

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD May 16, 2017

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Council was **CALLED TO ORDER** in Regular Session by Council President Greg Skaljac at 8:05 P.M. in Ralph W. Biggs Council Chambers.

CALL TO ORDER

Following the **PLEDGE OF ALLEGIANCE**, members of Council answered to **PLEDGE OF ALLEGIANCE**
ROLL CALL as follows:

Members Present: G. Broski, L. Carouse, Jr., M. Harwood, N. Murphy,
L. Redinger, G. Skaljac, K. Veras.

ROLL CALL

Members Absent: None.

Others Present: Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law
Director S. DiGeronimo, Engineer G. Wise, Finance Director
V. Price, CBO S. Packard, Service Director R. Weidig,
Purchasing Director R. Riser, Fire Chief E. Egut,
Police Chief W. Goodrich, Recreation Director T. Tupa,
Council Clerk T. Tabor.

MINUTES OF THE MAY 2, 2017 REGULAR MEETING: Motion by Carouse, seconded by Redinger, to dispense with the reading of the May 2, 2017 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 5-2-17 APPROVED

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras,

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 4750 Re: Commending Gary Weiss on his retirement from service to the Brecksville Human Services Board, and declaring an emergency, was read.

RES. 4750 COMMENDING GARY WEISS ON HIS RETIREMENT FROM THE HUMAN SERVICES ADVISORY BOARD

Motion by Broski, seconded by Harwood, to suspend the rules and place Resolution 4750 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4750 .

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Mayor Hruby said Gary and his wife were unable to be here this evening to accept this commendation. Gary is a fine man and has given very much to the City even when he has suffered from several illnesses. He would attend the meetings and participate. Mayor Hruby said it is very evident when speaking to Gary that he has a joy for living life. Mayor Hruby thanked Council and said this legislation is very important, recognizing a man who has given much to the community.

RESOLUTION 4751 Re: A Resolution appointing Alexander P. Eliofoff to the position of Firefighter for the City of Brecksville and declaring an emergency, was read.

RES. 4751 APPOINTING ALEXANDER P. ELIOFF AS FIREFIGHTER

Motion by Broski, seconded by Harwood, to suspend the rules and place Resolution 4751 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

Motion by Redinger, seconded by Carouse, to pass Resolution 4751 .

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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OATH OF OFFICE: Mayor Hruby asked Alexander Elioff to come forward. Mayor Hruby recognized the firefighters in the audience that will be part of the team that Alex is joining. Mayor Hruby said this is the beginning of a lifelong relationship with these outstanding individuals. Alex is a graduate of Medina High School class of 2011 and obtained his Firefighter training from Medina Cancer Center in 2012 and he completed his paramedic certification at Parma Community Hospital in October of 2016. Alex has been with the Medina Twp. Fire Department since September 2013. He has also worked as a mechanic with his father's business, Elioff Automotive. Mayor Hruby said Alex and his fiancé Jessica Dennis, have an August 12, 2017 wedding planned.

Mayor Hruby asked Alex's father to stand. Mayor Hruby said Mr. and Mrs. Elioff did a fantastic job raising Alex. Mayor Hruby said during the interviews for the firefighter position, Alex spoke highly of his father and attributed his work ethic to his father. Mayor Hruby congratulated the Elioff's on raising a fine young man.

Alex introduced his family and friends in attendance and thanked the fire fighters for witnessing his appointment. Alex's fiancé Jessica had the honor of affixing Alex's badge to his lapel.

RESOLUTION 4752 Re: a Resolution confirming the appointment by the Mayor of Brant Giere to the Board of Tax Review and declaring an emergency, was read by title. Motion by Harwood, seconded by Broski, to suspend the rules and place Resolution 4752 on third and final reading.
Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4752 .

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

OATH OF OFFICE

**RES. 4752
APPOINTING
BRANT GIERE
TO THE
BOARD OF
TAX REVIEW**

RESOLUTION 4753 Re: a Resolution confirming the appointment by the Council of Doug Hubert to the Board of Tax Review and declaring an emergency, was read by title. Motion by Broski, seconded by Harwood, to suspend the rules and place Resolution 4753 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4753 .

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4753
APPOINTING
DOUG
HUBERT TO
THE BOARD
OF TAX
REVIEW**

RESOLUTION 4754 Re: a Resolution confirming the appointment by the Council of Dan Prendergast to the Board of Tax Review and declaring an emergency, was read by title.

Motion by Veras, seconded by Broski, to suspend the rules and place Resolution 4754 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse , to pass Resolution 4754 .

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4754
APPOINTING
DAN
PRENDER-
GAST TO THE
BOARD OF
TAX REVIEW**

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ORDINANCE 5076 Re: an Ordinance accepting the bid of Catts Construction for the S.R. 82 Improvement Project and declaring an emergency, was read by title.

Motion by Broski, seconded by Harwood, to suspend the rules and place Ordinance 5076 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5076.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5077 Re: an Ordinance authorizing the purchase of a 2018 Freightliner single axle truck, Model M2106, from Cleveland Freightliner through state contract and declaring an emergency, was read by title.

Motion by Harwood, seconded by Broski, to suspend the rules and place Ordinance 5077 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5077.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5078 Re: an Ordinance authorizing the purchase of a Recycling Truck Body Package from Concord Road Equipment Mfg. through state contract for installation on the 2018 Freightliner single axle truck and declaring an emergency, was read by title.

Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5078 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5078.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5079 Re: An Ordinance authorizing the purchase of a 2017 Freightliner MS Life Line Type I Ambulance, Model "Highliner" through state purchase and declaring an emergency, was read by title.

Motion by Broski, seconded by Harwood, to suspend the rules and place Ordinance 5079 on third and final reading.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5079.

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5076
ACCEPTING
THE BID OF
CATTS
CONSTRUCT-
ION FOR S.R.
82 ROAD
IMPROVE-
MENT**

**ORD. 5077
AUTHORIZ-
ING THE
PURCHASE
OF A TRUCK
FOR USE BY
THE SERVICE
DEPARTMENT**

**ORD. 5078
AUTHORIZ-
ING THE
PURCHASE
OF A TRUCK
BODY
PACKAGE
FOR USE BY
THE SERVICE
DEPARTMENT**

**ORD. 5079
AUTHORIZ-
ING THE
PURCHASE
OF AN
AMBULANCE
FOR USE BY
THE FIRE
DEPARTMENT**

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ORDINANCE 5073 (3rd and Final Reading Re: Providing for the submission to the electors of the City of Brecksville the question of amending the Planning and Zoning Code section 1189.01 of the Planning and Zoning Code by adding subsection (n) to prohibit medical marijuana activities in all use districts, and declaring an emergency, was read. Motion by Broski, seconded by Harwood, to pass Ordinance 5073. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. BOARD OF ZONING APPEALS: Council Representative Veras reported there are two items recommended to Council from the May 8th Board of Zoning Appeals meeting. The next meeting of the Board of Appeals will be held June 12, 2017 at 7:30 P.M. APPEAL 2017-10: Motion by Veras, seconded by Harwood, to accept a Board of Zoning Appeals recommendation to approve a variance from Section 1151.26(3) to allow the construction of a deck to extend 4 ft. into the required rear yard located at 8055 Long Forest Drive, PP# 601-28-044. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. APPEAL 2017-10: Motion by Veras, seconded by Broski, to accept a Board of Zoning Appeals recommendation to approve a variance from Section 1151.25(d) of 660 sq. ft. from the maximum 660 sq. ft. to allow 1320 sq. ft. for the construction of a detached garage located at 11921 Fitzwater Road, PP# 602-02-005. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. PLANNING COMMISSION: Council Representative Harwood reported there are three items approved by Planning Commission for recommendation and City Council consideration from the May 4, 2017 Planning Commission meeting. The next Planning Commission meeting is scheduled for Thursday, June 8, 2017 at 7:00 P.M. ANDREW'S FRONT YARD SETBACK – 9515 CHIPPEWA ROAD: Motion by Harwood, seconded by Veras, to accept a Planning Commission recommendation to establish a front yard setback of 125.0 feet at 9515 Chippewa Road, Brecksville, Ohio, Permanent Parcel no, 601-37-004, as described in the application dated March 3, 2017 and shown on the Site Improvement Plan by Howard R. Selee & Associates, Inc., dated March 17, 2017. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS MEDICAL MARIJUANA ZONING AMENDMENT: Motion by Harwood, seconded by Broski, to accept a Planning Commission recommendation to approve the proposed Zoning Code Amendment of Section 1189.01 by adding subsection (N) to prohibit Medical Marijuana Activities in all Use Districts in the City of Brecksville. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS	ORD. 5073 3rd READING ORDINANCE 5073 PLANNING & ZONING AMMEND- MENT PROPOSAL TO PROHIBIT MEDICAL MARIJUANA BD. OF ZONING APPEALS APPEAL 2017-10 VAR. FOR REAR YARD DECK SETBACK AT 8055 LONG FOREST DR. APPEAL 2017-11 VAR. GARAGE SIZE AT 11921 FITZWATER ROAD PLANNING COMMISSION ANDREW'S FRONT YARD SETBACK – 9515 CHIPPEWA ROAD MEDICAL MARIJUANA ZONING AMENDMENT
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AT & T GENERATOR INSTALLATION – 9069 BRECKSVILLE ROAD: AT & T
Motion by Harwood, seconded by Veras, to accept a Planning Commission recommendation **GENERATOR**
to approve the installation of a 4' by 10' Kohler 50 kw natural gas generator for AT&T, **INSTALLA-**
within the existing tower compound at 9069 Brecksville Road, Brecksville, Ohio, as **TION 9069**
described in the application dated January 25, 2017, and attached redlined plans by **BRECKS-**
Benchmark Services, Inc., all dated March 18, 2016. **VILLE ROAD**

T-1 Title Sheet
SP-1 General Notes
A-1 Site Plan
S-1 Foundation Details
E-1 Wiring Details
E-2 Panel & Penetration Details
E-3 Panel & Penetration Details
E-4 ASCO ATS Specifications

Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljic, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS

RECREATION COMMISSION: Council Representative Redinger reported the **RECREATION**
Recreation Committee had no meeting in April and has no report. **COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Council Representative Murphy **DEPT. OF**
reported the Volunteer of the year luncheon was held at the Human Services Center and **HUMAN**
thanked Council members for attending. Council Representative Murphy thanked Council **SERVICES**
for the Commendation of Gary Weiss and said it has been an honor to serve with him. On
May 25th an event "Here's to Your Health" will be held at the Community Center, ticket are
on sale now.

TELECOMMUNICATIONS COMMISSION: Council Representative Broski **TELEC. COM.**
reported the committee is working with AT&T Representatives to correct a service
complaint.

SAFETY-SERVICE COMMITTEE: Councilmember Veras reported the Streets **SAFETY-**
and Sidewalks Committee met earlier this evening and has one item for Council **SERVICE**
consideration.

Motion by Veras, seconded by Harwood, to approve an increase to a Purchase Order **POST**
#P160817 for an additional month rental of the Post Pounder used by the Service Department **POUNDER TO**
for traffic sign installation. Account #110230 2201. **BE USED BY**
Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljic, Veras. **THE SERVICE**
Nays: None. **DEPARTMENT**
MOTION CARRIED 7-AYES, 0-NAYS

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski thanked **STREETS &**
Council for approval of the SR 82 Project. **SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Carouse reported the committee met **UTILITIES**
earlier this evening and has nothing to bring before Council at this time. **COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Harwood reported **BUILDINGS &**
the Buildings & Grounds Committee met earlier this evening and has three items to bring **GROUNDS**
before Council. **COMMITTEE**

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Motion By Harwood, seconded by Broski, to authorize the Purchasing Director to advertise for bids for the Brecksville Old Town Hall Electrical Improvements for the Old Town Hall Renovations Project. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS	AUTH. TO SEEK BIDS FOR OLD TOWN HALL ELECTRICAL IMPROVE.
Motion By Harwood, seconded by Veras, to authorize the Purchasing Director to advertise for bids for the Lighting Equipment for the Old Town Hall Renovations Project. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS	AUTH. TO SEEK BIDS FOR OLD TOWN HALL LIGHTING EQUIPMENT
Motion By Harwood, seconded by Broski, to approve the purchase requisition to Donald G. Bohning & Associates, Inc. in the amount of \$49,250.00 for the Brecksville Police Station Site Design. <i>Account #C491210 3201 Project #BD090001</i> Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Veras. Abstain: Skaljac. Nays: None. MOTION CARRIED 6-AYES, 1- ABSTAIN, 0-NAYS	POLICE STATION SITE DESIGN
LEGISLATION COMMITTEE: Councilmember Murphy thanked Council for the appointments to the Tax Review Board and passage of the Ordinance Prohibiting Medical Marijuana earlier this evening and reported that the Legislation Committee has one item to bring before Council.	LEGISLATION COMMITTEE
Motion by Murphy, seconded by Redinger, to appoint Council Clerk Tammy Tabor as City Council's Designee to attend public records training as required by Section 149.43 and 109.43 of the Ohio Revised Code. Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS	COUNCIL DESIGNEE: PUBLIC RECORDS TRAINING
FINANCE COMMITTEE: Councilmember Redinger said the Finance Committee met earlier this evening and has two additional items for Council consideration this evening. Councilmember Redinger thanked Finance Director Price and the Administration on the successful completion of the recent audit.	FINANCE COMMITTEE
Motion by Redinger, seconded by Murphy, to accept the recommendation of the Purchasing Director for renewal of City Property & Liability insurance policy and approve the renewal for Wichert Insurance Services, Inc. annual premium for Property & Liability Insurance Policies in the amount of \$161,699.00 for the renewal term of 5/25/2017 - 5/25/2018. <i>Account #110150 2104</i> Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS	CITY PROPERTY & LIABILITY INSURANCE POLICIES
Motion by Redinger, seconded by Murphy, to accept the recommendation of the Purchasing Director for renewal of City's Law Enforcement Liability insurance and approve the renewals for Custis Insurance Service, Inc. annual premium for Property & Liability Insurance Policies in the amount of \$14,095.00 for the renewal term of 5/25/2017 - 5/25/2018. <i>Account #110150 2104</i> Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS	CITY LAW ENFORCE- MENT LIABILITY POLICY
REPORT OF LAW DIRECTOR: No Report	LAW DEPT.

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REPORT OF ENGINEER: No Report

**ENGINEER-
ING DEPT.**

REPORT OF FINANCE DIRECTOR: Finance Director Price thanked the **FINANCE** departments and the administration for their diligence in financial matters resulting in a **DEPARTMENT** successful audit.

REPORT OF BUILDING DEPARTMENT: No Report

BLDG. DEPT.

REPORT OF SERVICE DIRECTOR: Service Director Weidig reported that May **SERVICE** 25th was the first shredding event of the year. The three hour event was very well attended. **DEPARTMENT** Human Services volunteers collected donations for the food pantry and filled the bus. Director Weidig said the Boy Scouts also collected donations for the Easter Seal fundraiser.

REPORT OF PURCHASING DIRECTOR: No Report

PURCHASING

REPORT OF POLICE DEPARTMENT: No Report

POLICE DEPT.

REPORT OF FIRE DEPARTMENT: Fire Chief Egut thanked Council for the **FIRE DEPT.** appointment of Alexander Ellioff as a Firefighter to the Department.

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

REPORT OF THE MAYOR: Mayor Hruby reported that the Memorial Day **REPORT OF** celebration will begin at 10:30 A.M. on May 29th this year. Ted Lux will be the keynote **THE MAYOR** speaker and Joelle Magyar will also speak regarding Memorial Day. Mayor Hruby praised the Human Services Board for the luncheon event for the Volunteers recognized today.

Fire Chief Egut has submitted his retirement on August 1, 2017. Mayor said that the Chief's successor will be determined shortly and made public soon so that Chief Egut will have an opportunity to train his replacement.

Bonnie Longo will also retire on August 1, 2017. The position of the Mayor's Executive Administrator has been advertised and resumes are being reviewed. It is the administration's intent to have Council appoint Bonnie's replacement soon, affording that person a sufficient amount of time to learn the position.

Linda DePompei has announced her retirement on June 30, 2017 after serving the Human Services Department for the past 18 years.

Mayor Hruby congratulated and expressed thanks to the Finance Department on the audit results. Mayor Hruby agreed that the individual departments played a great part in the success of that audit.

Mayor Hruby noted that the recent rain incident has caused the staff to be overtaxed. The Mayor thanked all of those involved with the aftermath of that event. The City Engineer has done an outstanding job keeping up with all of the issues that have come from that rain event.

Mayor Hruby noted that when the S.R. 82 Project begins, he expects the calls from residents and drivers that are inconvenienced will begin coming in.

The following Brecksville-Broadview Heights High School Students were in **BBHHS** attendance: Bryan Dembie and Van Beyersdorfer. **STUDENTS**

Council President Skaljac invited the students to speak to the Mayor and members of Council after the meeting if they have any questions.

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Motion by Skaljac, seconded by Carouse, to adjourn the regular meeting at 8:47 P.M.
Ayes: Broski, Carouse, Harwood, Murphy, Redinger, Skaljac, Veras. Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS



PRESIDENT OF COUNCIL



CLERK OF COUNCIL