

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

HELD July 20, 2021

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Council was **CALLED TO ORDER** in Regular Session by Council President **CALL TO ORDER**
Harwood at 8:00 P.M. in Ralph W. Biggs Council Chambers.

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

Members Present:	L. Carouse, Jr., D. Caruso, M. Harwood, D. Kingston, A. Koepke, L. Redinger, K. Veras.	ROLL CALL
Members Absent:	None.	
Others Present:	Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director DiGeronimo, Engineer G. Wise, Finance Director L. Starosta, CBO S. Packard, Purchasing Director R. Riser, Fire Chief N. Zamiska, Police Lt. Johnson, Service Director R. Weidig, Myles Rapkin, Council Clerk T. Tabor.	

MINUTES OF THE JULY 6, 2021 REGULAR MEETING: Motion by Carouse, **REGULAR**
seconded by Redinger, to dispense with the reading of the July 6, 2021 regular meeting **MEETING**
minutes and to accept same as presented. **MINUTES OF**
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. **7-6-2021**
Nays: None. **APPROVED**
MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5157 re: a Resolution appointing Timothy V. Musat as a Full-Time **RES. 5157**
Firefighter/Paramedic in the City of Brecksville Fire Department; and declaring an **APPOINT**
emergency, was read by title. **TIMOTHY**
Motion by Veras, seconded by Caruso, to suspend the rules and place Resolution **MUSAT AS A**
5157 on third and final reading. **FULL TIME**
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. **FIREFIGHTER**
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.
Motion by Redinger, seconded by Carouse, to pass Resolution 5157.
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

Mayor Hruby said the Brecksville Civil Service Commission has certified a list of **COMMENTS**
candidates for full time firefighter/paramedic. Of the ten candidates on the list, interviews
were conducted and Timothy Musat was selected. Timothy Musat attended Community
college where he earned the State of Ohio Firefighter and Paramedic Certifications and Top
Scholar award. Timothy has been a part-time firefighter with the Brecksville Fire
Department for two years. Firefighter Musat is leaving the Parma Fire Department.

Firefighter Musat introduced his family, his wife, Brianna, had the honor of
installing the firefighter badge on her husband, Timothy. Rosie, Josie and Timmy are their
three children. Firefighter Musat introduced his wife, children and Dad, Mother-in-law
Marcella, Mother-in-law Bridget and her fiancé John.

OHIO DIVISION OF LIQUOR CONTROL - Ohio Division of Liquor Control **LIQUOR**
request for hearing on permit issuance for notice C TREX 9892020-0005 for Zaragoza Ayala **PERMIT**
LLC DBA Blue Habenero,, 8934 Brecksville Road. **HEARING**
Motion by Redinger, seconded by Carouse, to notify the Ohio Division of Liquor **REQUEST**
Control no further action is requested for application C TREX 9892020-0005 for Zaragoza **BLUE**
Ayala LLC DBA Blue Habenero,, 8934 Brecksville Road. **HABANERO**
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

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RESOLUTION 5158 re: a Resolution authorizing the Mayor to enter into a Whitewood Aerial Sewer Project Settlement Agreement with Gregory and Amber Spencer regarding a landscape barrier; and declaring an emergency, was read by title. Motion by Caruso, seconded by Veras, to suspend the rules and place Resolution 5158 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. Motion by Redinger, seconded by Carouse, to pass Resolution 5158. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. RESOLUTION 5159 re: a Resolution authorizing the Mayor to enter into an Independent Contractor Agreement with Center Court Tennis Club for youth/adult tennis lessons for the City of Brecksville Recreation Department, for the year 202; and declaring an emergency, was read by title. Motion by Veras, seconded by Caruso, to suspend the rules and place Resolution 5159 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. Motion by Redinger, seconded by Carouse, to pass Resolution 5159. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. RESOLUTION 5160 re: a Resolution authorizing the Mayor to enter into a First Amendment to Lease Agreement between the City of Brecksville as Lessor and the Brecksville-Broadview Heights City School District as Lessee for Building 6 located on Blossom Properties; and declaring an emergency, was read by title. Motion by Caruso, seconded by Veras, to suspend the rules and place Resolution 5159 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. Motion by Redinger, seconded by Carouse, to pass Resolution 5160. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. RESOLUTION 5161 re: a Resolution a Resolution authorizing the Mayor to accept the Roadwork Development (629) Grant from the Ohio Development Services Agency for funding assistance for a public roadwork development project; and declaring an emergency, was read by title. Motion by Veras, seconded by Caruso, to suspend the rules and place Resolution 5161 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. Motion by Redinger, seconded by Carouse, to pass Resolution 5161. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.	RES. 5158 AUTH WHITEWOOD AERIAL SEWER PROJECT SETTLEMENT WITH SPENCER FOR LANDSCAPE BARRIER RES. 5159 AUTH. CONTRAC- TOR AGREEMENT FOR TENNIS LESSONS WITH CENTER COURT TENNIS CLUB RES. 5160 FIRST AMENDMENT TO LEASE WITH BBHCSD FOR BLOSSOM HILL BUILDING NO. 6 RES. 5161 ACCEPT THE ROADWORK GRANT FOR PUBLIC ROADWORK PROJECT MILLER RD. INTER- CHANGE
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RESOLUTION 5162 re: a Resolution authorizing the Mayor to enter into a Second Amendment to Lease Agreement between the City of Brecksville as Lessor and the Brecksville Cooperative Pre-School, Inc. as Lessee for premises located at 4430 Oakes Road in the Blossom Road Property Complex; and declaring an emergency, was read by title.

Motion by Caruso, seconded by Veras, to suspend the rules and place Resolution 5162 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 5162.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5423 re: an Ordinance to amend Ordinance No. 5377, making appropriations for current expenses of the City of Brecksville during the fiscal year ending December 31, 2021, making necessary appropriations and adjustments; and declaring an emergency, was read by title.

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5423 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5423.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5424 re: an Ordinance authorizing the purchase of maintenance coverage for fire alarm and sprinkler systems for the Community Center and Human Services from Johnson Controls Fire Protection Services LP through the State of Ohio Administrative Services Purchasing Program; and declaring an emergency, was read by title.

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5424 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5424.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5425 re: an Ordinance authorizing the purchase of alarm monitoring services for the Community Center & Human Services from Johnson Controls Fire Protection Services LP through the State of Ohio Administrative Services Purchasing Program.; and declaring an emergency, was read by title.

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5425 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5425.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 5162 2ND
AMENDMENT
TO BRECKS.
COOPERA-
TIVE PRE-
SCHOOL
LEASE AT
4430 OAKES
ROAD**

**ORD. 5423
AMEND.
APPROPRIA-
TION ORD
NO. 5377**

**ORD. 5424
FIRE ALARM
& SPRINKLER
MAINT FOR
COMMUNITY
CENTER AND
HUMAN
SERVICES**

**ORD. 5425
ALARM
MONITORING
FOR
COMMUNITY
CENTER AND
HUMAN
SERVICES**

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ORDINANCE 5426 re: an Ordinance authorizing the purchase of a baler/conveyor system from Cleveland Compaction for the recycle center through Sourcewell (Formerly the National Joint Powers Alliance); and declaring an emergency, was read by title.

**ORD. 5426
BALER/CON-
VEYOR
STATE
CONTRACT
PURCHASE**

Motion by Caruso, seconded by Veras, to suspend the rules and place Ordinance 5426 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5426.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5427 re: an Ordinance authorizing the Mayor to execute a Lease Agreement on behalf of the City of Brecksville with South Suburban Montessori Association, Inc. for the lease of premises known as Building 3 located at 4450 Oakes Road in the Blossom Hill Property Complex consisting of approximately 5,425 square feet, including the use of access roads; and declaring an emergency, was read by title.

**ORD. 5427
MONTESSORI
LEASE AT
BUILDING #3
4450 OAKES
RD.**

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5427 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5427.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5428 re: an Ordinance authorizing the Mayor to execute a Restatement of Lease Agreement With Amendments on behalf of the City of Brecksville with South Suburban Montessori Association, Inc. for the lease of premises known as Building 7 located at 4450 Oakes Road in the Blossom Hill Property Complex consisting of approximately 31,000 square feet, including the use of access road; and declaring an emergency, was read by title.

**ORD. 5428
MONTESSORI
LEASE AT
BUILDING #7
4450 OAKES
RD.**

Motion by Caruso, seconded by Veras, to suspend the rules and place Ordinance 5428 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5428.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

BOARD OF ZONING APPEALS: Councilmember Caruso reported the next meeting of the Board of Zoning Appeals will be Monday, August 9th at 7:30 P.M.

**BD. OF
ZONING
APPEALS**

Accept the Board of Zoning Appeals recommendation to City Council approval for a variance from Section 1151.24 from the minimum required 60 ft. rear yard setback to allow 36 ft. for the construction of deck on a corner lot of a non-conforming house located at 9167 Dogwood Road, PP# 603-08-087.

**APP. 2021- 27
REAR YARD
SETBACK 9167
DOGWOOD
ROAD**

Motion for passage by Caruso, seconded by Veras.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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Accept the Board of Zoning Appeals recommendation to City Council approval for a variance from Section 1185.03(b) to install a 4 ft. tall split rail fence, maximum 3 ft. height allowed, on a corner lot located at 6753 Mill Road, PP# 601-13-005.

**APP. 2021-28
FENCE
HEIGHT 6753
MILL RD**

Motion for passage by Caruso, seconded by Veras.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Accept the Board of Zoning Appeals recommendation to City Council approval for a variance from Section 1151.24 from the minimum required 60 ft. front yard setback to allow 49.1 ft. for a garage addition on a corner lot located at 9889 Seneca Court, PP# 604-03-002.

**APP. 2021-30
FRONT YARD
SETBACK 9889
SENECCA
COURT**

Motion for passage by Caruso, seconded by Veras.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Accept the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1185.03(a) to install a 5 ft. tall picket fence, maximum 4 ft. height allowed located at 6644 Hawthorne Drive, PP# 601-01-110.

**APP. 2021-31
FENCE
HEGHT 6644
HAWTHORNE
DR.**

Motion for passage by Caruso, seconded by Redinger.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will be August 5th at 7:00 P.M.

**PLANNING
COMMISSION**

RECREATION COMMISSION: Councilmember Redinger reported that the appointment of (2) Commission members is expected at the August 3rd Council meeting.

**RECREATION
COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Councilmember Veras reported the next meeting of the Human Services Advisory Board will be August 10th at 3:00 P.M. The Cleveland Clinic will be providing information on glaucoma on August 13th, reservations are required by calling 440-447-6012. Grab and go lunches may now be taken or residents may stay and have lunch at the Human Services Center. Senior brunches will return on August 10th. The first cook out of the year will be July 31st.

**DEPT. OF
HUMAN
SERVICES**

TELECOMMUNICATIONS COMMISSION: Councilmember Carouse said the commission will be scheduling a meeting for August.

TELEC. COM.

SAFETY-SERVICE COMMITTEE: Councilmember Caruso reported the committee met earlier today and has one item for Council.

**SAFETY-
SERVICE**

Approval of a Purchase Requisition to R&R, Inc. in the amount of \$5,082.74 for the emergency repair to the Selective Catalytic Reduction (SCR) emission control system on Service Department vehicle B-67, a 2013 yard waste packer. Account #110622 2602.

**REPAIRS SCR
EMISSION
SYSTEM TO
SERVICE
DEPT.
VEHICLE B-67**

Motion by Caruso, seconded by Kingston.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Carouse reported the committee met earlier today and thanked Council for acceptance of the Miller Road grant award.

**STREETS &
SIDEWALKS**

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UTILITIES COMMITTEE: Councilmember Kingston reported the committee met earlier and has no additional items for Council consideration.

**UTILITIES
COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Veras reported the Buildings & Grounds Committee met earlier this evening and has one item for Council consideration.

**BUILDINGS &
GROUNDS
COMMITTEE**

Approval of an Increase to Purchase Order #BL211004 to Ehrlich Pest Control in the amount of \$1,750.00 for the City's pest control management services in all City buildings. Account #110171 2103.

**INC. PO
BL211004 TO
EHRlich
PEST
CONTROL**

Motion by Veras, seconded by Caruso.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

LEGISLATION COMMITTEE: Councilmember Koepke reported the committee met earlier today and has no items for Council consideration.

**LEGISLATION
COMMITTEE**

FINANCE COMMITTEE: Councilmember Redinger thanked Council for the passage of the legislation presented this evening and has one item for Council consideration.

**FINANCE
COMMITTEE**

Approval of an increase to PO# FN210012 for Tennis Instructors in the amount of \$2,700.00 d Approval of an increase to PO# FN210012 for Tennis Instructors in the amount of \$2,700.00 due to the tennis program exceeding expectations in 2021 resulting in increased revenues and expenditures. Account #240744 2102.

**INCREASE
PO# FN210012
FOR TENNIS
INSTRUCTOR**

Motion by Caruso, seconded by Kingston.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

REPORT OF LAW DIRECTOR: No Report.

LAW

REPORT OF ENGINEER: No Report.

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report.

FINANCE

REPORT OF BUILDING DEPARTMENT: No Report.

BUILDING

REPORT OF SERVICE DIRECTOR: No Report.

SERVICE

REPORT OF PURCHASING DIRECTOR: No Report.

PURCHASING

REPORT OF POLICE DEPARTMENT: No Report.

POLICE

REPORT OF FIRE DEPARTMENT: No Report.

FIRE

REPORT OF RECREATION DEPARTMENT: No Report.

RECREATION

REPORT OF THE MAYOR: Mayor Hruby reported that he hopes to appoint two members to the Recreation Commission in the near future. Mayor Hruby thanked department heads and staff members for all of the work done for the Home Days event. Mayor Hruby thanked Valley Ford Truck for the donation of a battery operated ride on police vehicle. The Run for Life and Dog Jog were scheduled around the rain. Mayor Hruby thanked Service Director Weidig, Purchasing Director Riser, Jinny Farr, Myles Rapkin and Ted Lux for their work done to coordinate the evens for Home Days. Mayor Hruby said Walter Zimlich passed away. Mr. Zimlich was a Brecksville Councilmember for 8 years, served as Town Constable,

MAYOR

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Volunteer Firefighter, and businessman. Mr. Zimlich's sons Brian and Alan are former firefighters in the City of Brecksville. Mayor Hruby said the City has been awarded a grant to purchase the baler and conveyor for the recycling center. Sherwin-Williams will be meeting with Westview Residents to preview the footprint for the Sherwin-Williams Research and Development Facility. Mayor Hruby and CBO Packard will be available to answer questions. Sherwin-Williams will follow-up with a presentation to the media. An application for the Research & Development will be submitted to the Planning Commission for review.

COMMENTS:

P.M. Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:38

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL