



City of Brecksville, Ohio
City Council Regular Meeting
Ralph W. Biggs City Council Chambers
May 6, 2025 – 8:00 PM

In compliance with the Americans with Disabilities Act, those requiring accommodation for meetings should notify the City Clerk's Office at least three days prior to the meeting at (440)526-2609.

AGENDA

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 to 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.

Call to Order

Pledge of Allegiance

Roll Call

Approval of Minutes

1. Approval of April 16, 2025 City Council Minutes

New Business

1. ORD. 5785 - an Ordinance authorizing the purchase of rifle armor plates for use by the Police Department through the State of Ohio, Administrative Services Purchasing Program.
2. ORD. 5786 - an Ordinance accepting the bid of Vizmed Landscape, Inc., for the Kids Quarters Improvement Project.
3. ORD. 5787 - an Ordinance accepting the bid of Ronyak Paving, Inc. for the Brecksville Road (SR 21) Resurfacing Improvement Project.
4. ORD. 5788 - an Ordinance amending Ordinance No. 5762 as it relates to employee compensation.
5. ORD. 5789 - an Ordinance to amend Ordinance no. 5758, making appropriations for current expenses of the City of Brecksville during the fiscal year ending December 31, 2025, making necessary appropriation and revenue adjustments.
6. RES. 5677 - a Resolution authorizing the Mayor to execute a Facilities Use Agreement for The Old Town Hall, the Garage Workshop, and the second floor of Blossom Building #5 between the Brecksville Theatre and the City of Brecksville.
7. RES. 5678 - a Resolution making necessary transfers between certain funds for the fiscal year ending December 31, 2025.

Report of Council Representatives and Committees: Board of Zoning Appeals, Planning Commission, Recreation Commission, Human Services Advisory Board

Reports of Department Directors: Director of Law, Engineer, Director of Finance, Chief Building Official, Director of Human Services, Director of Service, Director of Purchasing, Chief of Police Department, Chief of Fire Department, Director of Recreation

Report of the Mayor

Adjournment

"You're only here for a short visit. Don't hurry. Don't worry. And be sure to smell the flowers along the way.."

- Walter Hagen

Mayor and Safety Director: Daryl Kingston

City Council Members: Dominic Caruso, President; Beth Savage, Vice President; Dan Bender; AJ Ganim; Mark Jantzen; Ann Koepke; Brian Stucky.

Clerk: Tammy Tabor

**AN ORDINANCE AUTHORIZING THE PURCHASE OF
RIFLE ARMOR PLATES FOR USE BY THE POLICE
DEPARTMENT THROUGH THE STATE OF OHIO,
ADMINISTRATIVE SERVICES PURCHASING
PROGRAM; AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to the provisions contained in Section 125.04 of the Ohio Revised Code, the City of Brecksville deems it cost effective to purchase certain services and equipment through the State of Ohio, Administrative Services Purchasing Program; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Mayor be and is hereby authorized to enter into a contract on behalf of the City of Brecksville with the State of Ohio, Department of Administrative Services – State Purchasing, through its authorized vendor, Red Diamond Uniform, for the purchase of body armor for use by the Police Department as listed on Quote 00120745 attached hereto as Exhibit “A.”

<u>NUMBER</u>	<u>ITEMS</u>	<u>AMOUNT</u>
60	Omega Plus ICW, 10x12 Shooter’s Cut Rifle Armor Plates	\$17,457.00
TOTAL		<u>\$17,457.00</u>

SECTION 2. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer’s certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 3. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency relates to the daily operation of a municipal department, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

EXHIBIT "A"

REPRINT

RED DIAMOND UNIFORM I
4437 MAHONING AVE

YOUNGSTOWN OH 44515
330-270-9653

QUOTE

04-15-2025 14:20:23

00120745

QUOTE
STORE: 1
REGISTER: 109
CLERK: RICK #1 BAKER

Customer
BRECKSVILLE POLICE DEPARTMENT
BRECKSVILLE POLICE DEPT.
9069 BRECKVILLE RD

BRECKSVILLE OH 44141
Phone: 440-526-8900
Email: SKORINEK@BRECKSVILLE.OH.US

Sales Person Name
RICK #1 BAKER

Barcode	Brand	Style	Description	Size	Color	Qty	Price	Total
10232610	POINT BLANK	PLTOMG10X12	OMEGA PLUS ICW, 10X12 SPEC			60	290.95	17,457.00
Ohio state contract RSI010814 Pricing								

Total Units: 60

Original receipt # 0

Sub total: 17,457.00
Discount: 0.00
Shipping charge: 0.00
Tax1: 0.00
Tax2: 0.00
Total: 17,457.00
Total Due: 0.00



**AN ORDINANCE ACCEPTING THE BID OF
VIZMEG LANDSCAPE, INC. FOR THE
KIDS QUARTERS IMPROVEMENT PROJECT;
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to the publication of bids according to law, bids for the Kids Quarters Improvement Project, in accordance with the specifications on file in the office of the Director of Public Service, were received and opened according to law on April 17, 2025, and it being determined that the bid of Vizmeg Landscape, Inc.. was the lowest responsive and responsible bid.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Per the bids received and as tabulated by the Director of Public Service, the bid of Vizmeg Landscape, Inc. for the Kids Quarters Improvement Project in the amount of one million, one hundred sixty-six thousand, four hundred forty-nine dollars and twenty-nine cents (\$1,166,449.29), in accordance with the specifications on file in the office of the Director of Public Service, be and the same is hereby accepted.

SECTION 2. The Mayor be and is hereby authorized and directed to enter into a contract on behalf of the City of Brecksville with Vizmeg Landscape, Inc. as set forth in Section 1 hereof, said contract to be in such form as is approved by the Director of Law.

SECTION 3. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer’s certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 4. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to commence the Project, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

**AN ORDINANCE ACCEPTING THE BID OF
RONYAK PAVING, INC. FOR THE BRECKSVILLE
ROAD (S.R. 21) RESURFACING IMPROVEMENT
PROJECT; AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to the publication of bids according to law, bids for the Brecksville Road (S.R. 21) Resurfacing Improvement Project in accordance with the specifications on file in the office of the Director of Purchasing, were received and opened according to law on April 25, 2025, and it being determined that the bid of Ronyak Paving, Inc. was the lowest responsive and responsible bid.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Per the bids received and as tabulated by the Director of Purchasing, the bid of Ronyak Paving, Inc. dated April 25, 2025, for the Brecksville Road (S.R. 21) Resurfacing Improvement Project, in accordance with the specifications on file in the office of the Director of Purchasing, be and the same is hereby accepted.

SECTION 2. The Mayor be and is hereby authorized and directed to enter into a contract on behalf of the City of Brecksville with Ronyak Paving, Inc. as set forth in Section 1 hereof, said contract to be in such form as is approved by the Director of Law.

SECTION 3. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 4. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need for the road resurfacing, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

**AN ORDINANCE AMENDING
ORDINANCE NO. 5762 AS IT RELATES
TO EMPLOYEE COMPENSATION;
AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Ordinance No. 5762 be amended to read as follows:

A. FULL TIME JOBS	EFFECTIVE DATE		
	12/15/2024		
	SALARY RANGE		
	<u>MINIMUM</u>	<u>MAXIMUM</u>	
<u>Executive, Administrative and Management</u>			
Building Commissioner or Building Official	\$85,000.00	\$135,000.00	Annually
Director of Finance	\$85,000.00	\$135,000.00	Annually
Director of Human Services	\$85,000.00	\$135,000.00	Annually
Director of Planning & Community Develop.	\$85,000.00	\$135,000.00	Annually
Director of Public Service	\$85,000.00	\$135,000.00	Annually
Director of Purchasing	\$85,000.00	\$135,000.00	Annually
Director of Recreation	\$85,000.00	\$135,000.00	Annually
Fire Chief	\$85,000.00	\$135,000.00	Annually
Police Chief	\$85,000.00	\$135,000.00	Annually
Prosecutor/ Assistant Law Director	\$85,000.00	\$135,000.00	Annually
Administrative Assistant	\$55,000.00	\$101,000.00	Annually
Assistant Building Commissioner	\$55,000.00	\$101,000.00	Annually
Assistant Director of Finance	\$55,000.00	\$101,000.00	Annually
Assistant Purchasing Director	\$55,000.00	\$101,000.00	Annually
Athletics/ Facility Coordinator	\$55,000.00	\$101,000.00	Annually
AV/ Technology and Communications Tech.	\$55,000.00	\$101,000.00	Annually
Building Inspectors	\$55,000.00	\$101,000.00	Annually
Clerk of Council	\$55,000.00	\$101,000.00	Annually
Clerk of Courts	\$55,000.00	\$101,000.00	Annually
Human Resource Specialist	\$55,000.00	\$101,000.00	Annually
Supervisor of Payroll - Personnel	\$55,000.00	\$101,000.00	Annually
Payroll Supervisor	\$55,000.00	\$101,000.00	Annually
Planning and Zoning Coordinator/Inspector (Effective 4/21/24)	\$55,000.00	\$101,000.00	Annually
Visual Communications Coordinator	\$55,000.00	\$101,000.00	Annually
Animal Warden	\$40,000.00	\$76,000.00	Annually
Aquatics Administrative Coordinator	\$40,000.00	\$76,000.00	Annually
Aquatics Facilities Coordinator	\$40,000.00	\$76,000.00	Annually
Building Maintenance & Housekeeping Supervisor	\$40,000.00	\$76,000.00	Annually
Field House Coordinator	\$40,000.00	\$76,000.00	Annually
Financial/ Customer Service Clerk Recreation	\$40,000.00	\$76,000.00	Annually
Fitness Center Coordinator/ Recreation	\$40,000.00	\$76,000.00	Annually
Records Clerk - Police	\$40,000.00	\$76,000.00	Annually
Recreation Clerk	\$40,000.00	\$76,000.00	Annually
Food Service Operations Manager	\$40,000.00	\$76,000.00	Annually

Administrative Assistant to Fire Chief	\$30,000.00	\$63,000.00	Annually
Building Supervisor – Recreation	\$30,000.00	\$63,000.00	Annually
Fitness Assistant	\$30,000.00	\$63,000.00	Annually
Receptionist	\$30,000.00	\$63,000.00	Annually
Secretary-Clerks	\$30,000.00	\$63,000.00	Annually
Senior Lifeguard Instructor	\$30,000.00	\$63,000.00	Annually

B. PART TIME JOBS

	<u>MINIMUM</u>	<u>MAXIMUM</u>	
Economic Development Director	\$40,000.00	\$45,000.00	Annually
Planning and Zoning Coordinator	\$20.00	\$40.00	Hourly
Electric, Plumbing and Building Inspectors	\$20.00 (Effective 12/04/22)	\$40.00	Hourly
Kitchen Supervisor	\$15.00	\$25.00	Hourly
Assistant Animal Warden	State/Federal Minimum Wage/hour	\$19.00	Hourly
Telephone Receptionists	State/Federal Minimum Wage/hour	\$18.00	Hourly
Kitchen Aides	State/Federal Minimum Wage/hour	\$16.75	Hourly
Deputy Clerk of Courts	\$10.00	\$25.00	Hourly
Property Maintenance Inspector	\$15.00	\$30.00	Hourly
Program Coordinator	\$20.00	\$37.00	Hourly

EFFECTIVE DATE

5/6/2025

SALARY RANGE

C. SPECIAL JOBS

Recording Secretary-Boards Commissions	State/Federal Minimum Wage/hour	\$24.00
Desk Clerks – Recreation	State/Federal Minimum Wage/hour	\$20.00
Life Guards – Recreation	State/Federal Minimum Wage/hour	\$20.00
Program-Supervisors/Recreation	State/Federal Minimum Wage/hour	\$20.00
Recreational Employees	State/Federal Minimum Wage/hour	\$20.00
Mayor’s Court Magistrates	\$350.00/diem	\$350.00/diem
Safety Town Teacher	\$150.00 \$220.00 /diem	\$150.00 \$220.00 /diem
Clerk	State/Federal Minimum Wage/hour	\$20.00
Information Technology Assistant	State/Federal Minimum Wage/hour	\$24.00

D. CONTRACTUAL JOBS

Law Director	Shall be paid as provided by Council.
Consulting Engineer	Shall be paid as provided by Council.
City Architect	Shall be paid as provided by Council.
Income Tax Administrator	Shall be paid as provided by Council.

POLICE DEPARTMENT

EFFECTIVE DATE

12/15/2024

A. Full Time Personnel

Lieutenant	\$113,327.70	Annually
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B. Part Time Personnel

	<u>MINIMUM</u>	<u>MAXIMUM</u>	
Special Police	\$20.00	\$30.00	Hourly
Police Clerks	\$12.00	\$26.00	Hourly

FIRE DEPARTMENT

EFFECTIVE DATE

12/15/2024

A. Full Time Personnel

Executive Fire Lieutenant	\$105,251.00	Annually
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B. Part Time Personnel

Firemen and Officers (Volunteer)		
Emergency Duty	\$28.28	Hourly
Non-Emergency Duty/Non-Paramedic	\$22.10	Hourly
Non-Emergency Duty/Paramedic	\$26.38	Hourly

SERVICE DEPARTMENT

EFFECTIVE DATE
12/15/2024

A. Full Time Personnel

Service Grade VI*	\$26.70	Hourly
Service Grade V**	\$29.99	Hourly
Service Grade IV***	\$33.25	Hourly
Service Grade III***	\$36.58	Hourly
Service Grade II***	\$37.50	Hourly
Service Grade I***	\$38.52	Hourly
Assistant Foreman	\$44.35	Hourly
Foreman	\$50.68	Hourly
Building Engineer II***	\$35.18	Hourly
Building Engineer I***	\$37.51	Hourly
Building Engineer Supervisor	\$48.55	Hourly
Tree Warden/Horticulturist	\$41.72	Hourly

	MINIMUM	MAXIMUM
Building Maintenance Workers	\$15.00	\$27.00 Hourly

*Grade VI employees move to Grade V after 12 months of satisfactory service.

** Grade V employees move to Grade IV after 36 months of continuous, satisfactory service as a Grade V employee.

***May only change Grades by promotion as authorized by the Mayor.

	STEPS	
Housekeeping Supervisor Grade III	24 months	\$20.87 Hourly
Housekeeping Supervisor Grade II	12 months	\$19.77 Hourly
Housekeeping Supervisor Grade I	Entry	\$18.67 Hourly
Housekeeping Staff Grade III	24 months	\$17.56 Hourly
Housekeeping Staff Grade II	12 months	\$16.47 Hourly
Housekeeping Staff Grade I	Entry	\$15.37 Hourly

Housekeeping Staff and Housekeeping Supervisors may only change Grades by promotion as authorized by the Mayor.

B. Part Time Jobs

Part Time	MINIMUM	MAXIMUM
Housekeeping Staff	\$12.00	\$16.00 Hourly
Building Maintenance Worker	\$15.00	\$25.00 Hourly
Part Time Service (Effective 4/19/2022)	\$14.00	\$18.00 Hourly

Seasonal

Sewer Repair and Maintenance	\$15.00	\$20.00 Hourly
Construction Observer	\$19.00	\$30.00 Hourly
Snow Plow Drivers	\$15.00	\$20.00 Hourly
Road Side Mower	\$15.00	\$20.00 Hourly
Seasonal Service	\$14.00	\$18.00 Hourly

SECTION 2. All payments to be made by direct deposit, unless otherwise determined by the Finance Department to pay via paper check.

SECTION 3. All employees shall provide the Finance Department with an active email address. The employee will receive their direct deposit voucher via email to the address provided, unless otherwise determined by the Finance Department to distribute in paper form. The Finance Department is not responsible for verifying the email address are active, it shall be the responsibility of the employee.

SECTION 4. Ordinance No. 5762 and the same hereby is, superseded and restated by this Ordinance.

SECTION 5. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency relates to the daily operation of municipal departments, therefore, said Ordinance shall be in full force and

effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED:_____

APPROVED:_____

MAYOR

CLERK OF COUNCIL

**AN ORDINANCE TO AMEND ORDINANCE NO. 5758,
MAKING APPROPRIATIONS FOR CURRENT
EXPENSES OF THE CITY OF BRECKSVILLE
DURING THE FISCAL YEAR ENDING
DECEMBER 31, 2025, MAKING NECESSARY
APPROPRIATION AND REVENUE ADJUSTMENTS;
AND DECLARING AN EMERGENCY**

WHEREAS, the appropriations heretofore set to certain accounts of the City of Brecksville are insufficient to pay expenses incurred during the fiscal year ending December 31, 2025.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. That the Director of Finance be authorized to increase appropriations in the General fund.

388,000.00	Transfer to Gen Muni Imp	1100830-43060
207,000.00	Transfer to Rec Facilities	1100830-43180

SECTION 2. That the Director of Finance be authorized to increase estimated resources and appropriations in the Recreation Expansion fund.

207,000.00	Transfer from General	R2410820-09110
207,000.00	Machinery & Equipment	C2410710-33000

SECTION 3. That the Director of Finance be authorized to increase estimated resources and appropriations in the General Municipal Improvement fund.

388,000.00	Transfer from General	R4800820-09160
388,000.00	Roads	C4800171-35010

SECTION 4. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that it is necessary to make adjustments to appropriations of the City, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: May 6, 2025

APPROVED: May 6, 2025

MAYOR

CLERK OF COUNCIL

**A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE A FACILITIES USE AGREEMENT FOR
THE OLD TOWN HALL, THE GARAGE WORKSHOP,
AND THE SECOND FLOOR OF BLOSSOM BUILDING #5
BETWEEN THE BRECKSVILLE THEATRE AND THE
CITY OF BRECKSVILLE; AND DECLARING
AN EMERGENCY**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Mayor be, and hereby is, authorized to execute a Facilities Use Agreement between The Brecksville Theatre and the City of Brecksville for The Old town Hall, the Garage Workshop, and the second floor of Blossom Building #5, a copy of which Facilities Use Agreement is attached hereto as Exhibit “A” and expressly made a part hereof by reference.

SECTION 2. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer’s certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency relates to the use of the city’s buildings, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

EXHIBIT “A”
City of Brecksville
FACILITIES USE AGREEMENT

The Old Town Hall
The Garage Workshop
The Second Floor of Blossom Building #5

The Brecksville Theatre, an Ohio non-profit corporation, through the undersigned authorized representative, understands that by signing this agreement to use The Old Town Hall, the Garage Workshop, and the second floor of Blossom Building #5, that The Brecksville Theatre accepts full financial responsibility for any injuries, damage to any equipment or other liabilities that may result from its usage of the Facilities. The Brecksville Theatre also agrees to indemnify and hold harmless the City of Brecksville and its officers, officials, agents, and other representatives and employees against all claims, liabilities, demands, actions or causes of action, damages, losses, and expenses, including but not limited to attorney fees, sustained by any person or persons and arising out of or resulting from the performance of this Agreement. In addition, The Brecksville Theatre will carry the insurance listed in line 5 below, with a certificate of liability naming the City of Brecksville as an Additional Insured.

Terms and Conditions Agreed to by The Brecksville Theatre:

1. Facilities and Portions Thereof Permitted to be Used, Subject to 2. Below for 4/1/2025 to 12/31/2025:

The Old Town Hall located at 49 Public Square – All

The Garage Workshop located at 6951 Stadium Drive - All

Second Floor of Blossom Hill Building #5 located at 4440 Oakes Road - Rooms Only (all corridors, hallways, and stairways to remain clear at all times)

2. The Brecksville Theatre agrees and acknowledges that Either Party may cancel this Facilities Use Agreement in their sole and complete discretion for convenience, upon a 90-days’ notice to the Other Party.

3. Facilities Uses Generally:

The Old Town Hall – for rehearsals and theatrical performances (NOTE: all performances shall be at the final discretion of the City of Brecksville)

The Garage Workshop – for storage and construction of sets and props

Second Floor of Blossom Hill Building #5 – for storage of costumes and props

4. Facilities Usage Fee: Due 1st of every quarter

The Brecksville Theatre shall pay Usage Fees made payable to the City of Brecksville in quarterly payments as follows:

2025
1 st Quarter - NA
2 nd Quarter May and June - \$500 (\$250/month)
3 rd Quarter - \$750 (\$250/month)
4 th Quarter - \$750 (\$250/month)

5. Insurance Limits Required Delivered to the City in the Form of an Acord 25:

Commercial General Liability – endorsed per occurrence and per location

General Aggregate - \$5,000,000

Products – completed/operations aggregate - \$5,000,000

Each Occurrence - \$2,000,000

Damage to Rented Premises - \$1,000,000

Medical Expenses (any one person) - \$10,000

Automobile Liability – endorsed per any auto, hired autos only, scheduled autos, non-owned autos only

Combined Single Limit - \$1,000,000

Workers' Compensation and Employers' Liability – per statute

Any limit may be supplemented by an Umbrella Liability Policy

6. Financial Disclosure

Facilities User shall provide The City of Brecksville the following financial statements at the time of signing the Facilities Use Agreement and any additional and/or renewal User Agreements:

Statement of Cash Flows – previous year 1/1 - 12/31

Profit & Loss Comparison -previous year 1/1/ - 12/31

Balance Sheet – year end 12/31

7. Scheduling/Conflicting Schedules

The Facilities User shall coordinate all scheduled use days, including performances, at least 60 days in advance. The City of Brecksville shall maintain scheduling priority over any permitted user for any "City" related events, even if the city event conflicts with a previously scheduled, permitted user event. The City shall provide 14 days advance notice of planned events to all permitted user parties.

8. The Brecksville Theatre will ensure compliance with the City of Brecksville Codified Ordinances relating to occupancy, fire, and safety regulations.
9. The Brecksville Theatre will be responsible for supervision of all invitees during use of the Facilities.
10. Controlled substances, smoking, and alcoholic beverages are not permitted in the Facilities. Beer and wine shall be permitted for select special weekend events as approved by the Mayor and City Council with an appropriate State issued permit, and in accordance with all State and Local laws.
11. Weapons of any kind, including handguns, even if a person has a concealed carry license to carry a handgun, are not permitted in the Facilities. Prop weapons may be used for performances. All prop weapons shall be non-functional and clearly identifiable as a prop.
12. The Brecksville Theatre is responsible for cleaning up the Facilities after its use of said Facilities.
13. All personal items and equipment brought to the Facilities by The Brecksville Theatre, its representatives or invitees must be removed within 3 days following the conclusion of an event and/or the use of the Facilities. Any semi-permanent technical equipment may remain in place. The City of Brecksville is not responsible for lost, stolen, misplaced, and/or broken personal items or equipment.
14. The Brecksville Theatre is required to abide by all local, state, and federal laws governing the use of Facilities and group behavior.
15. This Facilities Use Agreement is subject to the condition precedent of Brecksville City Council approval.

THE BRECKSVILLE THEATRE:

Signed: _____
Authorized Representative

Printed Name: _____

Date: _____

CITY OF BRECKSVILLE:

Signed: _____
Mayor Daryl J. Kingston

Printed Name: _____

Date: _____

**A RESOLUTION MAKING NECESSARY
TRANSFERS BETWEEN CERTAIN FUNDS
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025;
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to Section 5705.14 of the Ohio Revised Code, the Council deems it necessary to make certain transfers between the various Funds of the City for the fiscal year ending December 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Director of Finance be authorized to make the following transfers between certain funds of the City:

<u>From</u>	<u>Transfer</u>	<u>To</u>
General Fund 1100830-43180	\$207,000.00	Recreation Expansion Fund R2410820-09110
General Fund 1100830-43060	\$2,058,000.00	General Municipal Improvement Fund R4800820-09110
	<u><u>\$2,265,000.00</u></u>	

SECTION 2. The Director of Finance be, and is hereby authorized to make payments from any of the foregoing transferred and advanced funds upon receiving prior invoices and vouchers therefor, approved by the persons authorized by law to approve the same.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that the same is related to the daily operation of a municipal department, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: May 6, 2025

APPROVED: May 6, 2025

MAYOR

CLERK OF COUNCIL