer and the payment of amounts due.

Finance Director Starosta said anytime a purchase is made, a fiscal officer certificate is attached to a purchase order, certifying the funds are available. Occasionally the certification is not done until an order is placed, which is okay. When that occurs a "then and now" certificate is allowed for amounts under \$3,000.00. When an amount is over \$3,000.00 legislation is necessary for Council to authorize.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

- FIN 7. Approval of Professional Bills** - Approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$12,005.83; Lisa Sabol in the amount of \$5,940.00; Roger Wadsworth in the amount of \$350.00; J Neusser, LLC in the amount of \$2,000.00; and Donald G. Bohning & Associates in the amount of \$21,382.00; Sixmo in the amount of \$611.25 Total of all invoices \$42,289.08.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

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

HELD: April 05, 2022

Page 4

FIN 8. Amend Professional Bill - Consideration of a motion recommending to Council amending the amount approved for payment for professional services to Kulchystsky Architects, LLC at the March 1, 2022 meeting for a decrease in the amount of \$37.50.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

Motion to Adjourn

6:20 PM

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

BUILDINGS & GROUNDS COMMITTEE

Call to Order

Chairperson Ann Koepke

Members: AJ Ganim, Brian Stucky

6:20 PM

Roll Call

Present: Ganim, Koepke, Stucky.

Items for Consideration:

B&G 9. Buildings & Grounds Approval of Minutes 3-15-2022

Motion made by Koepke, Seconded by Ganim.

Voting Yea: Ganim, Koepke, Stucky.

B&G 10. Spring Tree Purchase - Consideration of a motion recommending to Council approval of a blanket vendor purchase requisition in the amount of \$12,617.00 for the purchase of (65) New and (6) Replacement Spring Trees. *Account #252530 2201*

Motion made by Koepke, Seconded by Stucky.

Voting Yea: Ganim, Koepke, Stucky.

B&G 11. Blossom Hill Field House - Consideration of a motion recommending to Council approval of a Blanket Vendor Purchase Requisition in the amount of \$25,000 for purchases for the new Blossom Hill Field House. *Account #C492710 3201 Project #BD160002*

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

HELD: April 05, 2022

Page 5

Motion made by Koepke, Seconded by Ganim.
Voting Yea: Ganim, Koepke, Stucky.

- B&G 12. NatureWorks Grant** - Consideration of a motion recommending to Council approval of a Resolution authorizing the Mayor to apply for a grant through the Ohio Department of Natural Resources for funding through the Ohio Department of Natural Resources – NatureWorks Round 28 Grant Program. The City has the opportunity to re-submit their NatureWorks Round 27 application seeking \$52,546.92 to be used toward the construction of a pavilion and concrete walkway as part of the recreational development of the Stadium Drive property.

Purchasing Director Riser said the City submitted a grant request in 2021 for projects at the Stadium Drive Property. The City may resubmit the application again for consideration in 2022.

Motion made by Koepke, Seconded by Stucky.
Voting Yea: Ganim, Koepke, Stucky.

- B&G 13. Window Replacement 4450 Oakes Road** - Consideration of a motion recommending to Council approval of an Ordinance amending Ordinance No. 5396 to add additional work detailed in the Value Engineering proposal from Capitol Aluminum & Glass Corp. in the aggregate amount of \$72,800.00 for Phase 3 of the Window Replacement Project at 4450 Oakes Road, Blossom Hill, Building 7. *Account #C490161 3202 Project #BI210003*

Motion made by Koepke, Seconded by Ganim.
Voting Yea: Ganim, Koepke, Stucky.

Other Matters deemed appropriate

Motion to Adjourn

6:29 PM

Motion made by Koepke, Seconded by Ganim.
Voting Yea: Ganim, Koepke, Stucky.

LEGISLATION COMMITTEE

Call to Order

Chairperson Beth Savage

Members: AJ Ganim, Ann Koepke

6:30 PM

Roll Call

Present: Ganim, Koepke, Savage.

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

HELD: April 05, 2022

Page 6

Items for Consideration:

LEG 1. Legislation Committee Minutes 3-15-2022

Motion made by Savage, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Savage.

LEG 2. Code Supplement - Consideration of a motion recommending to Council approval of an Ordinance enacting and adopting a supplement to the Codified Ordinances of the City of Brecksville.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Savage.

LEG 3. Sunshine Law Training – Authorize Clerk Tabor to be designee for Councilmembers and Mayor Hruby to attend Sunshine Laws training. Council Clerk Tabor said in Ohio, state law requires state and local public officials (or their designees) to complete three hours of Sunshine Laws training for every term in office. The legal duty to develop this training and present it to public officials statewide belongs to the Ohio Attorney General's Office (AGO). The act states that a "designee" may be a designee of one elected public official or of all the elected officials of a public office if that public office includes more than one elected official. ORC 109.43(A)(1). Council Clerk Tabor said she and Law Director Matty attended Sunshine Law Training administered by the Attorney General's office. Councilmember Savage and Councilmember Ganim have attended training as well. Law Director Matty advised Council it is very beneficial for Councilmembers to attend, as updates are made to the laws.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Savage.

Other Matters deemed appropriate

Councilmember Savage said the survey is still open until April 24th regarding the Fireworks responses, however over 1100 residents have responded. Mayor Hruby said the city would like more responses, some of those received were duplicate responses or the link was shared resulting in multiple responses from the same e-mail.

Motion to Adjourn

6:42 PM

Motion made by Savage, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Savage.

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

HELD: April 05, 2022

Page 7

SAFETY-SERVICE COMMITTEE

Call to Order

Chairman AJ Ganim

Members Kingston, Stucky

6:42 PM

Roll Call

Present: Ganim, Stucky.

Absent: Kingston.

Items for Consideration:

SAF 1. Safety Service Approval of Minutes 3-15-2022

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

SAF 2. Disposal of Trash - Consideration of a motion recommending to Council approval of a motion authorizing the approval of the third year renewal of a 3-year agreement, #20-5324, with Rumpke of Northern Ohio for the disposal of rubbish, recycle, street sweepings and vactor debris at the following prices provided in the 2020 public bid for the term of May 21, 2022 – April 21, 2023: Rubbish Disposal @ \$18.91/cubic yard + applicable gov't fees, Recycle Disposal @ \$99.82/ton and Street Sweepings/Vactor Debris @ \$46.23/ton + applicable disposal fees

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

SAF 3. Leaf Disposal - Consideration of a motion recommending to Council authorization to proceed with a third year renewal with Buyansky Bros. Landscaping for the disposal of leaves at \$3.00/yard for the term of May 21, 2022 – April 21, 2023.

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

SAF 4. Recycle Center Lift Truck - Consideration of a motion recommending to Council approval of an Ordinance authorizing the SourceWell contract purchase from Valley Industrial Trucks in the amount of \$30,208.96 for a Doosan G20E-7 Lift Truck for the Recycle Center. *Account #C110622 3300*

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

HELD: April 05, 2022

Page 8

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

- SAF 5. Recycle Center Lift Hoppers** - Consideration of a motion to approve a Purchase Requisition to Apex Bulk Handlers in the amount of \$3,377.60 for (1) one Apex 5-Cubic Yard Heavy Duty Lift Truck Hopper for the Recycle Center. Reimbursement funding for this purchase will be received from the City's grant award through the Cuyahoga County Solid Waste District Recycling Awareness grant program. *Account #251622 2201*

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

- SAF 6. Ice Maker** - Consideration of a motion recommending to Council approval of a Purchase Requisition to Restaurant Supply in the amount of \$3,110.94 for the purchase of replacement Ice Maker for the Service Department lunch room. *Account #110610 2501.*

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

- SAF 7. Prisoner Housing** - Consideration of a motion recommending to Council approval of an Ordinance Repealing Ordinance No. 5368 and authorizing an Agreement with the City of North Royalton to amend the fee schedule for prisoner housing services for the Brecksville Police Department effective April 2022.

Police Chief Korinek said the previous contract with North Royalton in 2020 was for \$125.00 per day, the new fee will be \$135.00 per day.

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

- SAF 8. EMS Grant** - Consideration of a motion recommending to Council approval of a Resolution authorizing the Mayor to complete the grant process for a 2022-2023 Ohio Emergency Medical Services (EMS) Grant through the Ohio Department of Public Safety.

Fire Chief Zamiska said the department applies yearly and typically receive between \$2,000 and \$3,000 per year.

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

Other Matters deemed appropriate

Motion to Adjourn

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

HELD: April 05, 2022

Page 9

6:49 PM

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Stucky.

STREETS & SIDEWALKS COMMITTEE

Call to Order

Chairperson Daryl Kingston

Members: Caruso, Savage

6:50 PM

Roll Call

Present: Caruso, Savage.

Absent: Kingston.

Items for Consideration:

S&S 1. Streets & Sidewalks Committee Minutes 3-15-2022

Motion made by Caruso, Seconded by Stucky.

Voting Yea: Caruso, Stucky.

S&S 2. Guardrail Replacement - Consideration of a motion recommending to Council approval of a Purchase Requisition to Cuyahoga Fence LLC in the amount of \$3,382.00 for guardrail replacement to repair damage from a vehicle incident that occurred on March 17, 2022 at Riverview Road and Vaughn Road. To be reimbursed by driver's insurance. *Account #110150 2125*

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

S&S 3. Traffic Study - Consideration of a motion recommending to Council approval of a Resolution accepting the proposal of Euthenics, Inc. to complete and submit a review of the Traffic Impact Study prepared by TMS Engineers, Inc.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Savage.

S&S 4. Grant Application - a Resolution authorizing the Mayor to apply for the County Road 50/50 Program Funding through the Cuyahoga County Department of Public Works.

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

HELD: April 05, 2022

Page 10

Motion made by Caruso, Seconded by Savage.
Voting Yea: Caruso, Savage.

S&S 5. Glenwood Drive Project Update

Engineer Wise

Other Matters deemed appropriate

Motion to Adjourn

7:07 PM

Motion made by Caruso, Seconded by Savage.
Voting Yea: Caruso, Savage.

UTILITIES COMMITTEE

Call to Order

Chairman Brian Stucky

Members: Caruso, Koepke, Stucky

Roll Call

7:08 PM

Caruso, Koepke, Stucky.

Items for Consideration:

UTL 1. Utilities Committee Approval of Minutes 3-15-2022

Motion made by Stucky, Seconded by Caruso.
Voting Yea: Caruso, Koepke, Stucky.

UTL 2. Chippewa Road & Calvin Drive Sanitary Sewer Project

Other Matters deemed appropriate

Motion to Adjourn

7:10 PM

Motion made by Stucky, Seconded by Caruso.
Voting Yea: Caruso, Koepke, Stucky.

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

HELD: April 05, 2022

Page 11

COMMITTEE OF THE WHOLE

Call to Order

7:10 PM

Roll Call

Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

Items for Consideration:

CoW 1. Committee Meeting Minutes from March 15, 2022

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

CoW 2. Executive Session - Convene an executive session to discuss matters related to pending litigation.

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

Roll call: Caruso, Ganim, Koepke, Redinger, Savage, Stucky, Law Director Matty, Mayor Hruby, Purchasing Director Riser, CBO Packard, Fire Chief Zamiska, Finance Director Starosta.

Adjourn Executive session and reconvene the regular meeting.

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

Convene an executive session to discuss matters related to appointment of public officials.

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

Roll call: Caruso, Ganim, Koepke, Redinger, Savage, Stucky, Law Director Matty, Mayor Hruby

Adjourn executive session and reopen the regular meeting.

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

Other Matters deemed appropriate

Motion to Adjourn

7:52 PM

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

HELD: April 05, 2022

Page 12

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.

Mayor and Safety Director: Jerry N. Hruby,

City Council Members: Laura C. Redinger, *President*; Dominic Caruso, *Vice President*; AJ Ganim,
Daryl Kingston, Ann Koepke, Beth Savage, Brian Stucky.

Clerk: Tammy Tabor