

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

HELD March 20, 2018

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Council was **CALLED TO ORDER** in Regular Session by Council Vice President Laura Redinger at 8:10 P.M. in Ralph W. Biggs Council Chambers.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Members Present:	L. Carouse, Jr., J. Petsche, L. Redinger, D. Rose, K. Veras.	ROLL CALL
Members Absent:	G. Broski, M. Harwood,	
Others Present:	Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director DiGeronimo, Engineer G. Wise, Finance Director V. Price, BI S.Synek, Purchasing Director R. Riser, Fire Chief N. Zamiska, Police Chief W. Goodrich, Recreation Director T. Tupa, Council Clerk T. Tabor.	

MINUTES OF THE MARCH 6, 2018 REGULAR MEETING: Motion by Carouse, seconded by Rose to dispense with the reading of the March 6, 2018 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 3-6-2018

Councilmember Petsche requested the discussion in Resolution 4838 be amended to read "Councilmember Petsche said at first he was hesitant that accepting this deed was not in the best interest of the City. However, Mayor Hruby, Law Director Matty, Assistant Law Director DiGeronimo and Mr. Ritchey have worked very hard to protect the City and make sure this is a great deal for the City of Brecksville, and I look forward to voting for it." Motion by Carouse, seconded by Rose to accept the minutes of the March 6, 2018 regular meeting minutes as amended.

APPROVED THE MOTION TO AMEND THE 3-6-18 MINUTES WAS RECINDED 4-3-2018

Ayes: Carouse, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 5-AYES, 0-NAYS.

RESOLUTION 4847 re: a Resolution appointing Laura Starosta Director of Finance and setting compensation and declaring an emergency, was read by title.

RES. 4847 APPOINT.

Motion by Veras seconded by Carouse, to suspend the rules and place Resolution 4847 on third and final reading.

LAURA STAROSTA AS FINANCE DIRECTOR

Ayes: Carouse, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 5-AYES, 0-NAYS.

Motion by Rose, seconded by Carouse, to pass Resolution 4847.
Ayes: Carouse, Petsche, Redinger, Rose, Veras.
Nays: None.
MOTION CARRIED 5-AYES, 0-NAYS.

COMMENTS: Mayor Hruby said the group of City Officials interviewing for the position of Finance Director came to realize Laura Starosta was the best person for the job. Laura was previously the Finance Director in the City of Norton and had worked in the City of Brunswick, Norton and Wadsworth before coming to the City of Brecksville in 2014. Laura holds dual certifications that are rare in the State of Ohio. She is recognized as a Certified Government Financial Officer and a Certified Public Financial Officer. Graduate of Kent State with a degree in Business Administration, her major focus was accounting. As the Assistant Finance Director she has done a remarkable job. Finance Director Price and Laura have worked well together and with the City Administration. Mayor Hruby thanked Laura's husband Steve for sharing Laura with the City of Brecksville.

COMMENTS

Mayor Hruby administered the Oath of Office to Laura Starosta as the Finance Director for the City of Brecksville. Laura introduced her parents, sisters and nieces and nephew in attendance.

**OATH OF
OFFICE**

Council Vice President Redinger said there is one item to be added to the agenda this evening. City Council received a request for transfer of a liquor permit. Council Vice President Redinger said based upon Council discussion and recommendation from the Safety Director, Council has no objection to the transfer and requests the Clerk respond to the Department of Liquor Control with notice of the approval.

**COURTYARD
CAFÉ LIQUOR
PERMIT
TRANSFER**

RESOLUTION 4848 re: a Resolution making necessary transfers between certain funds and to return an advance of funds for the fiscal year ending December 31, 2018 and declaring an emergency, was read by title.

**RES. 4848
MAKING
NECESSARY
TRANSFERS
BETWEEN
FUNDS**

Motion by Veras, seconded by Rose, to suspend the rules and place Resolution 4848 on third and final reading.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Motion by Veras, seconded by Carouse, to pass Resolution 4848.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

RESOLUTION 4849 re: a Resolution authorizing the Mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District for the Chippewa Creek NPSIS Plan Project and declaring an emergency, was read by title.

**RES. 4849
AUTH. COST
SHARE
AGREE. WITH
NEORS**

Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4849 on third and final reading.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Motion by Carouse, seconded by Rose, to pass Resolution 4849.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

RESOLUTION 4850 re: a Resolution authorizing the Director of Purchasing to register with the Joint Powers Alliance and to use such agency as a resource for the City's Competitive Purchasing needs and declaring an emergency, was read by title.

**RES. 4850
AUTH.
REGIST. WITH
THE JOINT
POWERS
ALLIANCE
AGENCY**

Motion by Veras, seconded by Rose, to suspend the rules and place Resolution 4850 on third and final reading.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Motion by Carouse, seconded by Veras, to pass Resolution 4850.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

ORDINANCE 5161 re: an Ordinance authorizing the purchase of Fitness Equipment from Health and Fitness Equipment Centers for the Recreation Department in accordance with the provisions contained in Section 125.04 (c) of the Ohio Revised Code; and declaring an emergency, was read by title.

**ORD. 5161
AUTH. THE
PURCHASE
OF FITNESS
EQUIPMENT**

Motion by Veras, seconded by Petsche, to suspend the rules and place Ordinance 5161 on third and final reading.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Motion by Rose, seconded by Carouse, to pass Ordinance 5161.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

**ORD. 5161,
CONTINUED**

ORDINANCE 5162 re: an Ordinance authorizing the purchase of a Cisco Catalyst 3850 Main Network Switch from Cisco Systems, Inc. and installation and configuration of said network switch from Black Box Network Services through the State of Ohio Administrative Services Purchasing Program; and declaring an emergency, was read by title.

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

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

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

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

**ORD. 5162
AUTHORIZE
PURCHASE
OF MAIN
NETWORK
SWITCH,
INSTALL. AND
CONFIGURA-
TION**

ORDINANCE 5163 re: Authorizing the donation of a Police Light Bar, Light Controller and P/A Speaker no longer needed for municipal purposes to the Bellevue Outdoor Firing Range; and declaring an emergency, was read by title.

Motion by Veras, seconded by Rose, to suspend the rules and place Ordinance 5163 on third and final reading.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Motion by Carouse, seconded by Rose, to pass Resolution 5163.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

**ORD. 5163
AUTH A
DONATION
OF UN-
NEEDED
POLICE
EQUIP. TO
THE
BELLEVUE
OUTDOOR
FIRING
RANGE**

ORDINANCE 5164 re: Authorizing the purchase of a Sutphen Heavy Duty Custom Pumper/Fire Apparatus and Equipment for use by the Fire Department from Sutphen Corporation through the State of Ohio Administrative Services Purchasing program and for the Purchase of other non-state contract related accessories from Auto Trim Design of N. Ohio LLC; and declaring an emergency, was read by title.

Motion by Veras, seconded by Petsche, to suspend the rules and place Ordinance 5164 on third and final reading.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Motion by Rose, seconded by Carouse, to pass Resolution 5163.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

**ORD. 5164
AUTH THE
PURCHASE
OF A
SUTPHEN
PUMPER/
FIRE TRUCK
THROUGH
OHIO ADMIN.
PURCHASING
PROGRAM**

BOARD OF ZONING APPEALS: Councilmember Rose reported the Board of Appeals met on March 12th and recommended approval of five variance requests to City Council. The next meeting of the Board of Zoning Appeals will be April 9th at 7:30 P.M.

**BD. OF
ZONING
APPEALS**

Motion by Mr. Rose, seconded by Veras, that City Council accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1151.24 of 10 ft. from the minimum required 125 ft. to allow a 115 ft. front yard setback for a rear yard addition on a non-conforming house located at 8545 Wiese Road, PP# 602-11-014. Ayes: Carouse, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 5-AYES, 0-NAYS.	VAR. 2018-11 8545 WIESE RD. FRONT YARD SETBACK
Motion by Mr. Rose, seconded by Veras, that City Council accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1326.02 to install a generator in front of the house, which abuts three streets, instead of the rear as required by code located at 5171 Miller Road, PP# 604-04-005. Ayes: Carouse, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 5-AYES, 0-NAYS.	VAR. 2018-12 5171 MILLER RD. GENERATOR LOCATION
Motion by Mr. Rose, seconded by Veras, that City Council accept the Board of Zoning Appeals recommendation of 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 9416 Brecksville Road, PP# 603-16-015. Ayes: Carouse, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 5-AYES, 0-NAYS.	VAR. 2018-13 9416 BRECKS- VILLE RD. GENERATOR LOCATION
Motion by Mr. Rose, seconded by Veras, that City Council accept the Board of Zoning Appeals recommendation of approval for a variance from Section 1151.24 of 15 ft. from the minimum required 60 ft. rear yard setback to allow 45 ft. for the construction of an attached pavilion located at 4805 Valleybrook Drive, PP# 604-03-094. Ayes: Carouse, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 5-AYES, 0-NAYS.	VAR. 2018-14 4805 VALLEY- BROOK DR. REAR YARD SETBACK
Motion by Rose, seconded by Veras, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.25(d) of 128 sq. ft. from the maximum 192 sq. ft. to allowed 320 sq. ft. for the construction of a shed located at 6743 Farview Road, PP# 601-06-011. Ayes: Carouse, Petsche, Redinger, Rose, Veras. Nays: None. MOTION CARRIED 5-AYES, 0-NAYS.	VAR. 2018-15 6743 FARVIEW RD. OVERSIZED SHED
PLANNING COMMISSION: Mayor Hruby reported on behalf of Council Representative Council President Harwood. The next meeting of the Planning Commission will be March 22 nd at 7:00 P.M.	PLANNING COMMISSION
Motion by Carouse, and seconded by Petsche, that City Council accept the Planning Commission recommendation of FINAL approval of a major subdivision of 22 lots on approximately 36 acres of land on the west side of Dewey Road in the City of Brecksville, Ohio to be known as The Preserve at Parkside, PP #605-24-002, 605-24-013, 605-24-014, 605-24-015 and 605-24-016, as depicted on the drawings by TGC Engineering LLC, dated February 22, 2018. Contingent upon the law Director approving the deeds, covenants, restrictions and subdivision agreement, the approval of the City Engineer, the approval of the City Arborist and Board of Zoning Appeals and City Council approval of the following variances: 1. A variance from Section 1117.04(e) of 216 ft. from the maximum permitted 800 ft. for a cul-de-sac street, to allow Woodview Way to extend 1,016 ft.	PRESERVE AT PARKSIDE MAJOR SUBDIVISION FINAL APPROVAL OF 22 LOTS ON APPROXI- MATELY 36 ACRES OF LAND

2. A variance from Section 1117.09(a) of 75 ft. from the minimum required 75 ft. rear property line to allow a rear lot width of 0 ft. for Sublot 14.
3. A variance from Section 1117.09 design requirement that lots shall be generally rectangular in form to allow Sublot 14 to be triangular in form.
4. A variance from Section 1117.09(d) requirement of side yard lot lines be radial to curved street lines to allow non-radial lot lines between Sublots 8 & 9, 11 & 12, 13 & 14, 14 & 15 and 17 & 18.
5. A variance from Section 1119.09 (d) not to install the required public sidewalks on Dewey Road until such time that the City deems appropriate, located at The Preserve at Parkside, a major subdivision of 22 lots, on approximately 36 acres on the west side of Dewey Road, located at PP #605-24-002, 605-24-013, 605-24-014, 605-24-015 and 605-24-016.

**PRESERVE AT
PARKSIDE
CONTINUED**

The motion is further contingent upon the Deeds, Covenants & Restrictions and Subdivision Agreement being provided to the Planning Commission for final approval.

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Mayor Hruby reported the Planning Commission entertained discussion with the public regarding the code for solar panels in residential districts. Proposals are being brought to the Planning Commission to look at the current code and recommendations that are being made. Mayor Hruby said some of the recommendations regarding solar panel codes are coming from legislation used in other communities, recommendations from the public and members of the Planning Commission. The Commission members also had a very brief discussion on signage. CBO Packard has reviewed sign issues in the downtown area. Some of the signs are not in compliance with the current code. The Planning Commission members encouraged CBO Packard to present those specific issues to the Planning Commission for review. The Planning Commission may want to reconsider the signage code as marketing options and types of signs have changed since the current regulations were adopted.

**PLANNING
COMMISSION
PUBLIC
DISCUSSION
SOLAR
PANELS AND
SIGNS**

RECREATION COMMISSION: Council Representative Redinger said the next meeting of the Recreation Commission will be March 26th at 7:30 P.M.

**RECREATION
COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Council Representative Veras said the Human Services Advisory Board next meeting will be April 11th at 3:00 P.M. Councilmember Veras reported Human Services Director Paciorek said three grants have been submitted and two more are being prepared for submittal before April 1st. Metro Health Medical Center is working on programs with the Human Services Department to connect shut in seniors and residents who do not drive with the community. The AARP tax assistance has been very successful and all available time slots are filled until tax filing.

**DEPT. OF
HUMAN
SERVICES**

TELECOMMUNICATIONS COMMISSION: Council Vice President Redinger for Council member Broski, no report.

TELEC. COM.

SAFETY-SERVICE COMMITTEE: Councilmember Carouse reported the committee met earlier this evening and thanked Council for the approval to donate unneeded police equipment and approval of the purchase of the 2018 Sutphen Fire Engine. Councilmember Carouse also thanked Chief Zamiska for the work he and the Fire Department staff did in researching the purchase of the Fire Engine.

**SAFETY-
SERVICE**

STREETS & SIDEWALKS COMMITTEE: Councilmember Redinger for Councilmember Broski had no report.

**STREETS &
SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met earlier this evening and thanked Council for approving the Cost-Share agreement with the NEORS D for the Chippewa Creek NPSIS Plan Project and has one item for Council approval.

**UTILITIES
COMMITTEE**

Motion by Petsche, seconded by Carouse, to approve a purchase order to the West Creek Conservancy in the amount of \$5,000.00 for the Community Cost-Share Chippewa Creek NPSIS Plan.

**WEST CREEK
CONSERVAN-
CY NPSIS
PLAN**

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

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

**BUILDINGS &
GROUNDS
COMMITTEE**

Motion by Veras seconded by Rose, to approve a Purchase Requisition to Pioneer Environmental Systems, Inc. in the amount of \$10,635.00 for the Asbestos Abatement at 4450 Oakes Road in various rooms. *Account #C490161 3202 Project #BI180001*

**PIONEER
ENVIRON-
MENTAL
ASBESTOS
REMOVAL
4450 OAKES
RD.**

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

LEGISLATION COMMITTEE: Councilmember Rose said the Committee met earlier this evening and thanked Council for approval of the appointment of Laura Starosta as the Director of Finance and thanked the previous Council for the forethought of continuity within the Finance Department. Councilmember Rose also thanked Council for authorizing the registration with the National Joint Powers Alliance as a purchasing resource for the City.

**LEGISLATION
COMMITTEE**

FINANCE COMMITTEE: Councilmember Redinger said the committee met earlier this evening and thanked Council for approval of the Fund Transfer Resolution and the committee has one additional item for Council consideration.

**FINANCE
COMMITTEE**

Motion by Redinger, seconded by Carouse, to approve a purchase requisition in the aggregate amount of \$4,289.00 to Code Summit, LLC for the annual hosting of the City's website in the amount of \$2,040.00 for the period of 5/1/2018 – 4/30/2019, and the Kentico License Renewal in the amount of \$2,249.00 for the period of 5/13/2018 – 5/12/2019. *Account # 110135 2103.*

**WEBSITE
HOSTING AND
LICENSE**

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

Councilmember Redinger thanked Finance Director Price, as this is her last meeting before retirement, for the wonderful job and hard work she has done for the City of Brecksville. Councilmember Redinger also thanked Finance Director Price for preparing Assistant Finance Director Starosta to take the reins as Finance Director. Councilmember Redinger wished Finance Director Price the best of luck and happiness in retirement.

COMMENTS

REPORT OF LAW DIRECTOR: Law Director Matty had no report.

LAW

REPORT OF ENGINEER: No Report

ENGINEER

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REPORT OF FINANCE DIRECTOR: Finance Director Price thanked Mayor Hruby and City Council for selecting Laura Starosta as the Finance Director to succeed her. Finance Director Price said she is confident that Laura will take on the task of director, she has the education and experience

FINANCE

REPORT OF BUILDING DEPARTMENT: CBO Packard had no report.

BUILDING

REPORT OF PURCHASING DIRECTOR: Purchasing Director Riser had no report.

**PURCHASING
DEPT.**

REPORT OF POLICE DEPARTMENT: Police Chief Goodrich thanked Council to allow the donation of the light bar and equipment to the Bellevue Firing Range. The equipment will help all of the departments and officers that use the range for training.

POLICE DEPT.

REPORT OF FIRE DEPARTMENT: Fire Chief Zamiska thanked Council for the Purchase of the Fire Engine. In connection with the Ohio severe awareness week, tornado siren testing will take place Wednesday March 21st at 10:00 A.M.

FIRE DEPT.

REPORT OF RECREATION DEPARTMENT: No report.

RECREATION

REPORT OF THE MAYOR REPORT OF SERVICE DIRECTOR: Mayor Hruby reported the CAPA program will present a program on “vaping” trends on March 27 7:00 P.M. Community Improvement Corporation (CIC) met on March 14th and unanimously adopted the Memorandum of Understanding (MOU) with the DiGeronimo Companies for the development of the former VA Medical Center. The CIC will continue to work closely and develop documents to go along with the original MOU in overseeing the redevelopment of the property. The Master Plan Steering Committee will be meeting with the Cuyahoga County Planning Commission (CCPC) on Wednesday March 21, 2018 at 7:30 P.M. at City Hall for introduction of the members of the CCPC and their roles and responsibilities. Mr. White will present information on the Steering Committee.

**REPORT OF
THE MAYOR
AND SERVICE
DIRECTOR**

COMMENTS: Students may sign in and pick-up an agenda at the front table. Council will sign any documents and answer questions after the meeting.

COMMENTS

Councilmember Carouse said Council will be recognizing Finance Director Price at the April 3rd meeting. Councilmember Carouse thanked Finance Director Price for the work she has done as Finance Director and for preparing Laura Starosta to take over the Finance Director position.

BRECKSVILLE BROADVIEW HEIGHTS STUDENTS: The following Brecksville Broadview Heights students were in attendance: Tyler Lucarelli, Autumn Palcisko, Natalia Pena Ochoa, Nate Robusto, Alan Cooper, Max Carroll, Fred Kotecki, Katie Williamson, Rhalena Seballos, Will Morgan, Jimmy Tyler, Eric Wideman, Liz Paoletta, Nick Battaglia, Jackie Berish, Ben Hotaling, Brogan Evans, Jason, Yuknarich, Andrew Hensel, Nick Zmadzki, Asis Pareja, Grace Trump, Jean-Claude Hatem, Zeke Churchin, Roman, Szemeczko, Ashley Budd, Koki Biszants, Jim Scully.

**BBHHS
STUDENTS**

Motion by Petsche, seconded by Veras, to adjourn the regular meeting at 8:47 P.M.

ADJOURN

Ayes: Carouse, Petsche, Redinger, Rose, Veras.

Nays: None.

MOTION CARRIED 5-AYES, 0-NAYS.

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

March 20, 2018

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