MINUTES
Council Committee Meetings
May 21, 2019

Present: Council President M. Harwood, Councilmembers G. Broski, L. Carouse, J. Petsche, D. Rose, K. Veras, Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director S. DiGeronimo, Engineer G. Wise, Finance Director L. Starosta, Assistant Finance Director Monica Johnson, Police Chief W. Goodrich, Purchasing Director R. Riser, C.B.O. S. Packard, Service Director R. Weidig, Recreation Director T. TupaJ. Mitchell, Brecksville Magazine, Clerk of Council T. Tabor.
Absent: L. Redinger.
Guests: Tom Collins, Ryan Schmit, ThenDesign Architecture.

Buildings & Grounds Committee
Chairperson - K. Veras
Committee members - L. Carouse, L. Redinger.
Chairperson Veras called the meeting to order at 6:00 P.M.
Roll Call – Present: Carouse, Veras.
Absent - Redinger.

Approval of the May 7, 2019 Buildings & Grounds Committee meeting minutes.
Motion by Veras, seconded by Carouse, to approve the, May 7, 2019 Buildings & Grounds Committee meeting minutes as presented. Ayes: Carouse, Veras. Nays: None. Motion carried 2-Ayes, 0- Nays.

Aquatic Center Project: Councilmember Veras said the bids have been tabulated and presented to Council. Purchasing Director Riser presented information regarding the bid opening for the Aquatic Center Project. There were (7) bidders, (6) of the (7) bidders qualified for consideration. Seitz Builders has been deemed to be the lowest and best bidder. A scope of work review was held with Seitz Builders. The total construction cost summary of $7,124,100.00 includes the base bid and the recommended alternates. The comprehensive cost summary will include items outside of the construction contract. Those items include the mechanical equipment, contingencies, third party testing, furniture and equipment, professional design fees, and builder’s risk insurance.

(Buildings & Grounds, Continued)

Purchasing Director Riser said she will prepare for the next meeting of Council the requests for mechanical equipment, storage & handling of the equipment and the amendment to the Thendesign Architecture contract. Ryan Schmit of Then Design and the City's project team; Mayor Hruby, Recreation Director Tupa, Service Director Weidig, C.B.O. Packard and Purchasing Director Riser will answer any questions regarding the scope of work. Finance Director Starosta is also available tonight to answer any questions regarding the bond issue and overall budget preparations associated with the project.

Ryan Schmit, Thendesign Architecture said his firm did a very extensive review of the project. The contractor that is being recommended will be bringing a project team that is just finishing a similar project in Westlake.

Mayor Hruby said a pre-construction meeting will take place as soon as the legislation is approved. Councilmember Broski asked if the parking lot would be blocked off from use. Mayor Hruby said the area that will be utilized for the new Aquatic Center will be fenced off and all construction equipment will be inside the fenced area. Councilmember Broski asked if additional parking will be needed. Mayor Hruby said he will speak with the neighboring church to see if shared parking is available. Mayor Hruby said the change from a tile pool to a stainless steel pool decreased the cost and allowed the project to remain primarily the same. Some of the value engineering, may also decrease the cost. Councilmember Petsche asked where Sietz worked in the City previously. Mayor Hruby said the Service Garage was done by Seitz. Mayor Hruby said the administration is excited to have the same contractors that have worked on the Westlake pool project. Council President Harwood said nothing in the physical layout of the facility has changed. The tile wall pool to the stainless steel pool was the biggest change in the plan. Councilmember Broski asked if the parking lot would be blocked off from use. Mayor Hruby said the area that will be utilized for the new Aquatic Center will be fenced off and all construction equipment will be inside the fenced area. Councilmember Broski asked if additional parking will be needed. Mayor Hruby said he will speak with the neighboring church to see if shared parking is available. Councilmember Veras asked if there are any local communities that have stainless steel pools. Mr. Schmit said the City of Westlake has a stainless steel pool. The pools are becoming more popular in our area. Concrete pools require optimal weather conditions for construction, causing delays to the project. Installation of a stainless steel pool is not dependent on temperature or weather. Mayor Hruby said any change orders will come back to City Council for approval.

- Motion by Veras, seconded by Carouse to recommend to Council an Ordinance accepting the bid of Seitz Builders for the New Aquatics Center Project in the amount of $7,124,100.00. *Account #C492710 3201 Project #BD160001.* Ayes: Carouse, Veras. Nays: None. Motion carried 2-Ayes, 0- Nays.
- Motion by Veras, seconded by Carouse to recommend to Council a Resolution authorizing the Mayor to enter into agreement with Intertek PSI for the Third Party Construction Materials Testing and Special Inspection Services that will be required for the New Aquatics Center Project in the amount of $22,385.00 *Account #C492710 3201 Project #BD160001.* Ayes: Carouse, Veras. Nays: None. Motion carried 2-Ayes, 0- Nays.

(Buildings & Grounds, Continued)

- Motion by Veras, seconded by Carouse to recommend to Council passage of a motion to approve a Purchase Requisition to Wichert Insurance in the amount of $9,874.00 for the annual premium on Builder's Risk Insurance coverage for the New Aquatics Center Project. *Account #C492710 3201 Project #BD160001.* Ayes: Carouse, Veras. Nays: None. Motion carried 2-Ayes, 0- Nays.

Adjournment: Motion by Veras, seconded by Carouse, to adjourn the Buildings & Grounds Committee at 6:17 P.M. Ayes: Carouse, Veras. Nays: None. Motion carried 2-Ayes, 0-Nays.

Finance Committee
Chairperson - Laura Redinger
Committee members - L. Carouse, D. Rose.
Acting Chairman Carouse called the meeting to order at 6:17 P.M.
Roll Call – Present: Carouse, Rose.
Absent - Redinger.

Approval of the May 7, 2019 Finance Committee meeting minutes.
Motion by Carouse, seconded by Rose, to approve the May 7, 2019 Finance Committee meeting minutes as presented. Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays.

Human Service & Community Center Electricity Provider: Purchasing Director Riser said all, except one, of the City's electricity accounts are required to remain with First Energy Solutions due to grant funding agreements. The Community Center and Human Services Building may change providers based on the building size. The current rate is with First Energy Solutions is .0598 per/Kwh and a switch to IGS will have a rate of .0483 /Kwh and return a savings of approximately $93,000 over 36 months.

- Motion by Carouse, seconded by Rose to submit to Council for passage a motion authorizing a 36-month agreement for the supply of electricity to the Community Center & Human Services buildings. The City's current agreement with First Energy Solutions will expire December 31, 2019. Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays.

Renewals for the City's Property & Liability Insurance policies have been presented to City Council for review and approval. Purchasing Director Rise said there was a 4% increase in the premium due property changes, adding the Police Station, and a mandatory increase in cyber liability from $1,000,000. To $2,000,000 for the software upgrade. This is the third year of a three-year agreement, and the current annual policies expire on May 25, 2019. A report prepared by Director of Purchasing Riser was provided for Council's review.

- Motion by Carouse, seconded by Rose to submit to Council for passage of a motion to accept the proposal of Wichert Insurance and authorize a purchase requisition in the amount of $181,720.00. *Account #110150 2104.* Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays.

(Finance Committee, continued)

- Motion by Carouse, seconded by Rose to submit to Council for passage a motion to accept the proposal of Custis Insurance and authorize amount of $13,201.00 and approve a purchase requisition in the amount of $13,201.00. *Account #110150 2104.* Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays.

Superion Software: Finance Director Starosta said an upgrade is needed for the Finance Department Software. The software has not had an upgrade since the software was purchased (10) years ago. The Building Department module will not be part of the upgrade, they will continue to use the existing version and perhaps change to a program more suited to building departments. Assistant Finance Director Johnson has been working with staff to verify the upgrade is adequate for their needs. Councilmember Broski asked if this is a one-time charge. Finance Director Starosta said this is a one time charge for the upgrade. That fee will include moving the premises based program to cloud based. There will be an annual maintenance fee that is $24,871.00 with a 2% increase over the next 3 years. Councilmember Rose asked if this is compatible with the Building Department module. Finance Director Starosta said the company will work to allow the Building Department receipts to be compatible with the new upgrade.

- Motion by Carouse, seconded by Rose to submit to Council for passage of an Ordinance authorizing the Mayor to enter into an agreement with Superion LLC for the Finance Software Upgrade. *Account #C110150 3300.* Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays.

Special Counsel: Councilmember Carouse said a Resolution has been prepared to authorize Squire Patton Boggs LLP (Squire) to be used as Special Counsel for the Tax Increment Financing (TIF) agreement. Mayor Hruby said the City asked for a quote from Squire regarding the TIF. Squire has been working to familiarize Council on the TIF and begin the initial work on the TIF. The Brecksville Broadview Heights City School District has accepted an agreement with the Developer of Valor Acres for the proposed TIF. The Developer will present an agreement to the City for the TIF. Councilmember Carouse said this legislation was requested at the previous meeting. Councilmember Rose asked if the school has already negotiated with the developer, will the City also negotiate a separate agreement. Mayor Hruby said yes. The County of Cuyahoga and the Metroparks will also need to accept an agreement. Mayor Hruby said Mr. Zimmerman with the Metroparks is willing to negotiate with the developer. Councilmember Rose said Squire will charge the City by the hour, the number quoted is a not to exceed amount.

Councilmember Petsche asked why there are two TIF items listed on the legislation. Council President Harwood said there are different possibilities for the TIF agreement, it does not mean the City will use both. Councilmember Petsche asked what the money will be used for. Mayor Hruby said that will be part of the agreement with the developer. Councilmember Petsche asked if the amount of money for the City is part of the agreement as well. Mayor Hruby said the numbers may change if any of the entities decide not to be involved in the project. There are several other items that will be considered before the City will know those answers.

- Motion by Carouse, seconded by Rose to submit to Council for passage a Resolution authorizing Squire Patton Boggs LLP for professional services as special counsel for the redevelopment (Tax Increment Financing) of the Valor Acres property. Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays.

(Finance Committee, continued)

- Motion by Carouse, seconded by Rose to submit to Council for passage a Resolution authorizing Squire Patton Boggs LLP for professional services as special counsel for the redevelopment (Tax Increment Financing) of the Valor Acres property. Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays.

Appropriation Ordinance: Councilmember Carouse said an Ordinance making appropriation for certain expenses has been prepared for approval. Finance Director Starosta said there has been a transfer of funds to the general fund for the software purchase. The City Hall Roof Project has been delayed until 2020 and those funds have been transferred to the Recreation Facilities Fund. The City is utilizing $100,000.00 of Recreation Expansion Fund, that is made up of Building Department Revenue and Corporate Membership fees.

- Motion by Carouse, seconded by Rose to submit to Council for passage an Ordinance amending Ordinance No. 5220 making appropriations for expenses during the fiscal year ending December 31, 2019. Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0-Nays. Councilmember Petsche asked if the roof of City Hall will adequate through the winter. Service Director Weidig said the department will do general maintenance and feels the roof will be good until next year.

Councilmember Carouse said he spoke with Councilmember Redinger earlier and she apologized for not being able to make today's meeting. Councilmember Redinger said she is in favor of all items presented on the agenda.

Adjournment: Motion by Carouse, seconded by Rose, to adjourn the Finance Committee meeting at 6:47 P.M. Ayes: Carouse, Rose. Nays: None. Motion carried 2-Ayes, 0- Nays.

Legislation Committee
Chairperson- Dennis Rose
Committee members - J. Petsche, K. Veras
Chairman Rose called the meeting to order at 6:47 P.M.
Roll Call – Present: Petsche, Veras, Rose.
Absent- None.

Approval of the May 7, 2019 Legislation Committee meeting minutes.
Motion by Rose, seconded by Petsche, to approve the May 7, 2019 Legislation Committee meeting minutes as presented. Ayes: Petsche, Rose, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Solar Panel Legislation: Councilmember Rose asked if there were any comments or concerns for the Legislation Committee. Council President Harwood reported the Planning Commission will present a recommendation to Council for proposed changes to the solar panel code. The recommendation to Council is expected to be on the Council agenda for June 4th.

Adjournment: Motion by Rose, seconded by Veras, to adjourn the Legislation Committee meeting at 6:48 P.M. Ayes: Petsche, Veras, Rose. Nays: None. Motion carried 3-Ayes, 0-Nays.

Safety-Service Committee
Chairperson- Louis Carouse
Committee members- G. Broski, K. Veras
Chairperson Carouse called the meeting to order at 6:49 P.M.
Roll Call – Present: Broski, Carouse, Veras.
Absent: None.

Approval of the May 7, 2019 Safety-Service Committee meeting minutes.
Motion by Carouse, seconded by Broski, to approve the May 7, 2019 Safety-Service Committee meeting minutes as submitted. Ayes: Carouse, Broski, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Tree City: Councilmember Carouse thanked Purchasing Director Riser, Service Director Weidig, the Beautification Committee and all of the people that worked to make The Tree City event successful. Purchasing Director Riser said the P.O. was initially approved for $14,000.00 based on early projections for event expenses. Following a successful event on May 8, 2019, the final expense total was $19,721.25. Total revenues generated to date are $12,000.00. Purchasing Director Riser said these expenses have been similar to expenses and revenue incurred by other communities.

- Motion by Carouse, seconded by Veras, to submit to Council a motion to Increase Blanket Purchase Order #BL191119 for the 2019 Tree City Event Expenses in the amount $5,975.00 for the payment of final invoices. *Account #110150 2410.* Ayes: Carouse, Broski, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Adjournment: Motion by Carouse, seconded by Veras, to adjourn the Safety-Service Committee meeting at 6:52 P.M. Ayes: Broski, Carouse, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Streets & Sidewalks Committee
Chairperson Gerald Broski
Committee members J. Petsche, L. Redinger.
Chairperson Broski called the meeting to order at 6:53 P.M.
Roll Call – Present: Broski, Petsche.
Absent: Redinger.

Approval of the May 7, 2019 Streets & Sidewalks Committee meeting minutes.
Motion by Broski, seconded by Petsche, to approve the May 7, 2019 Streets & Sidewalks Committee meeting minutes as presented. Ayes: Broski, Petsche, Nays: None. Motion carried 2-Ayes, 0-Nays.

Engineer Wise said ODOT requires this process to close out the project. There is a deduct to the account in the amount of $12,094.78. Councilmember Petsche has worked with CATTS Construction in the past and questioned if he should vote on the matter. Council President Harwood said Councilmember Petsche should abstain from the vote. Law Director Matty said the committee should hold the matter until the next meeting, as Councilmember Redinger is absent and Councilmember Petsche will abstain from the vote.

- Motion by Broski, seconded by Petsche to table the Change Order No.8 to Catts Construction for the SR 82 Pavement Improvement Project. Ayes: Broski, Petsche, Nays: None. Motion carried 2-Ayes, 0-Nays.

(Streets & Sidewalks Committee, continued)

Engineer Wise said ODOT did not receive grant money for the widening of the I-77 interstate. Without the widening of I-77, an interchange is not permitted on Miller Road. ODOT has requested the City submit a request for a Transportation Review Advisory Council Application (TRAC). The application is due by May 31st. Councilmember Petsche asked if this money will pay for the widening of I-77. Engineer Wise said there is no interchange project without the widening of I-77. Engineer Wise said the TRAC funding is for projects that are at least $12 million dollars. The estimate for the interchange project is between $6.5 and $8 million. The widening of I-77 will need to go to the Richfield interchange ramps. The municipality will score higher than ODOT on the application. The application will include the City project and the ODOT work to widen I-77. Even with the joint application there should still be ~$2 million that would go toward the City's portion of the I-77 widening. Councilmember Petsche asked if everyone feels the widening of I-77 is good for the City. Councilmember Rose said the interchange is good for the City. Councilmember Carouse said the City has no say in whether ODOT widens I-77. Even without the City's request for an interchange ODOT could widen I-77. Engineer Wise said ODOT is also submitting a grant request for widening of I-77 all the way to Ghent Road. Councilmember Carouse said without the widening the interchange will not happen. Councilmember Petsche asked if federal money is involved. Engineer Wise said federal and state money is being requested.

- Motion by Broski, seconded by Petsche, to submit to Council for approval a Resolution accepting the proposal of Euthenics, Inc. to complete and submit a TRAC application for the Miller Rd/I-77 interchange. *Account #C480171 3501 Project # RD160001.*

Road Salt: Purchasing Director Riser reported the bid opening was held for the ODOT Salt Providers. The result of the bid opening revealed the lowest and best bid was $73.28 per ton. The Salt Consortium in which the City of Brecksville belongs will be paying $63.41 per ton.

Road Program: Service Director Weidig reported the concrete work is continuing on Senecca, Pineview, King, Echo, and Potomac. Service Director Weidig said work on Fitzwater will begin after the end of the school year on May 31st.

Adjournment: Motion by Broski, seconded by Petsche, to adjourn the Streets and Sidewalks Committee meeting at 7:04 P.M. Ayes: Broski, Petsche, Nays: None. Motion carried 2-Ayes, 0-Nays.

Utilities Committee
Chairperson Jack Petsche
Committee members G. Broski, D. Rose
Chairperson Petsche called the meeting to order at 7:05 P.M.
Roll Call – Present: Broski, Petsche, Rose.
Absent: None.

(Utilities Committee, continued)

Approval of the May 7, 2019 Utilities Committee meeting minutes.

Motion by Petsche, seconded by Rose, to approve the May 7, 2019 Utilities Committee meeting minutes as presented. Ayes: Petsche, Broski, Rose, Nays: None. Motion carried 3-Ayes, 0-Nays.

6972 Mill Road: Engineer Wise said he received a call from a resident at 6972 Chippewa Creek. There is a bend in the creek that is pushing sediment from one side of the creek to the other side of the creek. Engineer Wise said City Council has not authorized work on private property in the past. Councilmember Petsche said he agreed that this is an issue for the property owner. Councilmember Petsche asked how expensive would it be for the property owner to purchase and install gabion baskets along her property. Engineer Wise said the work is relatively easy. This could be $25-$30,000.00. Flood Plain and Army Corp permits are necessary for work to be done on the creek. This location is hundreds of yards from the house. There is a pavilion in the rear of the property that the owners have enjoyed for many years. The creek and rivers do not remain stable they move over time. Engineer Wise said he will forward the information and the home owner's request to the Northeast Ohio Regional Sewer District. If Regional Sewer takes this on as a project that is fine. Engineer Wise will respond to the resident of Council's agreement to not perform work on private property.

Whitewood Aerial Sewer Project: Engineer Wise reported he has still not received one of the easements needed for the Whitewood Aerial Sewer Project. Engineer Wise said the he will be unable to begin the project this year and requested Law Director Matty begin the process to appropriate an easement for the project. Council President Harwood asked if Mayor Hruby was able to call the resident and discuss the issue before Mr. Matty begins legal proceedings. Councilmember Petsche asked if the sewer will remain stable over the winter. Engineer Wise said if a severe storm happens, the condition is unknown. If Mayor Hruby is unable to contact the owner, Law Director Matty will proceed.

Mancini Property: Engineer Wise said Mr. Mancini contacted him and believes the wet conditions on his property are due to the new subdivision behind his house. Engineer Wise said a swale was installed and a catch basin is containing the storm water runoff. Engineer Wise said Mr. Mancini's yard is overgrown and shaded and Engineer Wise believes that is causing the wet conditions.

Adjournment: Motion by Petsche, seconded by Broski, to adjourn the Utilities Committee meeting at 7:16 P.M. Ayes: Petsche, Broski, Rose, Nays: None. Motion carried 3-Ayes, 0-Nays.

Committee of the Whole Meeting: Motion by Harwood, seconded by Carouse, to convene a Committee of the Whole meeting at 7:16 P.M. Ayes: Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None. Motion carried 6-Ayes, 0-Nays.

Approval of the May 7, 2019 Committee of the Whole meeting minutes. Motion by Harwood, seconded by Carouse, to approve the May 7, 2019 Committee of the Whole meeting minutes as submitted. Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None. Motion carried 6-Ayes, 0-Nays.

Law Director Matty provided information to Council based on the new electronic Council Packet delivery system. Law Director Matty said Councilmembers are not permitted to discuss City

business outside of public meetings. Texting and e-mailing are not permitted. If texting or e-mailing does occur, never delete any of the texts or e-mails. Law Director Matty said certain Law
(**Committee of the Whole Meeting, continued**)

Firms look for these specific cases and heavy fines and settlements are incurred on municipalities that ignore these public records and open meeting laws. All items should be referred to the Clerk to be added to a committee agenda, not by e-mail or text.

Committee of the Whole Meeting Adjourned: Motion by Harwood, seconded by Carouse to adjourn the Committee of the Whole at 7:22 P.M. Ayes: Broski, Carouse, Harwood, Petsche, Rose, Veras. Nays: None. Motion carried 6-Ayes, 0-Nays.

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cc: Members of Council,
Mayor Jerry N. Hruby,
Law Director D. Matty,
Asst. Law Director
S. DiGeronimo,
Engineer G. Wise,
Department Heads