JERRY N. HRUBY, **MAYOR AND SAFETY DIRECTOR**
CITY COUNCIL
GERALD F. BROSKI
LOUIS N. CAROUSE, JR.
MICHAEL T. HARWOOD
NORA L. MURPHY
LAURA C. REDINGER
GREG SKALJAC
KIMBERLY A. VERAS
TAMMY TABOR, CLERK

MINUTES
Council Committee Meetings
April 4, 2017

Present: Council President G. Skaljac, Council members G. Broski, L. Carouse, M. Harwood, N. Murphy, K. Veras, Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director S. DiGeronimo, Engineer G. Wise, Finance Director V. Price, Service Director R. Weidig, Purchasing Director R. Riser, K. Gaivin – Brecksville Magazine. B. Sandrick – Northeast Ohio Media Group., Clerk of Council T. Tabor.
Absent L. Redinger

Buildings & Grounds Committee
Chairperson Michael Harwood
Committee members L. Carouse, L. Redinger
Chairperson Harwood called the meeting to order at 7:00 P.M.
Roll Call – Present: Harwood, Carouse

Approval of the March 7, 2017 Buildings & Grounds Committee meeting minutes.
- Motion by Harwood, seconded by Carouse, to approve the March 7, 2017 meeting minutes as presented. Ayes: Harwood, Carouse. Nays: None. Motion carried 2-Ayes, 0 Nays.

Approval of the March 21, 2017 Buildings & Grounds Committee meeting minutes.
- Motion by Harwood, seconded by Carouse, to approve the March 21, 2017 meeting minutes as presented. Ayes: Harwood, Carouse. Nays: None. Motion carried 2-Ayes, 0 Nays.

Police Station Project: Engineer Wise said that one of the requirements of the wetland permit, for the Police Station Project, is to purchase wetlands located within your watershed. The Nature Conservancy does have land available at a cost of $72,000.00 per acre. Engineer Wise said that the city will need to purchase 0.4 wetland mitigation credits. The Police Station project will be filling in .2 acres of wetland. This is required before any earth disturbing is done.
- Motion by Harwood, seconded by Carouse to recommend approval of an Ordinance authorizing the Mayor to enter into a mitigation credit purchase agreement with The Nature Conservancy for the purchase of wetland mitigation credits at the cost of $28,800.00 for the new Brecksville Police Station project. *Account #C491210 3201 Project #DB09001* Ayes: Harwood, Carouse. Nays: None. Motion carried 2-Ayes, 0 Nays.

(Continued) **Buildings & Grounds Committee**

Old Town Hall Project: Councilmember Harwood said legislation has been prepared to accept the proposal of Glen D. Ramage Architect, Inc. in the amount of $5,780.00 for a Feasibility Study on structural work at Brecksville Old Town Hall for a proposed link between Old Town Hall and the Annex building, as well as renovation on the lower floor for theater staging and storage. Service Director Weidig said that this study will support a requirement of the Cultural Facilities Grant the City will apply for through the Ohio Facilities Construction Commission (OFCC) later in the fall with funding being appropriated on the 2018 Senate capital budget. Director Weidig said that the building qualifies as an historical building and the grant money that may be obtained is two dollars of grant money for every dollar provided by the City.

- Motion by Harwood, seconded by Carouse, to recommend approval of a Resolution accepting the proposal of Glen D. Ramage Architect, Inc. for architectural services to provide a feasibility study for the Brecksville Old Town Hall Project. . *Account #C490162 3202. Project #BI170003.* Ayes: Harwood, Carouse. Nays: None. Motion carried 2-Ayes, 0-Nays.

4444 Oakes Road Project: Councilmember Harwood said a request for approval of a purchase order has been made to demolish building no. nine (9). Director Weidig stated that this was the old service garage, no asbestos was present in the building.

- Motion by Harwood, seconded by Carouse requesting approval of a purchase requisition in the amount of $7,468.00 to B & B Wrecking & Excavating, Inc. for the demolition of 4444 Oakes Road, Blossom Hill Building #9. A copy of the Request For Quote tabulation and vendor quote submission are attached. *Account #C480171 3102 Project #LI170002* Ayes: Harwood, Carouse. Nays: None. Motion carried 2-Ayes, 0 Nays.

6951 Stadium Drive Project: Councilmember Harwood stated that a request for approval of a purchase order has been presented for demolition of a property at 6951 Stadium Drive. Service Director Weidig said that this building is no longer useable. An asbestos review was done and all asbestos was abated and the building can be torn down. Councilmember Murphy asked if the area would be planted with grass. Director Weidig stated that the area would be planted with grass, however a building may be constructed on the site at a later time.

- Motion Harwood, seconded by Carouse requesting approval of a purchase requisition in the amount of $7,341.00 to C & J Contractors for the demolition of 6951 Stadium Drive. A copy of the Request For Quote tabulation and vendor quote submission are attached. *Account #C480171 3102 Project #LI170003* Ayes: Harwood, Carouse. Nays: None. Motion carried 2-Ayes, 0 Nays.

Safety Town: Councilmember Harwood said Ron Payto and Eric Lahrmer of the Planning Commission have designed all of the buildings. The Mayor is talking to students that may want to help construct the buildings. Councilmember Harwood said that the Mayor is working with several businesses that may want to volunteer funds for the project. Mayor Hruby said that there are 5 businesses that have already agreed to be part of the project and he will continue that effort with local businesses. The companies may put their name on a building, a sign or the train if they wish to.

(Continued) **Buildings & Grounds Committee**

Pool Aquatic Facility: Councilmember Harwood said every part of the program will fit at the community center. ThenDesign will be presenting to the Mayor and committee and then present to City Council.

Police Station Project: Councilmember Harwood said the trees have been cut and he will contact the contractor to find out when they expect to return to remove the downed trees from the site of the Police Station. The plans are being reviewed and interior finishes and colors are being incorporated. Council President Skaljac asked what the status is on furniture for the new facility. Purchasing Director Riser said that she and Chief Goodrich had a meeting with representatives at Ohio Desk reviewing what is available. Director Riser said that this was the first of several meetings with Ohio Desk and that Ohio Desk has the capability to show 3D images of the facility with the proposed furniture design. Director Riser said that different groups; detectives, dispatchers, officers, may go to Ohio Desk to discuss the individual areas of the building.

Council President Skaljac asked if there are discussions with the church or the park for additional parking area for the pool. Mayor Hruby said discussions are currently being done with the park system, additional talk with the church will take place if necessary.

Adjournment: Motion by Harwood, seconded by Carouse, to adjourn the Buildings and Grounds Committee meeting at 7:10 P.M. Ayes: Harwood, Carouse. Nays: None. Motion carried 2-Ayes, 0-Nays.

Finance Committee
Chairperson Laura Redinger
Committee members L. Carouse, M. Harwood
Acting Chairperson Carouse called the meeting to order at 7:11 P.M.
Roll Call – Present: Carouse, Harwood.

Approval of the March 7, 2017 Finance Committee meeting minutes.
Motion by Carouse, seconded Harwood by to approve the March 7, 2017 Finance Committee meeting minutes as presented. Ayes: Carouse, Harwood. Nays: None. Motion carried 2-Ayes, 0 Nays.

Approval of the March 21, 2017 Finance Committee meeting minutes.
Motion by Carouse, seconded by Harwood to approve the March 21, 2017 Finance Committee meeting minutes as presented. Ayes: Carouse, Harwood. Nays: None. Motion carried 2-Ayes, 0 Nays.

Health Care Option: Councilmember Carouse said there is a request to approve legislation to include additional Healthcare savings options for employees. Finance Director Price said an additional option for deferred compensation with Financial Network LTD., is being added for retiring employees only.

(Continued) **Finance Committee**

- Motion by Carouse, seconded by Harwood to recommend approval of an Ordinance authorizing the Mayor to enter into an amended agreement with Financial Network of America LTD., to add the additional employee investment option of a healthcare reimbursement account (HRA) to the current deferred compensation plan. Ayes: Carouse, Harwood. Nays: None. Motion carried 2-Ayes, 0-Nays.

Transfer of Funds: Finance Director Price said these are standard second quarter transfers. All as originally budgeted with the exception of recreation.

- Motion by Carouse, seconded by Harwood to recommend approval of a Resolution making necessary transfers between certain funds for the fiscal year ending December 31, 2017. Ayes: Carouse, Harwood. Nays: None. Motion carried 2-Ayes, 0-Nays.

Economic Development – Caruso Coffee: Councilmember Carouse stated that this item was tabled at the previous council meeting and legislation has been prepared for tonight's meeting. All members received a copy of the legislation at the previous committee meeting. Acting Chairperson Carouse is requesting approval of an economic development agreement with PMD Enterprises, known as Caruso's Coffee

- Motion by Carouse, seconded by Harwood to recommend approval of an Ordinance authorizing the mayor to execute an agreement with PMD Enterprises, Inc. dba Caruso's Coffee concerning the granting by the city of certain incentives to create and preserve jobs within the City of Brecksville. Ayes: Carouse, Harwood. Nays: None. Motion carried 2-Ayes, 0-Nays.

Code Summit: Councilmember Carouse presented a request for website hosting and licensing fees for the upcoming year. Purchasing Director Riser said the payment is for a one year license renewal and one year of website hosting, with an increase of $240.00 from the previous year.

- Motion by Carouse, seconded by Harwood to recommend approval of a purchase requisition in the aggregate amount of $4,289.00 to CodeSummit, LLC for the annual hosting of the City's website in the amount of $2,040.00 for the period of 5/1/17-4/30/18, and the Kentico License Renewal in the amount of $2,249.00 for the period of 5/13/17-5/12/18. *Account #110135 2103*. Ayes: Carouse, Harwood. Nays: None. Motion carried 2-Ayes, 0-Nays.

Monthly Bills for Professional Services: There were no questions or comments regarding monthly bills for professional services.

- Motion by Carouse, seconded by Harwood, to recommend payment of monthly bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of $17,627.83; Sergio I. DiGeronimo in the amount of $6025.00; Kulchytsky Architects, LLC in the amount of $656.25; J Neusser LLC in the amount of $2,000.00; and Donald J. Bohning & Associates in the amount of $14,040.61. Total of all Invoices: $40,349.69. Ayes: Carouse, Harwood. Nays: None. Motion carried 2-Ayes, 0-Nays.

Adjournment: Motion by Carouse, seconded by Harwood, to adjourn the Finance Committee meeting at 7:13 P.M. Ayes: Carouse, Harwood. Nays: None: Motion carried 3-Ayes, 0-Nays.

Legislation Committee
Chairperson Nora Murphy
Committee members L. Redinger, K. Veras
Chairperson Murphy called the meeting to order at 7:13 P.M.
Roll Call – Present: Murphy, Veras.

Approval of the March 7, 2017 Legislation Committee meeting minutes.
Motion by Murphy, seconded by Veras, to approve the March 7, 2017 Legislation Committee minutes as submitted. Ayes: Murphy, Veras. Nays: None. Motion carried 2-Ayes, 0-Nays.

Approval of the March 21, 2017 Legislation Committee meeting minutes.
Motion by Murphy, seconded by Veras, to approve the March 21, 2017 Legislation Committee minutes as submitted. Ayes: Murphy, Veras. Nays: None. Motion carried 2-Ayes, 0-Nays.

Medical Marijuana: Councilmember Murphy requested authorization to proceed with an amendment to Section 1189.01 of the planning and zoning code by adding subsection (n) to prohibit medical Marijuana activities in all use districts. City Council passed Resolution 4677 on September 6, 2016 imposing a six-month moratorium. Councilmember Murphy asked Assistant Law Director DiGironimo and Law Director Matty what the status is and if Council should vote to extend the moratorium again. Asst. Law Director DiGironimo said the moratorium should stay in place until the Board of Health and State agencies have promulgated the rules in their entirety.

Law Director Matty said the legislation will become permanent if voted on by the residents in November. It is a zoning change which will require a ballot issue. Council President Skaljac asked what the time frame is to get an item on the ballot. Law Director Matty said it must be filed with the Board Of Elections by the beginning of August, at least 90 days before the election. Law Director Matty said the City of Findlay passed a prohibition in November, but is unaware of any other communities in the area. The legislation will be permanent if the residents vote to approve.

Law Director Matty said that he would need direction from Council on when to begin the procedure to place this issue on the ballot. To comply with the three reading rule, Council may want to begin in May.

Council President Skaljac asked if there is any more information from the legal community on when the approvals will be granted. Law Director Matty said the licensing procedure should be finalized and out to bid in May. Companies will receive the licenses, some estimates that he has heard may cost $200,000.00 per license per year. Without legislation companies may come into our communities for cultivation on farmland. Processing of products could come in the business districts as well.

Councilmember Murphy said some communities have been embracing the businesses because of the potential income to the community. Law Director Matty said that communities are also seeing the benefits to patients. No prescription is required, but a doctor’s recommendation is required. Law Director Matty stated that Michigan has a dispensary that was visited and said that 1-2 people were allowed in at a time and were well observed while in the store.

(Continued) **Legislation Committee**

Council President Skaljac asked if variances to this zoning would be permitted in the future. Mayor Hruby said that he did not believe that a variance could be obtained for this type of zoning. Law Director Matty said that another vote by the people would be required to change the legislation.

Mayor Hruby said that this will not prohibit our residents from obtaining the medical marijuana, it is only prohibiting the growing, processing and selling in the City of Brecksville.

Councilmember Broski asked if Law Director Matty knew of any minimum requirements, such as 3 months of a doctor's care prior to obtaining a prescription. Law Director Matty said that he had not heard that requirement for a recommendation, not a prescription, but will look into that.

- Motion by Murphy, seconded by Veras, to recommend that the law director prepare legislation to amend Section 1189.01 of the planning and zoning code by adding subsection (n) to prohibit medical marijuana activities in all use districts. Ayes: Murphy, Veras. Nays: None. Motion carried 2-Ayes, 0-Nays.

Adjournment: Motion by Murphy, seconded by Veras, to adjourn the Legislation Committee meeting at 7:27 P.M. Ayes: Murphy, Veras. Nays: None. Motion carried 2-Ayes, 0-Nays.

Safety-Service Committee
Chairperson Kim Veras
Committee members G. Broski, N. Murphy
Chairperson Veras called the meeting to order at 7:27 P.M.
Roll Call – Present: Veras, Broski, Murphy.

Approval of the March 7, 2017 Safety-Service Committee meeting minutes.
Motion by Veras, seconded by Murphy to approve the March 7, 2017 Safety-Service Committee meeting minutes as submitted. Ayes: Veras, Broski,.Murphy. Nays: None. Motion carried 3-Ayes, 0-Nays.

Approval of the March 21, 2017 Safety-Service Committee meeting minutes.
Motion by Veras, seconded by Murphy to approve the March 21, 2017 Safety-Service Committee meeting minutes as submitted. Ayes: Veras, Broski,.Murphy. Nays: None. Motion carried 3-Ayes, 0-Nays.

Disposal of Rubbish, Recycle, Leaves and Street Sweepings/Vactor Debris. Councilmember Veras said legislation was prepared and recommends approval of an Ordinance to enter into an agreement with Rumpke of Northern Ohio. Director Riser said that Rumpke of Northern Ohio was the lowest and best bidder for a three year contract for the disposal of rubbish, recycle, leaves and street sweepings/vactor debris. Director Riser said that the savings include the cost for distance travelled, payment can be made by the cubic yard, rather than the ton, government fees were $2.00 per ton less, recycle costs are $5.00 per ton compared to the cost of $20.00 per ton that was in a previous cost comparison.

(Continued) **Safety-Service Committee**

- Motion by Veras, Seconded by Broski to recommend approval of an Ordinance accepting the bid of Rumpke of Northern Ohio, Inc. for disposal of rubbish, recycle, leaves and street sweepings/vactor debris for a one year period with options to renew for two additional one year periods for the Service Department for the City of Brecksville. Ayes: Veras, Broski, Murphy. Nays: None. Motion carried 3-Ayes, 0-Nays.

Garment and mat rental through UniFirst Corporation for the Brecksville Service Department. Councilmember Veras said this would begin a new 5-year agreement with UniFirst, and would include a replacement of all new pants and shirts for Service Department employees in the month of April. The Service Department has been satisfied with the products and service provided by UniFirst for the past three years, and the City has experienced a significant cost savings since the transition from the previous vendor (nearly 60% annual savings on garment rental, and over 40% savings on mat rental). Purchasing Director Riser stated that since the last public bid was done, UniFirst is now a State Contract Vendor for this service.

- Motion by Veras, seconded by Broski, to recommend approval of an Ordinance authorizing the rental of uniforms and floor mats from UniFirst through the State of Ohio Administrative Services purchasing program. Ayes: Broski, Murphy, Veras, Nays: None. Motion carried 3-Ayes, 0-Nays.

Adjournment: Motion by Veras, seconded by Murphy, to adjourn the Safety-Service Committee meeting at 7:32 P.M. Ayes Veras, Broski, Murphy. Nays: None. Motion carried 3-Ayes, 0-Nays.

Streets & Sidewalks Committee
Chairperson Gerald Broski
Committee members N. Murphy, K. Veras.
Chairperson Broski called the meeting to order at 7:32 P.M.
Roll Call – Present: Murphy, Veras, Broski.

Approval of the March 7, 2017 Streets & Sidewalks Committee meeting minutes.
Motion by Broski, seconded by Veras, to approve the Streets & Sidewalks Committee meeting minutes of March 7, 2017 as submitted. Ayes:, Broski, Murphy, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Approval of the March 21, 2017 Streets & Sidewalks Committee meeting minutes.
Motion by Broski, seconded by Murphy, to approve the Streets & Sidewalks Committee meeting minutes of March 21, 2017 as submitted. Ayes: Broski, Murphy, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Councilmember Broski said there is a request to approve the SR 82 Pavement. Engineer Wise said the engineer's estimate and improvement plan were provided to council for review. The Ohio Department of Transportation (ODOT) time frame to award funding would need approval from council by the second meeting in May, 2017. Engineer Wise is requesting

(Continued) **Streets & Sidewalks Committee**

approval for the Purchasing Director to advertise for bids. The ODOT project will go out to bid April 6, 2017, April 13, 2017 and April 20, 2017, with a tentative bid opening on April 28, 2017. The estimated cost of the project is $4,120,000.00, with $1,250,000.00 from ODOT. Engineer Wise said with the award of federal money involved, a third party construction manager is required for the project. With Council's approval he would start the process to obtain requests for qualifications (RFQ) for a project manager. The time frame for the project is forty two (42) weeks. It will include this construction season, shut down for the winter, and touch up in the spring. We have requested the area of Brecksville Road to just past the business district for the first phase of construction. Engineer Wise expects this to be the most difficult phase of the project, with traffic congestion in this area. The next phase would be from business district to Highland Drive and the final phase would be from Highland Drive to the corporation line. The project will be all concrete pavement and concrete stabilization. Lane closures will alternate depending on where work is being done. Island will be taken out and filled with grass. Underdrains will be repaired.
Councilmember Broski asked if there are any updates on the landslide area. Engineer Wise said that he met with representatives from the Northeast Ohio Regional Sewer District (NEORSD). The area of concern is on a waterway claimed by NEORSD. NEORSD has agreed to put this on their schedule for processing. Engineer Wise has not been involved in a project with NEORSD and does not have a time frame of when this work will be completed. It is not part of this project. Engineer Wise said NEORSD believes that the area has some problems and that NEORSD will address those issues.

Councilmember Broski stated that this is a costly project. There will be funding from the State, but asked where additional funding will come from? Engineer Wise said some funding is coming from the State. ODOT money is attributed to certain items. Some of the project relates to slope and some to paving. Engineer Wise said he will verify with ODOT but is confident that Brecksville may request a percentage of the funding after certain aspects of the project are completed. Engineer Wise also explained that the City may pay for all of the project and request reimbursement from ODOT.
Finance Director Price stated notes may be issued, some taxable some non taxable. They would be shorter term notes, no more than a year, some as short as 6 months. Councilmember Broski asked if it is predicated upon the City's finances. Director Price affirmed. Broski asked if it would be a strain on the City. Director Price said that funding would come from the capital projects budget. Mayor Hruby agreed that the notes would be the best way.
Councilmember Broski asked if Engineer Wise had any indication at this time on the construction season numbers. Engineer Wise said ODOT uses stats from previous jobs and estimates from there. Addendums may be added if cost savings can be obtained by using smaller contracting companies.

- Motion by Broski, Seconded by Murphy, to recommend Council authorize advertisement for bids for the SR 82 improvement plans. Ayes Broski, Murphy, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

(Continued) **Streets & Sidewalks Committee**

Other Matters: Service Director Weidig reported the service department has already used about 20 tons of cold patch this year. The concrete contractor is working in town and preparing to do some concrete cutting.

Adjournment: Motion by Broski, seconded by Murphy, to adjourn the Streets and Sidewalks Committee meeting at 7:42 P.M. Ayes: Broski, Murphy, Veras. Nays: None. Motion carried 3-Ayes, 0-Nays.

Utilities Committee
Chairperson Louis Carouse
Committee members G. Broski, M. Harwood
Chairperson Carouse called the meeting to order at 7:43 P.M.
Roll Call – Present: Carouse, Broski, Harwood.

Approval of the February 7, 2017 Utilities Committee meeting minutes.
Motion by Carouse, seconded by Broski, to approve the Utilities Committee meeting minutes of February 7, 2017 as submitted. Ayes: Carouse, Broski, Harwood. Nays: None. Motion carried 3-Ayes, 0-Nays.

Approval of the February 21, 2017 Utilities Committee meeting minutes.
Motion by Carouse, seconded by Broski, to approve the Utilities Committee meeting minutes of February 21, 2017 as submitted. Ayes: Carouse, Broski, Harwood. Nays: None. Motion carried 3-Ayes, 0-Nays.

Approval of the March 7, 2017 Utilities Committee meeting minutes.
Motion by Carouse, seconded by Broski, to approve the Utilities Committee meeting minutes of March 7, 2017 as submitted. Ayes: Carouse, Broski, Harwood. Nays: None. Motion carried 3-Ayes, 0-Nays.

Approval of the March 21, 2017 Utilities Committee meeting minutes.
Motion by Carouse, seconded by Broski, to approve the Utilities Committee meeting minutes of March 21, 2017 as submitted. Ayes: Carouse, Broski, Harwood. Nays: None. Motion carried 3-Ayes, 0-Nays.

Engineer Wise presented his report regarding a pre-construction with Fetchko Excavating regarding the utility installation on Snowville Road for the Petros residential subdivision. The excavation will be in the roadway once for the water connection and then in about a month, across Snowville Road to access the sewer. There will be some impact to Snowville Road during the work, traffic will maintain at least one lane at all times with flag operators directing traffic flow.

Adjournment: Motion by Carouse, seconded by Broski, to adjourn the Utilities Committee meeting at 7:45 P.M. Ayes: Carouse, Broski, Harwood. Nays: None. Motion carried 3-Ayes, 0-Nays.

Committee of the Whole Meeting: Motion by Skaljac, seconded by Carouse, to convene a Committee of the Whole meeting at 7:45 P.M. Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. Nays: None. Motion carried 6-Ayes, 0-Nays.

- Motion by Skaljac, Seconded by Crouse to approve the minutes of the special meeting of March 14, 2017 as submitted. Ayes: Broski, Carouse, Harwood, Murphy, Skaljac, Veras. Nays: None. Motion carried 6-Ayes, 0-Nays.

Law Director Matty said that the current legislation on medical marijuana said that there must be a physician patient relationship with the following requirements being met:

1. An in person examination by the physician
2. A review of the patient's medical history by the physician
3. An expectation of the physician providing medical care and the patient receiving care on an ongoing basis.

If there is a three month requirement for recommendation, Law Director Matty stated, it is currently not in the legislation.

Committee of the Whole Meeting Reconvened and Adjourned: Motion by Skaljac, seconded by Carouse, to reconvene the Committee of the Whole meeting. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. Motion carried 6-Ayes, 0-Nays. There being no further business, the Committee of the Whole Meeting was adjourned.

/tt

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