



City of Brecksville, Ohio
City Council Regular Meeting
Ralph W. Biggs City Council Chambers
February 17, 2026 – 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

To listen to the live stream of the meeting please go to the City's Agenda & Minutes link on the website: <https://brecksvilleoh.portal.civicclerk.com/>. 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 February 3, 2026 City Council Minutes

Unfinished Business

New Business

1. RES. 5766 - a Resolution Authorizing the Mayor to Accept Funding Through the NOPEC Community Event Sponsorship Program; and declaring an emergency..
2. RES. 5767 - a Resolution authorizing the Mayor to enter into an Agreement for Payment of Counsel Fees for Indigent Criminal Defendants; and declaring an emergency.
3. RES. 5768 - a Resolution authorizing the Mayor to apply for a CWD Suburban Watermain Renewal Project Grant through Cleveland Water; and declaring an emergency.
4. ORD. 5848 — an Ordinance authorizing the Mayor to enter into an amendment to the Customer Services Agreement with AllOne Health Resources DBA Ease@Work, to increase the fee amount, and declaring an emergency.
5. ORD. 5849 - an Ordinance to amend Ordinance No. 5829, making appropriations of the City of Brecksville during the fiscal year ending December 31, 2026, making necessary appropriation and revenue adjustments; and declaring an emergency.

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

Reports of Department Directors Law Director Matty Engineer, Wise Assistant Director of Finance, Lemasters Chief Building Official, Packard Director of Human Services, Paciorek

Director of Service, Kickel Director of Purchasing, Bartkiewicz Chief of Police Department, Korinek Chief of Fire Department, Bender Director of Recreation, Engle

Report of the Mayor

Adjournment

"It doesn't matter where you've been, it only matters where you are going."

- Brian Tracy

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

RESOLUTION RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Resolution No. 5766

WHEREAS, the City of Brecksville, Ohio is a member of the Northeast Ohio Public Energy Council and is eligible for funding through the NOPEC Community Event Sponsorship Program; and

WHEREAS, the Northeast Ohio Public Energy Council has notified the City of Brecksville that they are eligible for a Sponsorship Award in the amount of two thousand dollars (\$2,000.00) for 2026;

WHEREAS, The Brecksville Firefighter’s Association will host a Safety Services Fair and Ice Cream Social to be funded with the NOPEC Sponsorship Award.

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 complete the Sponsorship Program application process for funding through the NOPEC Community Event Sponsorship Program in the amount of two thousand dollars (\$2,000.00) to fund a Brecksville Firefighter’s Association Safety Services Fair and Ice Cream Social. The Mayor is further authorized to execute whatever documents are necessary to complete the application process and, if successful in obtaining the funding, the Mayor is authorized to execute whatever documents are necessary to effectuate the receipt of funds.

SECTION 2. 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 the need to complete the Sponsorship Program application process, 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: February 17, 2026

APPROVED: February 17, 2026

MAYOR

CLERK OF COUNCIL

RESOLUTION RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Resolution No. 5767

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER
INTO AN AGREEMENT FOR PAYMENT OF COUNSEL FEES
FOR INDIGENT CRIMINAL DEFENDANTS; AND DECLARING
AN EMERGENCY**

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 enter into an Agreement for Payment of Counsel Fees for Indigent Criminal Defendants, effective January 1, 2026 through December 31, 2026, a copy of which Agreement is attached hereto as Exhibit "A."

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 is the need for counsel for indigent criminal defendants appointed by the Municipal Court of Garfield Heights, 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: February 17, 2026

APPROVED: February 17, 2026

MAYOR

CLERK OF COUNCIL

AGREEMENT FOR PAYMENT OF COUNSEL
FEES FOR INDIGENT CRIMINAL DEFENDANTS
(Pursuant to Ohio Revised Code §120.33)

THIS AGREEMENT entered into on this ____ day of _____ 2026 by and between the County of Cuyahoga, Ohio, a body corporate and politic and political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as the same may have been amended, modified, and supplemented to the date hereof (hereinafter referred to as "County"), and the City of Brecksville, Ohio a body politic and corporate organized and existing under the Charter of the City of Brecksville, effective November, 1955, as the same may have been amended, modified, and supplemented to the date hereof (hereinafter referred to as "City").

WHEREAS, on November 17, 2025, pursuant to Ohio Administrative Code 120-01-03 ("Standards of Indigence") and ORC 120.33, Cuyahoga County approved BC2025-720 providing for the representation of indigent persons accused of certain crimes under a court-appointed attorney's system, the establishment of a schedule of fees to be paid to counsel for legal services so provided, and the authority by which the County may contract with municipalities with respect to legal fees for counsel appointed to represent indigent persons charged with certain violations of ordinances of municipal corporations, and

WHEREAS, the County has adjusted the schedule of fees paid to counsel for such legal services from time to time, and

WHEREAS, the parties hereto desire to enter into an agreement pursuant to Ohio Revised Code §120.33 relative to the payment of legal fees and expenses to counsel appointed by the Municipal Court of Garfield Heights, Ohio represent indigent persons charged with certain violations of the City of Brecksville, Ohio and for which the penalty or any possible adjudication includes the possible loss of liberty, as set forth in the aforementioned statute.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the parties agree as follows:

1. Pursuant to Ohio Revised Code §120.33, and the aforesaid resolution, the County shall pay all legal fees of counsel appointed by the Municipal Court of Garfield Heights, Ohio to represent indigent persons charged with violations of the ordinances of the City of Brecksville, Ohio, plus authorized expenses, as certified by the Garfield Heights Municipal Court, Ohio.
2. Payment by the City for representation of indigent persons is by a fee schedule and shall not exceed the fee schedule adopted by the County wherein the municipal corporation is located.
3. The City agrees to reimburse the County for all legal fees and expenses which are paid by the County according to Item One within thirty (30) days of receipt of an invoice prepared by the County for such fees and expenses.
4. The City agrees to pay the County an administrative fee of three percent (3%) of the amount of any reimbursement received from the Ohio Public Defender Commission as full compensation for all administrative and other cost incurred by the County on account of the services rendered under this Agreement.

5. The County agrees to pay the City all reimbursement received from the State of Ohio Public Defender for said legal fees and expenses less the 3% Administrative fee referenced above pursuant to Ohio Revised Code 120.33 within thirty (30) days of the County's receipt of such reimbursement.
6. Reimbursement by the County to the City for legal fees and expenses for the representation of such indigent persons shall not exceed the amount received as reimbursement from the State of Ohio Public Defender.
7. This agreement shall be in effect from January 1, 2026 through December 31, 2026.
8. Neither the County nor the City shall assign all or any part of this Agreement without the prior written consent of the other, which consent shall not be unreasonably withheld.
9. Any notice or communication required or permitted under this MOU shall be sufficiently given in writing delivered to the following:

City of Brecksville
 Lisa A. Sabol, Brecksville Prosecutor
 lsabol@brecksville.oh.us
 9020 Brecksville Road
 Brecksville, Ohio 44141

Cuyahoga County Fiscal Office
 Domonique Tatum
 dtatum@cuyahogacounty.gov
 2079 East 9th Street 3-100
 Cleveland, OH 44115

10. If the County fails to fulfill its obligations under this Agreement in a reasonable, timely, and proper manner, or if the County substantially violates any of the terms or conditions of this Agreement, then the City has the right to terminate this Agreement by providing written notice to the County of such termination that specifies an effective date for termination no less than thirty (30) days before the effective date of said termination. Termination by the City shall not constitute a waiver of any other right or remedy it may have at law or in equity for breach of this Agreement by the County.
11. If the City fails to fulfill its obligations under this Agreement in a reasonable, timely and proper manner, or if the City substantially violates any of the terms or conditions of this Agreement, then the County has the right to terminate this Agreement by giving written notice to the City of such termination that specifies an effective date for termination no less than thirty (30) days before the effective date of said termination. Termination by the County shall not constitute a waiver of any other right or remedy it may have at law or in equity for breach of the Agreement by the City.
12. All appointments made hereunder shall conform with the Standards of Indigency and other rules and standards established by the Ohio Public Defender Commission and the State Public Defender.

13. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio by a Court sitting in Cuyahoga County and parties agree not to attempt to remove any legal action outside of Cuyahoga County for any reason.
14. Both parties are subject to the Ohio Public records Act, ORC 149.43.
15. All amendments to this Agreement agreed upon by the parties shall be in writing and signed by both parties.
16. This Agreement is contingent upon the approval of the State of Ohio Public Defender.

CITY AGREES THAT ALL CONTRACT DOCUMENTS REQUIRING COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. CITY ALSO AGREES TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304 AND 1306 OF THE OHIO REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.

ENTERED INTO AND AGREED in Cleveland, Ohio, the day and year first written herein.

CUYAHOGA COUNTY, OHIO

BY: _____
Chris Ronayne, County Executive,
or designee, pursuant to Executive Order 2023-0003,
dated July 6, 2023

And

CITY OF BRECKSVILLE

BY: _____
Daryl Kingston, Mayor

The legal form and correctness
of this Contract is hereby approved:
Law Department, County of Cuyahoga, Ohio
Victor E. Manolache, Assistant Law Director for
Richard D. Manoloff, Director of Law

RESOLUTION RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Resolution No. 5768

**A RESOLUTION AUTHORIZING THE MAYOR TO
APPLY FOR A CWD SUBURBAN WATERMAIN
RENEWAL PROJECT GRANT THROUGH
CLEVELAND WATER; 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 apply for a CWD Suburban Watermain Renewal Project Grant through Cleveland Water for watermain replacement along Brecksville Road. The Mayor is further authorized to execute whatever documents are necessary to complete the request process. If successful in obtaining such funding, the Mayor is authorized to execute whatever documents are necessary to effectuate the receipt of funds.

SECTION 2. 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 the need meet the application deadline, 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: February 17, 2026

APPROVED: February 17, 2026

MAYOR

CLERK OF COUNCIL

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5848

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO AN AMENDMENT TO THE CUSTOMER
SERVICES AGREEMENT WITH ALLONE HEALTH
RESOURCES DBA EASE@WORK TO INCREASE THE
FEE AMOUNT; 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. The Mayor be, and hereby is, authorized to enter into an Amendment to the Customer Services Agreement with AllOne Health Resources DBA Ease@Work, to increase the fee amount by fifty cents (\$.50) to twenty-three dollars and fifty cents (\$23.50), a copy of which Amendment to the Customer Services Agreement is attached hereto as Exhibit "A" and incorporated herein as if 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 as 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 is the need to provide employee assistance services, 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: February 17, 2026

APPROVED: February 17, 2026

MAYOR

CLERK OF COUNCIL

AMENDMENT TO CUSTOMER SERVICE AGREEMENT

This AMENDMENT TO CUSTOMER SERVICE AGREEMENT (the “Amendment”) has been entered into, and is effective as of the effective date set forth on the signature page (“Effective Date”), by and between AllOne Health Resources, Inc. (the “Company”), having a place of business at 100 North Pennsylvania Avenue, Wilkes-Barre PA 18701, and the party set forth on the signature page (the “Customer”).

“Company” is inclusive of AllOne Health Resources, doing business as Ease@Work

ARTICLE I. PREAMBLE

WHEREAS, the Customer and the Company entered into a Customer Services Agreement on 03/01/24 (the “Agreement”), to provide Customer’s employees EAP

WHEREAS, in exchange for services, the Customer has agreed to pay the Company a fee consisting of the following:
\$23.50 PEPY

WHEREAS, the Customer and the Company would like renew the Agreement for an additional twenty-four month period; effective on: 03/01/26

ARTICLE II. AMENDMENT

NOW, THEREFORE, in consideration of the foregoing recitals contained in Article I, which is incorporated herein by reference, the mutual promises, covenants, agreements and undertakings of the parties set forth below, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound hereby, do agree to renew the Agreement as stated below:

The Agreement renews at 9:00 a.m. Eastern Standard Time on 03/01/26 and shall include with the ability to auto-renew annually or until terminated sooner pursuant to Article 2: Term of the Agreement (“Renewal Term”). Upon the expiration of the Renewal Term, the Agreement shall automatically renew every year unless written notice is provided with the minimum number of days required.

ARTICLE III. GENERAL PROVISIONS

Effect of Amendment. This Amendment shall become effective on the Effective Date of this amendment. The Agreement, as amended by this Amendment, shall continue in full force and effect. This Amendment is limited to the matters set forth above. No other terms or conditions shall be amended pursuant to the Amendment.

Counterparts and Facsimile Signatures or PDF Signatures. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The Customer and the Company agree that transmission to each other of this Amendment with the transmitting party’s facsimile signature or portable document format (“PDF”) signature shall suffice to bind the party signing and transmitting the same as if this Amendment with an original signature had been delivered.

[Remainder of page intentionally left blank]

SIGNATURE PAGE

IN WITNESS WHEREOF, the parties hereto have each duly executed this Amendment, in duplicate if necessary, as of the effective date written below.

Date

Keith Wasley
President and Chief Executive Officer
AllOne Health Resources

Effective Date

Signature of Authorized Customer Representative

Printed Name of Authorized Signatory

Title of Authorized Signatory

City of Brecksville
9069 Brecksville Rd
Brecksville OH 44141

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5849

**AN ORDINANCE TO AMEND ORDINANCE NO. 5829,
MAKING APPROPRIATIONS FOR CURRENT
EXPENSES OF THE CITY OF BRECKSVILLE
DURING THE FISCAL YEAR ENDING
DECEMBER 31, 2026, 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, 2026.

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 estimated resources and appropriations in the General fund.

9,198.66	Other Capital Grant	R1100157-08590
5,963.00	Machinery & Equipment	C1100170-33000
6,301.88	Machinery & Equipment	C1100420-33000

SECTION 2. That the Director of Finance be authorized to increase and decrease appropriations in the Street Construction Maintenance and Repair fund.

(78,000.00)	Machinery & Equipment	C2020410-33000
78,000.00	Snow & Ice	2020410-26080

SECTION 3. That the Director of Finance be authorized to increase appropriations in the State Highway Improvement fund.

5,000.00	Roads	C2030410-35010
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SECTION 4. That the Director of Finance be authorized to increase and decrease appropriations in the Urban Redevelopment TIE – VA Sherwin Williams fund.

2,593,016.71	Economic Development	4102150-21130
(1,005,000.00)	Roads	C4102171-35010

SECTION 5. That the Director of Finance be authorized to increase and decrease appropriations in the Urban Redevelopment TIE – VA Phase I fund.

84,676.49	Economic Development	4101150-21130
(63,000.00)	Roads	C4101171-35010

SECTION 6. That the Director of Finance be authorized to increase and decrease appropriations in the Municipal Public Improvement TIE – VA Phase III fund.

108,600.00	Economic Development	4200812-45130
(108,600.00)	Roads	C4200171-35010

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5849

SECTION 7. That the Director of Finance be authorized to increase and decrease appropriations in the Urban Redevelopment TIE – VA Phase II fund.

50,000.00 Other Debt Expenses

3400812-45130

SECTION 8. 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: February 17, 2026

APPROVED: February 17, 2026

MAYOR

CLERK OF COUNCIL