

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

HELD December 15, 2020

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Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 8:12 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:	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, Assistant Law Director DiGeronimo, Finance Director L. Starosta, Police Chief W. Goodrich, Council Clerk T. Tabor.	
Teleconference:	Law Director D. Matty, Engineer G. Wise, CBO S. Packard, Purchasing Director R. Riser, Fire Chief N. Zamiska, Recreation Director T. Tupa, Service Director R. Weidig,	

MINUTES OF THE DECEMBER 1, 2020 REGULAR MEETING: Motion by Carouse, seconded by Redinger, to dispense with the reading of the December 1, 2020 regular meeting minutes and to accept same as presented.
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

REGULAR MEETING MINUTES OF 12-1-2020 APPROVED

RESOLUTION 5105 re: a Resolution authorizing the Mayor to apply for a Community Recycling Awareness Grant from the Cuyahoga County Solid Waste Management District to fund a Community Recycling Awareness Project; and declaring an emergency, was read by title.
Motion by Caruso, seconded by Redinger, to suspend the rules and place Resolution 5105 on third and final reading.
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.

RES. 5105 CUYAHOGA COUNTY SOLID WASTE DISTRICT RECYCLE AWARENESS GRANT

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 5105.
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5106 re: a Resolution authorizing the Mayor to accept financial assistance for the Brecksville Department of Human Services through the Coronavirus Relief Funding Opportunity for adult day service and Ohio senior center providers from the Ohio Department of Aging; and declaring an emergency, was read by title.

RES. 5106 CORONA-VIRUS RELIEF FUNDING OPPORTUNITY FOR HUMAN SERVICES

Motion by Veras, seconded by Caruso, to suspend the rules and place Resolution 5106 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 5106.
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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RESOLUTION 5107 re: a Resolution amending Resolution No. 5095 to revise Exhibit "A" Coronavirus Aid, Relief and Economic Security Act Expenditures; and declaring an emergency, was read by title. **RES. 5107 REVISE RES. 5095 EXHIBIT "A" CORONA-VIRUS AID RELIEF AND ECONOMIC SECURITY ACT EXPENDITURES**

Motion by Veras, seconded by Caruso, to suspend the rules and place Resolution 5107 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 5107.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5379 re: an Ordinance to amend Ordinance No. 5277, making appropriations for current expenses of the City of Brecksville during the fiscal year ending December 31, 2020, making necessary appropriation and revenue adjustments; and declaring an emergency, was read by title. **ORD. 5379 AMEND APPROPRIATIONS FOR CURRENT EXPENSES DURING THE FISCAL YEAR 12-31-2020**

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5279 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 5379.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5380 re: an Ordinance providing for the issuance and sale of not to exceed \$8,600,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of designing, developing, constructing, installing, equipping and improving an athletic fieldhouse to be located on the Blossom Hill property on Oakes Road, and otherwise improving the site therefor, together with all necessary related improvements and appurtenances thereto, in connection with an agreement with the Brecksville-Broadview Heights City School District; and declaring an emergency, was read by title. **ORD. 5380 ATHLETIC FIELDHOUSE AT BLOSSOM HILL SALE OF NOTES NOT TO EXCEED \$8,600,000.**

Motion by Caruso, seconded by Veras, to suspend the rules and place Ordinance 5380 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 5380.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5381 re: an Ordinance providing for the issuance and sale of not to exceed \$1,000,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of expanding the interchange at Miller Road and Interstate 77 by constructing, reconstructing, widening, paving, grading, draining, curbing, installing and replacing guardrails, adding lighting and signalization, relocating utilities, constructing storm sewers and related drainage facilities, and, in connection therewith, acquiring rights-of-way, together with all necessary related improvements and appurtenances thereto; and declaring an emergency, was read by title. **ORD. 5381 MILLER ROAD I-77 INTER-CHANGE SALE OF NOTES NOT TO EXCEED \$1,000,000**

Motion by Caruso, seconded by Veras, to suspend the rules and place Ordinance 5381 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.
Nays: None.

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MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5381.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5381
CONTINUED**

ORDINANCE 5382 re: an Ordinance providing for the issuance and sale of not to exceed \$960,000 of notes, in anticipation of the issuance of bonds for the purpose of paying costs of improving State Route 82 by reconstructing, paving, grading, draining, curbing, replacing guardrails, repairing slopes, replacing ADA ramps, constructing storm sewers and related drainage facilities, and, in connection therewith, acquiring rights-of-way, together with all necessary related improvements and appurtenances thereto; and declaring an emergency, was read by title. **ORD. 5382
STATE ROUTE
82 SALE OF
NOTES NOT
TO EXCEED
\$960,000**

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5382 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 5382.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5383 re: an Ordinance providing for the issuance and sale of not to exceed \$1,400,000 of notes, in anticipation of the issuance of bonds for the purpose of paying costs of improving State Route 82 by reconstructing, paving, grading, draining, curbing, replacing guardrails, repairing slopes, replacing ADA ramps, and constructing storm sewers and related drainage facilities, together with all necessary related improvements and appurtenances thereto; and declaring an emergency, was read by title. **ORD. 5383
STATE ROUTE
82 SALE OF
NOTES NOT
TO EXCEED
\$1,400,000**

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5383 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 5383.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5384 re: an Ordinance providing for the issuance and sale of not to exceed \$750,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of improving State Route 82 by reconstructing, paving, grading draining, curbing, replacing guardrails, repairing slopes, replacing ADA ramps, constructing storm sewers and related drainage facilities, and, in connection therewith, acquiring rights-of-way, together with all necessary related improvements and appurtenances thereto; and declaring an emergency, was read by title. **ORD. 5384
STATE ROUTE
82 SALE OF
NOTES NOT
TO EXCEED
\$750,000**

Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5384 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 5384.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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BOARD OF ZONING APPEALS: Councilmember Caruso reported the next meeting of the Board of Zoning Appeals will be Monday, January 11th at 7:30 P.M.

**BD. OF
ZONING
APPEALS**

Accept the recommendation of the Board of Zoning Appeals for approval for a variance from Section 1326.02 to install a generator on the side of the house instead of the rear as required by code located at 4547 Hunting Valley Lane, PP# 601-13-040.

**2020-39
4547 HUNTING
VALLEY LN.
SIDE YARD
GENERATOR**

Motion by Caruso, seconded by Redinger.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Accept the recommendation of the Board of Zoning Appeals for approval of a variance from Section 1119.09(b) which requires a driveway to be a minimum of 3 ft. from the side lot line to allow 1.8 ft. for the extension of an existing driveway located at 9933 Hillsdale Road, PP# 605-10-004.

**2020-40
9933
HILLSDALE
ROAD SIDE
YARD
DRIVEWAY
SETBACK**

Motion by Caruso, seconded by Veras.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Accept the recommendation of the Board of Zoning Appeals for approval of a variance from Section 1151.26(7) minimum 3 ft. side yard setback required to allow 0 ft. for a walkway located at 8068 Amber Lane, PP# 601-25-011.

**2020-41
8068 AMBER
LN SIDE YARD
WALKWAY
SETBACK**

Motion 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 January 7th at 7:00 P.M.

**PLANNING
COMMISSION**

Accept the recommendation of the Planning Commission for approval of a 7.1 square foot, permanent, wall, identification sign for Salon Legacy at 7620 Chippewa Road, Permanent Parcel #606-28-005, as described in the application dated November 2, 2020, and information attached, subject to approval by City Council of the following deviation: A deviation from the Section 1187.09(c) requirement that the maximum size of single face area be 4.3 square feet to allow 7.1 square feet.

**SALON
LEGACY SIGN
7620
CHIPPEWA
ROAD**

Motion by Harwood, seconded by Veras.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Accept the recommendation of the Planning Commission for a zoning change of a portion of the Sherwin-Williams property from R-8 Residential to O-L Office/Laboratory, Permanent Parcel #604-08-008, Brecksville Road, Brecksville, Ohio 44141 and submitted to the voters at the May 4, 2021 election. The application incorporates, by reference, the attachments including the Overview, various appendices and the Site Map.

**SHERWIN-
WILLIAMS
VALOR
ACRES
REZONING
REQUEST**

Motion by Harwood, 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 recommendation of the Planning Commission for **preliminary and final LOT SPLIT & approval of a lot split and consolidation to create Parcel A, 4.3 acres, located at 10400 Barr CONSOLIDA- Road, Brecksville, Ohio, PP # 604-23-012 and Parcel B, 4.4 acres, located at 10380 Barr TION AT 10400 Road, Brecksville, Ohio, PP #604-23-003, as described in the application dated November 4, & 10380 BARR 2020 and the plat dated October 30, 2020 by Exacta Land Surveying, subject to approval by ROAD City Council and the Board of Zoning Appeals of the following variance:**

- A variance from Section 1151.26(8) that requires 10 feet from paved structures to side or rear lot lines to allow 7.1 feet from side lot line and 9.4 feet from a portion of rear lot line at 10400 Barr Road.

Motion by Harwood, seconded by Veras.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Accept the recommendation of the Planning Commission to City Council for **PRELIMINARY & FINAL preliminary and final approval of a lot consolidation to create Parcel A, 1.4 acres, located ARY & FINAL at 7368 Old Quarry Lane, Brecksville, Ohio, by combining PP #601-24-072 and PP #601- APPROVAL 24-071, as described in the application dated November 16, 2020 and the plat dated LOT CONSOL- November 17, 2020, by Hoffman-Metzker, Inc., subject to approval by City Council and Mr. IDATION 7368 Wise's request that the Cuyahoga County "pre-approval letter" be provided. OLD QUARRY**

Motion by Harwood, seconded by Redinger.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RECREATION COMMISSION: Councilmember Redinger reported the **RECREATION** commission met on December 7th. The City is offering a membership incentive of \$10.00 **COMMISSION** off if you join in December. Special access will also be offered to the aquatics facility on Memorial Day. Other raffle items will also be available.

DEPARTMENT OF HUMAN SERVICES: Council Representative Veras **DEPT. OF** reported the next meeting of the Human Services Advisory Board will be January 12th at **HUMAN** 3:00 P.M. Human Services Director Paciorek reported the Yuletide Unger program is a **SERVICES** bigger success than ever. More than \$19,000 being donated, one individual donated their stimulus check to the cause. Meijer Stores has donated turkeys and side dishes. Each of the children in the adopt a family program have received their gift cards. The Salvation Army donations at this time are between \$9,000 and \$10,000 with \$830 collected on the day before Thanksgiving. Grab and go go lunches continue with 175 & 200 seniors driving through for their lunches. Dr. Tom Cyphert was sworn in as a member of the Human Services Advisory Board.

TELECOMMUNICATIONS COMMISSION: No report.

TELEC. COM.

SAFETY-SERVICE COMMITTEE: Councilmember Caruso reported the **SAFETY-** committee met earlier today and has two items for Council Consideration Councilmember **SERVICE** Caruso wished everyone a Happy & Safe Holiday Season.

Purchase Requisition to Chagrin Valley Dispatch in the amount of \$7,632.00 for the **CHAGRIN** City's annual maintenance agreement on radio equipment for the period of 1/1/2021 – **VALLEY** 12/31/21. Police Account #110210 2613 to be charged \$3,792.00. Fire Account **DISPATCH** #290260 2501 to be charged \$3,624.00. Administration Account #110150 2501 to be **RADIO** charged \$216.00. **EQUIPMENT**

Motion by Caruso, seconded by Kingston.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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Approve an increase to Blanket Purchase Order #BL204407 in the amount of \$600.00 for the December 2020 payment of the LEADS services for the Police Department. Account #110210 2103.

**LEADS
SERVICES
FOR POLICE
DEPARTMENT**

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 said the committee met earlier and has no items to bring before Council. Council President Harwood gave an update on a number of items and conversations had with residents regarding sidewalk and street issues. Mayor Hruby provided information and history on sidewalk discussions.

**STREETS &
SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Kingston reported the committee met earlier and has nothing to bring before Council today.

**UTILITIES
COMMITTEE**

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

**BUILDINGS &
GROUNDS**

Approval of a Blanket Vendor Purchase Requisition in the amount of \$40,158.63 for the final purchase of various ancillary items included in the budget for completion of the New Aquatics Center Project. Account #C492710 3201 Project #BD160001.

**AQUATIC
CENTER
BLANKET
VENDOR
PURCHASE
REQUISITION**

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 one item for Council consideration.

**LEGISLATION
COMMITTEE**

Request the Law Director prepare legislation accepting the application for rezoning property submitted by Sherwin-Williams on land in the Valor Acres Development.

**VALOR
ACRES DE-
VELOPMENT**

Motion by Koepke, seconded by Caruso.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

FINANCE COMMITTEE: Councilmember Redinger reported the committee has two items for Council consideration and wished everyone a Merry Christmas and Happy New Year.

**FINANCE
COMMITTEE**

Approval the 2021 Blanket Purchase Order requests as presented

Motion by Redinger, seconded by Caruso.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**BLANKET
PURCHASE
ORDERS**

Approval of a purchase requisition to the Baldwin Group, Inc. for the Mayor's Court Base Software and Modules annual Maintenance and Support Agreement in the aggregate amount of \$3,700.00. Account #270190 2506 to be charged \$2,440.00. Account #270190 2501 to be charged \$1,260.00.

**MAYORS
COURT
SOFTWARE**

Motion by Redinger, seconded by Caruso.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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e	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

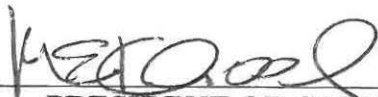
REPORT OF THE MAYOR: Mayor Hruby reported the Children's Play will not be presented this year. Many of the previous 39 years of Christmas Plays have been recorded and several will be available for viewing on You Tube. City Hall will be closed on Christmas and New Year's Day. Mayor Hruby wished everyone a Happy Holiday Season, Merry Christmas and a non-litigious New Year. **MAYOR**

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 8:23 P.M. **ADJOURN**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL

