

**MINUTES OF PUBLIC MEETING  
BRECKSVILLE CHARTER REVIEW COMMISSION**

**BRECKSVILLE CITY HALL**

**NOVEMBER 2, 2022**

The Charter Review Commission was **CALLED TO ORDER** by Chairperson Skaljac at 6:30pm.

Following the **PLEDGE OF ALLEGIANCE**, the Commission Members answered to **ROLL CALL** as follows:

**Present:** Bartos, Bender, Berlin, Lesh, Gawlik, Mansfield, Skaljac, Vida-Clough

**Absent:** Schirch.

**Others:** Law Director Matty, Council President L. Redinger, Council Representative B. Savage, Commission Alternate R. Holub, Fire Chief Zamiska, Police Chief Korinek. Planning Commission Chair Eric Lahrmer.

**APPROVAL OF MINUTES:**

Chairman Skaljac asked for comments regarding the minutes of the October 25, 2022 meeting.

Chairman Skaljac, moved to approve the minutes, seconded by Berlin.

**ROLL CALL:**

Ayes: Bartos, Bender, Berlin, Gawlik, Lesh, Mansfield, Skaljac, Vida-Clough.

Nays: None

**MOTION CARRIED**

Chairman Skaljac said the Commission will be reviewing Article 5, Sections 7 through 11. The Board of Zoning Appeals which is Section 7, Chairperson Rose was unable to make it this evening but he does want to present on our next meeting on November 29<sup>th</sup>, we'll add that to the agenda along with Article 6.

Chairman Skaljac said some of the boards and commissions have discussions related to term limits. The Planning Commission has a five-year term. Chairman Skaljac asked if Council President Redinger knew how long some members had been on the Planning Commission. Council President Redinger said some members have been on for several, years. Ron Payto and Dom Sciria are the serving members right now with possibly more than 15 years. The Commission has (2) new members Mark Jansen and Lawry Kardos. Mike Bansuh moved out of the community and the second appointment replaced Monica Bartkowitz who was hired by the City. Eric Lahrmer has been on for (5) five years. Council President Redinger said she appreciates having volunteers that have a longevity perspective who are still very engaged and extremely thoughtful in their commentary. They can help look at the history and have some of the perspective of how we've been very methodical developing different areas within the community. Council President Redinger said maintaining the business district at the south end of

the City, residential and retail, has been deliberate. Council has an opportunity to replace members if they feel a replacement is needed.

Chairman Skaljac said there is not a job description to be a member of the Planning Commission or any of these boards or commissions. The Council looks to find people in the community who have construction, engineering, design, architecture, etc., experience for the board they have applied to.

Council President Redinger said there is a rigorous process for bringing folks onto all of our boards and commissions, much like this commission. Council President Redinger said resumes are collected and interviews are held. The President of Council and the Vice President of Council review resumes and amongst the team, including the Mayor, select the candidates based on resumes and interviews.

Mr. Berlin asked if a five-year term ends, are the applications kept so the Council reviews all candidates at a later time.

Council President Redinger said typically, near the end of the year, Council will look at the expiring terms and do evaluations amongst the leadership to see if someone has been effective and certainly will have some conversations to make sure that someone wants to continue. The Council has replaced folks who've said they no longer want to volunteer. The city also had volunteers that wish to continue. Mr. Bender asked if there is communication that goes out to the residents that there is an opportunity to apply for any of the commissions. Council President Redinger said yes. The notifications go to the public from Mayor Hruby's e-mails to the public and are also on the website. Opportunities are announced at meetings. Chairman Skaljac said there are several resumes that are received, having candidates is usually not an issue finding the right candidates is what the city is concerned with.

Planning Commission Chair Eric Lahrmer was introduced. Mr. Lahrmer said the process to be heard by the Planning Commission begins with an application to the Building Department. The Building Department prepares information on all of the items that will be on the agenda for the Commission. The City's Zoning Coordinator prepares information on each application before the Planning Commission. Applicants attend the Planning Commission meeting and present a proposal for consideration. Planning Commission Chair Lahrmer said the Planning Commission makes recommendations based on the information received. The Planning Commission has support from the Engineer, Zoning Coordinator and other members of the city Administration. Planning Commission Chair Lahrmer said he feels limiting terms would be a disservice to the community. Mr. Payto has been on the Planning Commission for many years and is very effective. Mr. Payto has knowledge of the City's history along with a good sense of design and understanding of the City. Planning Commission Chair Lahrmer said there have been different Planning Commission members change in his 10 year appointment. There have been members with architectural, legal, development and construction backgrounds that all bring different perspectives.

Chairman Skaljac asked if there is anything the Commission would like to change. Planning Commission Chair Lahrmer said there are a few things that residents wanted to change such as

solar panels and signs. The Ordinance has been written effectively and Planning Commission Chair Lahrmer said he does not find a shortfall. Planning Commission Chair Lahrmer said once an item is placed on the agenda, the Planning Commission hears information from the applicant and City officials and how it relates to the City ordinances. Planning Commission Chair Lahrmer said the Commission may request revisions to a plan, and the applicant has the option to make changes. The Planning Commission is a recommending body, the decision is not binding. Planning Commission Chair Lahrmer said a recommendation is made to City Council. The City Council Representative on the Commission will then make that presentation to Council and then Council takes their action. City Council will either accept the recommendation of the Planning Commission or they can reject it and make their own recommendation or send it back to the Planning Commission. Council President Redinger said City Council takes the recommendations from Planning Commission and votes on them as an affirmative or a negative. Council President Redinger said she does not recall something that came to City Council that was recommended by Planning Commission that Council didn't approve. Council President Redinger said the Planning Commission has a great deal of back and forth with the applicants before it is put before Council. Council President Redinger said some of the complex projects take multiple, sometimes (6) months of visits to the Planning Commission to get a project recommending an application to Council. Ms. Mansfield asked if that is the same for rejection as well, does it stop, does it ever get to Council if the Planning Commission says no. Council President Redinger said if the Planning Commission does not recommend approval, it does not get forwarded for Council approval.

Chairman Skaljac asked if the applicants have any options if an application is denied. Law Director Matty said it's called an initiative petition. The applicant can petition the residents and if they obtain a certain percentage of registered voters on their petition, it'll go on the ballot.

Mr. Berlin asked if the Master Plan something that's scheduled to be updated like the Charter. Council President Redinger said there is no set schedule for review of the Master Plan. Chairman Skaljac said the Master Plan is being discussed within the Planning Commission as development is going on within the community. Mr. Berlin asked if the Master Plan sits underneath planning and zoning like the Charter sits under the operations of the city. Law Director Matty said no, the Master Plan is just a guideline. Law Director Matty said the Brecksville Planning Commission is very good and rarely seeks legal advice from his office.

Chairman Skaljac asked if Mr. Lahrmer could explain for the Charter Review Commission when a proposal comes in and does not meet 100% of the zoning requirements. Mr. Lahrmer said a few things fall within the Planning Commission deviations, such as location of solar panels on a winding street. Other issues require an application to the Board of Appeals to request a variance. Chairman Lahrmer said the Planning Commission works with the applicants to obtain the desired result for the City and the applicant. Chairman Skaljac asked that Mr. Lahrmer forward comments or concerns from Planning Commission members to the Charter Review Commission.

Chairman Skaljac asked for any representatives from the Recreation Commission. Seeing none, Chairman Skaljac asked for any comments regarding the Recreation Commission. Ms. Lesh said she was concerned about removal of a Board or Commission member for any cause. Members could be removed with a majority vote of (4). Chairman Skaljac said a member of the Recreation

Commission could be removed with a vote of (4) Councilmembers and all other Commissions require (5) votes of Council.

Council President Redinger said the Mayor is on the Planning Commission, Board of Zoning Appeals, and attends, when possible, Human Services Advisory Board, Recreation and Civil Service. Council President Redinger said either the Mayor or one of his Directors or Councilmembers serves on the Boards and Commissions. Chairman Skaljac said the Charter does not require the Recreation Director to be on the Recreation Commission. Law Director Matty said the Recreation Commission may make recommendations to the Recreation Director. However, the Recreation Director is hired as the administrative director of the Recreation Department. Ms. Gawlik asked what the Recreation Commission does. Law Director Matty said the Recreation Commission makes suggestions on fees, uses of the facilities, and programs. The Recreation Commission makes the recommendation to the Recreation Director and the Council Representative on the Recreation Commission, currently AJ Ganim, presents any requested changes that require Council approval. Law Director Matty said the Recreation Commission is involved in more than residents realize. The Commission is involved in the type of equipment at the facilities, programs that will be available, fees for programs and memberships, and the use of the facilities. Council President Redinger said staffing recommendations and maintenance of the recreation facilities and fields is also discussed by the Recreation Commission for consideration by the Recreation Director. Chairman Skaljac said he was a volunteer on the Recreation Commission and residents are able to attend Recreation Commission meetings and make suggestions and voice concerns. The members of the Commission are generally members that are very involved or have children involved in the sports and activities in the community. Ms. Gawlik said Recreation Director Engle made a suggestion to decrease the number of mandatory meetings required by the Charter. Chairman Skaljac said that change can be made by Ordinance and is not required in the Charter. Ms. Gawlik also stated the Recreation Director suggested a minimum spending thresholds be increased, which may be discussed later or changed by Ordinance. Chairman Skaljac said spending limits will be discussed when the Commission reviews the Chapter on Finance. Council President Redinger said the Commission finds it more difficult to have a quorum of members due to activities and travel, primarily in the summer. Chairman Skaljac said the Commission sets their own schedule, with the 12 meeting per year requirement. Mr. Berlin said the Recreation Commission and the Recreation Director are separate positions. The commission can recommend things to the Recreation Director but that doesn't mean the Recreation Director has to act upon them. Council President Redinger said the Recreation Commission is a sounding board for the community and the city.

Mr. Berlin asked if the Recreation Commission can make recommendations to Council. Chairman Skaljac said yes, the recommendations are made through the Recreation Director and Council Representative. Mr. Bender said he viewed a Recreation Commission meeting where a consideration was presented to combine boys and girls on a second grade basketball team. Commission Member Kern explained how that would not have been a good experience for her own daughter at that age. Law Director Matty said the Recreation Director is the administrative officer in charge of all the employees in recreation, full time, and part time. That position is no different than Chief Zamiska. There is a staff that the director has to coordinate everything through and at the same time, be the supervisor and that takes up quite a bit of her time. If the Recreation Commission has other suggestions at least as far as programs, etcetera, the director

has the final say because she also has to have the staff to do those programs appropriately. The Recreation Director also has to be responsible for the vetting of coaches and the culture of recreation which is different than the culture of travel sports where it's more competitive. Recreation is for everybody and participation is the main goal. The Recreation Commission can help the director with that.

Chairman Skaljac said the concern is a vote of Council from (4) members to (5) members for removal of a Recreation Commission member. This will be discussed by the Charter Review Commission at a later time.

Chairman Skaljac said no members of the Civil Service Commission are in attendance. Police Chief Korinek introduced himself.

Police Chief Korinek said the Safety Director is the ultimate authority over the Police Department and under the Safety Director is the Chief of Police. The Police Chief is responsible for day-to-day operations of the department. The Police Department has two lieutenants that report to the Chief. The department has an operations lieutenant and an administrative lieutenant. Operations lieutenant is in charge of our patrol division, investigative division and our juvenile division. The patrol division consists of four platoons, one sergeant, and four patrol officers per platoon. The K9 unit is also under the patrol division. The department works on 12-hour shifts. So, we need four shifts or platoons to satisfy the schedule. The investigative division is our Detective Bureau. Currently, we have two detectives assigned to the Detective Bureau. The Detective Bureau will take investigations that require further follow up for more serious crimes. Police Chief Korinek said the juvenile division consists of two (SRO) school resource officers, one at the new elementary school and one is at the middle school in Broadview Heights. A Memorandum of Understanding was authorized to allow the city to provide an SRO at the school. The school district is funding a portion of his salary to allow him to be there. Police Chief Korinek said the administrative lieutenant is going to be retiring soon. The Administrative Lieutenant is in charge of our records division. The Police Department has (2) records clerks that satisfy records requests, handling and filing case files and things of that nature. The Administrative Lieutenant is also in charge of vehicle towing and our jail. Our jail is a temporary holding facility but we still have to meet certain standards with the state and he's responsible that we meet those standards. Police Chief Korinek said the Administrative Lieutenant is also in charge of our community engagement. The department has requests for training, "ALICE" training and, active shooter training. As part of the community engagement we hold coffee with a cop, things of that nature. The Administrative Lieutenant is a liaison to our Cuyahoga Valley Dispatch, the dispatch agency that the city uses. The Lt. works with them on day to day issues, complaints or things that the city can use to improve our service. He's also a part of our professional standards bureau and all that is when we get complaints, he has to investigate them. Police Chief Korinek said the department has a training division. The patrol division or the patrol operations lieutenant is in charge of our training division but officers pitch in and help with that as far as working well with other departments.

Chief Korinek said the Police Department interacts with all of the city departments. The Police assist the Fire and Service Departments with equipment, traffic control, and whatever they may

need at a scene. Chief Korinek said the Department works with Human Services and Recreation to provide welfare checks and security.

Police Chief Korinek said the department works with the Civil Service Commission when hiring new officers. The department would like to propose lateral transfers from other Police Departments. Chief Korinek provided information on the application and testing procedure for the Civil Service Commission. Lateral transfer would allow an officer from another department that is already certified, to apply to the City of Brecksville. When it is determined that the department needs additional staff the process begins by assuring funds are available in the budget to hire additional staff. The Civil Service Commission is notified and a test is commissioned. Public notice is given in the newspaper and applications to take the test are received from applicants. Training, education and certifications are beneficial to your employment application. When testing is completed and scoring of those tests is complete a list is certified by the Civil Service Commission and published. Polygraph tests, psychological tests and interviews are performed. If testing comes back with a less than desired score, the department may request the Civil Service Commission omit that person from the list of candidates. Chairman Skaljac asked how many people are on the "list. Police Chief Korinek said the department uses the 1-10 rule. The list should have (10) applicants to hire (1) officer. The Commission may authorize less than (10) candidates to hire from. Chief Korinek said for promotions, the hiring list should have at least (3) candidates to hire (1). Law Director Matty said often times candidates are also taking tests in other communities. Candidates may have already accepted a position in another community. Law Director Matty said previously cities would have to limit applications to the first 100-125 applications, currently if 15 applications are received it is considered a large group. Law Director Matty said the benefit of a lateral transfer is an officer already has been trained by the academy. The City of Brecksville is a desired community and the job of a Police Officer on the street is a very difficult job. Mr. Bender asked if the Charter allows lateral transfer. Law Director Matty said consensus between the Police Union and the Civil Service Commission is needed to authorize lateral transfer. The Civil Service will need to adopt lateral transfer in their rules. Chairman Skaljac asked if the Department is required to start at the top of the list. Chief Korinek said they are required to test each of the 10 members and interview. On the promotion level, for sergeant and lieutenant, it's one of three and the Chief and the Mayor have total discretion including interviews with who they want to hire of three candidates. Chairman Skaljac asked what the promotion procedure is. Police Chief Korinek said when there is a retirement or through attrition then the department will go to Civil Service and request the test. Applicants are put through professional things that they might encounter as a sergeant or a lieutenant or the chief and then, they'll be graded on that by experts in that field that are of rank officers and that have nothing to do with the city of Brecksville. It is not totally anonymous but you know, we have no connection or relationship. Sergeants must have (3) years as a Sergeant before testing for Lieutenant. The applicants are interviewed and after the interview, the Mayor has authority but he listens to what the Police Chief has to say and then, the Lieutenants are also involved in promoting Sergeants. Civil Service Commission will listen to our recommendations.

Chairman Skaljac thanked Chief Korinek. Hearing no more comments or questions, Fire Chief Zamiska was introduced. Chief Zamiska has been with the City of Brecksville for (20) years, and Chief for (5) years. Chief Zamiska said the City of Brecksville operates a career department, we operate 24 hours a day 365 days a year. Three shifts, each shift has a supervisor, which is the

rank of lieutenant. Chief Zamiska said the Lieutenant has daily frontline decision making. The Lieutenants are in the field on EMS and field calls. About 85% of what the Fire Department does is EMS response in the community. The Department also does a lot of technical rescue with the park system. During the COVID Pandemic we saw a huge rise in the usage of the park system. The Fire Department responded to many rescues in the park. Fire Chief Zamiska said the City belongs to the Southwest Council of Governments. There are (19) communities that all fund special operations teams. The group provides rope rescue, hazardous materials response, water rescue, etc. It's very expensive to run those teams and no individual city can afford that so we all contribute together for those high-risk, low-frequency calls but we have a combination of full-time and part-time staff. Chief Zamiska said there are five firefighters on duty at all times in the city. When a full timer is off, a part timer supplements staffing for that shift. The City uses and participates in mutual aid. The average fire scene, the city just had a fire Sunday, had about 20 firefighters on the scene. So, it works very well and we work through protocols and medical direction as well. Chief Zamiska said the EMS run calls are the largest volume of the City's calls. The Fire Department operates under the direction of a medical director and that medical director is Doctor Roars through Metro Health and Metro Health authorized the medications we can give in the field, the procedures that the department does, the continuing education that we receive. Metro Health provides the guidance for all of that. The Fire Department operates under the direction of the Safety Director we work through Civil Service when there's a vacancy for the Fire Department. Not only entry level but as well as promotional. The promotional exams, they are little different. The Civil Service test is a general knowledge test. The promotional exams we pick are standard operating procedure. Supervisor-based book are used for study references. We can select one of those top three candidates for that promotion. The Fire Department maintains a lot of equipment and works with other departments in the City during emergency situations, related to natural disasters. Chief Zamiska said the Fire Department is responsible for providing safety alerts to the citizens through the CodeRed system. The Fire Department also performs regular testing of alarm systems, such as the tornado sirens. The Fire Department applies for many grants to help with the expenses of the department. Fire Chief Zamiska said the Department provides safety inspections of businesses and home inspections for adoptions. The Department is regularly in the field for outreach and training programs. Continuing Education is required by the state of Ohio, Division of EMS to do 96 hours of continuing education every three years and then we do 48 hours of fire training that is required in that three-year cycle as well. The EMT's are giving medications that really are life saving and some of them are pretty potent so we have to make sure that we're on top of how those work and what their side effects are and what to look out for.

Chairman Skaljac asked for any Civil Service concerns.

Mr. Bender asked if the Police or Fire Chief had comments regarding expenditure limits an Article 6 Section (4). Mr. Bender said some departments feel the \$3000 spending threshold was too low, others had no concerns. Fire Chief Zamiska said if he has a purchase of something that was \$7,500.00 it would make purchasing easier and more streamlined. Mr. Berlin asked if there is an amount or a situation that Fire Chief is concerned about. Fire Chief Zamiska said the Department is fortunate to have a well maintained fleet of vehicles. Currently the Fire Department has the back-up ambulance in need of suspension repairs. Police Chief Korinek said

he has equipment such as TASER that are only sold by one provider. When (2) Tasers needed to be purchased, the purchase had to go through Council as the cost was over \$3,000. Mr. Berlin asked Council President Redinger if there is a process where Council could authorize an emergency purchase. Council President Redinger said Council would need to call a special meeting.

Chairman Skaljac said the Charter discusses the (2) year minimum residency requirement prior to a Board or Commission appointment. Chairman Skaljac said he does not believe any changes are necessary as the boards and commissions traditionally have been a great way for people who have an interest in the future in running for an elected position to get involved in something with the city to see how things work. The vast majority of council members currently in the past probably started in some sort of aspect of a volunteer on one of these boards and Commissions. Chairman Skaljac said about six or seven Councilmembers were members of the Recreation commission before running for public office in Brecksville.

Mr. Bender said he feels the term limits may require a valuable member to be removed. Mr. Bender said he agrees that residency requirements of two years probably a good way to get people involved. Council should always be thinking about succession planning. When a member has been on for many years and everyone on the Planning Commission is 65 years old you know, maybe it's time we start to look to bring in some younger residents that can work with them for a while have that knowledge transfer and continue on. Chairman Skaljac agreed and feels that Council is mindful of that.

Ms. Vida-Clough asked if there has been discussion about adding an advisor or a consultant to a committee for those that have been a member a voting member for ten, 15, 20 years to move into that type of position and then to free up a voting member for maybe a more novice person to join the commission or committee. Council President Redinger said she does not believe that has happened. Chairman Skaljac said the administration and Council are very good at preparing for vacancies and appointing members with experience in specific fields. Council President Redinger said if Board of Zoning or Planning Commission members have questions they can call Steve Synek or Scott Packard who had worked with Planning before Monica Bartkiewicz was hired. Councilmember Savage said she has been encouraged to contact the administration for assistance. Service Director Weidig provided information and accompanied Ms. Savage on a visit to the buildings and facilities in the City.

Mr. Berlin said he has served on the Telecommunications Committee and feels the purpose is no longer as valuable as it once was. The Telecommunication Commission oversees cable television. Mr. Berlin said the Telecommunications Commission could be replaced or renamed as a Communication Commission. A Communications Commission could work on communicating with our residents. This type of commission could help the administration communicate with the residents. Council President Redinger said the future of the Telecommunications Commission has been discussed with Mayor Hruby. Law Director Matty said the Municipality used to have control over the cable companies. Now the State has taken over. Law Director Matty said Council can, by Ordinance, change the framework of the Telecommunication Commission or give it a new purpose. Law Director Matty said in response

to Ms. Vida-Clough is that alternates could be appointed to Boards and Commissions. Other Communities do not have trainees, but do have alternates. The alternates attend meetings, fill in for absent members. Law Director Matty said it is unfair to an applicant to have less than an entire Board make a decision because it requires a majority of that Board to approve or deny. Law Director Matty said having an alternate would satisfy the trainee requirement.

Chairman Skaljac said he has noted the Telecommunication Commission purpose for future discussion.

Mr. Berlin asked about naming Boards, Commissions and Committees. Mr. Berlin said he thought all of the Commissions were defined in the Charter. Mr. Berlin said he was looking for consistency in what the City calls committees, boards and commissions

Ms. Gawlik said the Charter gives Council the ability to create both commissions and committees. Ms. Gawlik said it is more difficult to remove a commission from the Charter than to disband by Ordinance. Chairman Skaljac said the Recreation Commission was created before the Recreation Department. Ms. Bartos asked if the Charter Review Commission was the only Board or Commission that required an alternate. Law Director Matty responded yes.

Law Director Matty responded to previous questions. Law Director Matty said the question was asked about Law Directors with municipal experience. One out of (8) communities in Northeast Ohio, have experience levels as to prior municipal experience. Two communities have a two-year experience requirement. One community has a three year experience requirement.. The other twenty-four communities, they have no experience required in municipal area.

Law Director Matty said in the area of virtual meetings, the only community that has implemented virtual meetings is the City of Independence. They've done that for their Council and they've left it up to the boards and commissions if they wish to go with virtual meetings. So, there's only one local community going forward with virtual meetings as of this point in time. Law Director Matty said the simultaneous decision that has to be made if you decide to allow virtual meetings is the municipality has to have the ability to have communication with the residents at the time of the meeting. You can't have residents sending in questions for answering after the meeting. It has to be done during the meeting and of course, Zoom is one of those opportunities where you can actually physically see not only who is asking questions but you could see other people who are voting and their discussion of those issues. The City of Independence hired a special IT company to make sure that that could be done especially in the area of their boards and commissions where plans are shown and plans are part of the discussion are important factors to consider.

Hearing no further comments, Motion by Skaljac to adjourn. Seconded by Bartos to adjourn at 7:55 PM.

Roll call: Ayes: Bartos, Bender, Berlin, Gawlik, Lesh, Mansfield, Skaljac, Vida-Clough.

Nays: None

**MOTION CARRIED**