MINUTES OF A MEETING OF THE

COUNCIL OF THE CITY OF BRECKSVILLE

HELD January 17, 2017

Council was **CALLED TO ORDER** in Regular Session by Council President Greg Skaljac at 8:07 P.M. in Ralph W. Biggs Council Chambers. **CALL TO ORDER**

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

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

Member Absent: G. Broski.

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 M. Scullin.

MINUTES OF JANUARY 3, 2017 ORGANIZATIONAL AND REGULAR MEETING: Motion by Carouse, seconded by Redinger, to dispense with reading of the January 3, 2017 organizational and regular meeting minutes and to accept same as presented. **MINUTES OF 1-3-2017 REGULAR MEETING APPROVED**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

RESOLUTION 4717 re: authorizing the Mayor to enter into a Design and Construction Services Agreement with ThenDesign Architecture for the Aquatics Facility Project, and declaring an emergency, was read by title. **RES. 4717 DESIGN & CONSTRUC-TION SERVICES AGREEMENT WITH THENDESIGN ARCHITEC-TURE FOR AQUATICS FACILITY PROJECT**

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4717 on third and final reading.
Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.
Motion by Redinger, seconded by Carouse, to pass Resolution 4717.
Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

RESOLUTION 4718 re: authorizing the Mayor to enter into a Design and Construction Services Agreement with ThenDesign Architecture for the Field House and Support Facilities Project, and declaring an emergency, was read by title. **RES. 4718 DESIGN & CONSTRUC-TION SERVICES AGREEMENT WITH THENDESIGN ARCHITEC-TURE FOR FIELD HOUSE & SUPPORT FACILITIES PROJECT**

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4718 on third and final reading.
Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.
Motion by Veras, seconded by Carouse, to pass Resolution 4718.
Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

RESOLUTION 4719 re: authorizing the sale of personal property no longer needed for municipal purposes by Internet Auction in accordance with Section 721.15 of the Ohio Revised Code, and declaring an emergency, was read by title.

RES. 4719 AUTHORIZING SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES BY INTERNET AUCTION

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4719 on third and final reading.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4719.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

RESOLUTION 4720 re: authorizing the Mayor to apply for an Ohio EPA Recycling & Litter Prevention Grant through the Community Development Grant Program for a flatbed appliance truck for the City of Brecksville curbside recycling program, and declaring an emergency, was read by title.

RES. 4720 AUTHORIZING MAYOR TO APPLY FOR OHIO EPA RECYCLING & LITTER PREVENTION GRANT

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4720 on third and final reading.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4720.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

RESOLUTION 4721 re: authorizing the Mayor to apply for a grant from the Cuyahoga County Solid Waste Management District to fund a Community Recycling Awareness Project, and declaring an emergency, was read by title.

RES. 4721 AUTHORIZING MAYOR TO APPLY FOR A GRANT FROM CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4721 on third and final reading.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4721.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

RESOLUTION 4722 re: accepting the proposal of Karpinski Engineering to provide professional engineering services for the Community Center Boiler Plant Expansion Project in the amount of $11,500.00, and declaring an emergency, was read by title.

RES. 4722 ACCEPTING PROPOSAL OF KARPINSKI ENGINEERING FOR THE COMMUNITY CENTER BOILER PLANT EXPANSION PROJECT

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4722 on third and final reading.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4722.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

RESOLUTION 4723 re: authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District and the Northeast Ohio Regional Sewer District for the provision of technical services in implementing the City of Brecksville's soil and water conservation measures, and declaring an emergency, was read by title. **RES. 4723 MOU WITH CUYAHOGA SOIL & WATER CONSERVATION DIST. AND NEORSD FOR SERVICES IN IMPLEMENTING CITY'S SOIL & WATER CONSERVATION MEASURES**

Motion by Harwood, seconded by Veras, to suspend the rules and place Resolution 4723 on third and final reading.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6- AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4723.
Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

ROYALTON ROAD PROPOSED ZONING CHANGE – MULTIPLE ADDRESSES: Council Representative Harwood reported that the Planning Commission recommends to City Council that Parcel Nos. 603-03-014, 603-03-015, 603-03-016, 603-03-017 603-03-019, 603-03-020, and 603-03-021 be rezoned from R-20 Residential to O-B Office Building with conditional uses of O-L Office Laboratory and M-D Manufacturing Distribution and submitted to the voters at the May 2, 2017 election. **PROPOSED ZONING CHANGE MULTIPLE ROYALTON ROAD (SR-82) PROPERTIES**

Discussion: Councilmember Harwood made a motion, seconded by Carouse, to amend Ordinance No. 5040 to eliminate M-D Manufacturing Distribution District as an overlay on said parcels and the uses permitted in said overlay zoning district as conditional uses.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Council President Skaljac invited members of the audience to speak to this issue. Kenneth McComsey - 4999 Oakes Road, Nick and Karen Adams - 4635 Oakes Road, Mark Motylinski - 4725 Oakes Road, and Richard Williams and Linda Schuenaman - 4711 Oakes Road, came forward. **COMMENTS REGARDING PROPOSED ZONING CHANGE MULTIPLE ROYALTON ROAD (SR-82) PROPERTIES**

Mr. McComsey said that he appreciates what City Council, Mayor Hruby, and the Planning Commission are trying to do by being proactive and understands that the Royalton Road (SR-82) property owners are in a predicament. He appreciates that the City is trying to help them but said that Oakes Road residents have concerns about the surrounding properties, as well. They attended the Planning Commission meeting a couple of weeks ago and are here this evening upon the recommendation of Mayor Hruby.

Mr. McComsey said that the residents' primary concerns are noise and privacy. He said that removal of the M-D Manufacturing Distribution District should help a lot to make their concerns go away; however, they are also concerned about Office Laboratory District that has a manufacturing facility definition in Section 1157.04(e)(2) and the noise that could result from this conditional use. He said that Mayor Hruby elaborated at the Planning Commission meeting about businesses on Treeline Drive off of Brecksville Road (SR-21) that would be comparable to O-L Office Laboratory, but in reading the O-L District definition he noticed there is specific exclusion for any development off of Brecksville Road (SR-21) having manufacturing; and that type of exclusion does not exist for what is being discussed for the Royalton Road (SR-82) properties. The residents question how much noise there would be from a manufacturing facility that might be delivering raw goods and materials and sending out finished goods, and whether there would be tow motors with backup alarms going off late at night or in shifts.

(CONTINUED) COMMENTS REGARDING PROPOSED ZONING CHANGE MULTIPLE ROYALTON ROAD (SR-82) PROPERTIES

Mayor Hruby said that as he has stated in previous meetings the public has two opportunities to object to the proposed rezoning/conditional uses: at Planning Commission and City Council meetings. He said that anyone that would come to the City to develop the Royalton Road (SR-82) properties must have a primary office use and if,\ as part of their office use they have some form of manufacturing (the language in the code implies something temporary and small as an ancillary use) the developer has to ask the City to add the O-L overlay zoning, the Planning Commission has to recommend it, and City Council ultimately has to approve it. Mayor Hruby said that the intent of the Planning Commission is for an office use and that Office-Laboratory is being included as a conditional use because there are some businesses in our community that became very successful and started manufacturing a prototype or small portion of their product for their own use, not to send out to the public. He said that he would provide the location of the businesses again for the residents so that they can look at them and that you wouldn't even know that manufacturing is being done inside the building(s).

Mayor Hruby said that City officials are not in favor of a manufacturing operation for the Royalton Road (SR-82) properties; in spite of the fact that all of the retail that has been built in the area probably causes more noise and traffic problems. He said that office medical buildings would most likely be built, or something dealing with the medical field. Mr. McComsey asked if City officials would be comfortable in saying that there won't be loading docks with trucks coming in. The Mayor responded that any building could have a loading dock, even an office building, but it would be confined for things like trash removal or to bring in certain products; it would not be a distribution center.

Mr. McComsey said that the other concern about Office-Laboratory District is Section 1157.03(b)(1)(a) regarding the definition for a sit-down restaurant or lounge. He said that in reading the section it appears the intent would be for such a facility to be inside the building and not a separate building on the premises. Mayor Hruby said that is correct; such a facility would be within the confines of the building as a service for the building.

Mr. McComsey said, lastly, the residents have a concern about the privacy issue. He said that the M-D Manufacturing Distribution section was the only section that talked about a privacy screen (evergreens or a privacy hill). He said that Office Building District and Office Laboratory District do not have a definition for privacy. The residents are concerned as the area is built out where buildings will be located and how far back they will be to their property lines and have the same concerns about their property values as the Royalton Road (SR-82) property owners. Mr. McComsey said that there is a large drainage stream at the back of the property with fairly steep slopes and that they would be pretty happy if this could be a barrier for privacy for their residential properties. They are concerned whether the creek will be covered over with a culvert or moved. Mr. McComsey said that at the Planning Commission it was mentioned loosely that the creek probably wouldn't be moved too much or a culvert wouldn't be put over a lot of the creek and asked exactly what is being discussed.

Engineer Wise said that he was the one who spoke to this matter at the Planning Commission meeting. He said that any stream relocation would require an Army Corps permit and depending on the kind of stream it is there would be limits and extreme costs. He said that most developers, if they chose to cross the creek, would do it in a single location and be confined as to how they would cross it. He said that there is usually an access point to the stream. Engineer Wise said that no one has proposed to develop the property yet, but by crossing the creek a developer would have access to the back of the property. As far as cutting the property off at the creek, he said that he understands what the residents are saying but city officials have to abide by the code and setbacks, etc. and can't say that a developer would not want to use the back part of the property for an allowable use.

(CONTINUED) COMMENTS REGARDING PROPOSED ZONING CHANGE MULTIPLE ROYALTON ROAD PROPERTIES

Mayor Hruby said with regards to the buffer issue that the City always requests that a buffer zone is created between commercial building(s) abutting residential property. The Planning Commission and City Council require it, and the same consideration would be given to the Oakes Road residents. The Mayor again called the residents' attention to residential areas abutting commercial areas in our City, such as the south end of town, where buffer zones have been created. Mr. McComsey said that he couldn't find any residential areas around Treeline Drive and he couldn't find a definition in the code for buffer zones for the zoning districts being discussed.

. Law Director Matty said that the guideline is actually the best for residents because the guideline for a conditional use is absolutely open-ended. When an application is submitted, the Planning Commission and City Council can determine any condition that is particular to that property, including taking the interests of the neighborhood into consideration. Mr. Matty said that it is not a defined buffer zone, but it is a defined open-ended issue that anything particular to that parcel can be taken into consideration including the neighboring parcels. He said that it is by far the best zoning restriction that the City has because it gives the City the most control; and that is why O-L District is being included as a conditional use. He gave the example that if an application is submitted to the Planning Commission and residents express an interest about there being a buffer zone, the Planning Commission could figure out how to create one with evergreens, landscaping, mounding, etc., which could be a condition to that permit before construction starts. Mr. Matty said that the residents could find this under Section 1191.10 of the Brecksville Code concerning conditional use permits. CBO Packard said that, historically, most conservation areas range about 1500 feet between a commercial and residential area.

Another concern of the residents is if a parking lot were to be built close to their residential properties and the potential negative impacts from noise and lighting. Mayor Hruby said that lighting on a property today has to be controlled and engineered and that section of the Brecksville Code will also be provided to the residents. He reiterated what the Law Director said about the reasoning behind the City adding O-L as a conditional use is because it is restrictive.

An Oakes Road resident asked whether the hours of an office facility would be 9:00 A.M to 5:00 P.M. or if, hypothetically, it could be a 24-hour operation. Mayor Hruby said that he does not know of many medical office buildings that operate three shifts, but he cannot say for sure because he does not know who the tenant will be or what the tenant might propose. He said that most probably operations would be during the day Monday through Friday and that is what city officials would hope to be the case. Mr. McComsey said, in any event, the residents would have an opportunity to voice their concerns about any proposed development at the public hearings. Council President Skaljac said that in talking with commercial and residential developers over the years, they do not want to fight with neighboring property owners. He said there might be certain things they can't do but they want to work with residents to try to appease their issues as much as they can and certainly don't want an adversarial relationship right from the start. They want their projects to work but want their neighbors to know they're trying to be responsible, as well.

Mr. McComsey said that he could not find regulations regarding height restrictions in the Brecksville Code and CBO Packard said that he would provide the information to him for the zoning classification districts. Mr. McComsey asked how the Oakes Road residents would be made aware of any proposed development plans for the Royalton Road (SR-82) area properties. Council President Skaljac said that Council Clerk Scullin has taken their names and addresses and will let them know when a Council meeting agenda includes this matter. Mayor Hruby said that the residents' contact information will also be put on file in the Building Department so that they can be notified about any building permits that have been filed.

Council President Skaljac said that if the proposed zoning amendment is passed by City Council this evening it will be submitted to the electorate for a vote and a 55% affirmative vote is required for the issue to pass. Mr. McComsey said that the Oakes Road residents really appreciate City officials removing M-D Manufacturing Distribution District from the ordinance. Vice President Harwood said that it was explained at the Planning Commission meeting that the Figueroa parcels of land are not part of Ordinance No. 5040; they are a separate entity. Mayor Hruby said that there appears to be an interest to build an assisted living or a nursing type of facility on the Figueroa property, and the property owners are talking about going on the election ballot this Fall.

(CONTINUED) COMMENTS REGARDING PROPOSED ZONING CHANGE MULTIPLE ROYALTON ROAD (SR-82) PROPERTIES

ORDINANCE NO. 5040 (THIRD READING) – an amended Ordinance amending the Zone Map of the City of Brecksville by changing the classification of Royalton Road (SR-82) properties known as Permanent Parcel Nos. 603-03-014, 603-03-015, 603-03-016, 603-03-017, 603-03-019, 603-03-020, 603-03-021, from R-20 Residential District to O-B Office Building District, and to overlay on said parcels the O-L Office Laboratory District and to allow on said parcels the uses permitted in said overlay zoning district as a conditional use.

Motion by Harwood, seconded by Carouse, to pass amended Ordinance No. 5040.
Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

(THIRD READING) AMENDED ORD. NO. 5040 AMENDING ZONE MAP BY CHANGING CLASSIFICATION OF ROYALTON ROAD (SR-82) PROPERTIES

Council President Skaljac said that Ordinance No. 5040 (as amended) will be submitted to the Cuyahoga County Board of Elections for placement on the May 2, 2017 Primary Election ballot.

BOARD OF ZONING APPEALS: Council Representative Veras reported that at the January 9th BZA meeting two items were recommended for Council consideration, as follows.

BOARD OF ZONING APPEALS

APPEAL 2017-01: Motion by Veras, seconded by Harwood, to accept a Board of Zoning Appeals recommendation to approve a variance from Section 1181.11(a) maximum roof area over 30 ft. is limited to 20% of ground floor to allow 28.9%, for the roof area over 30 ft. is limited to 20% of ground floor to allow 28.9% for the construction of a new house located at 9487 River Birch Run, PP# 605-22-062.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

APPEAL 2017-01 VAR. FOR MAX. ROOF AREA FOR NEW HOUSE AT 9487 RIVER BIRCH RUN

APPEAL 2017-02: Motion by Veras, seconded by Harwood, to accept a Board of Zoning Appeals recommendation to approve a variance from Section 1185.03(a), maximum fence height of 4 ft. to allow a 6 ft. aluminum fence located at 8377 Riverview Road, PP# 602-26-006.

Ayes: Carouse, Harwood, Redinger, Skaljac, Veras.
Nays: Murphy.
MOTION CARRIED 5-AYES, 1- NAY.

APPEAL 2017-02 HEIGHT VARIANCE FOR FENCE AT 8377 RIVERVIEW

PLANNING COMMISSION: Council Representative Harwood reported that the Planning Commission held its organizational meeting and elected officers for 2017: Robert Hotaling, Chairman; Dom Sciria, Vice Chairman; Kirk Roman, Secretary. Two items were approved by Planning Commission for recommendation and City Council consideration from the January 5, 2017 Planning Commission meeting. The recommendation relating to the proposed rezoning of multiple properties on Royalton Road (SR-82) was previously presented and considered by City Council.

PLANNING COMMISSION

WENDY'S WELLNESS CENTER – 7014 MILL ROAD: Motion by Harwood, seconded by Redinger, to accept a Planning Commission recommendation to approve a similar use occupancy permit for Wendy's Wellness Center at 7014 Mill Road, Brecksville, Ohio, as described in the application dated December 14, 2016. **WENDY'S WELLNESS CENTER 7014 MILL ROAD**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

The next Planning Commission meeting is scheduled for Thursday, January 26, 2017 at 7:00 P.M. **NEXT P.C. MEETING**

RECREATION COMMISSION: Council Representative Redinger announced that the Recreation Commission will hold its organizational meeting on Monday, January 23, 2017. **RECREATION COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Council Representative Murphy announced that the next meeting of the Human Services Advisory Board is scheduled at 3:00 P.M. on Wednesday, February 8, 2017. The Volunteer Luncheon will be held on Thursday, February 23rd. **DEPT. OF HUMAN SERVICES**

TELECOMMUNICATIONS COMMISSION: No report. **TELEC. COMMISSION**

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

Motion by Veras, seconded by Harwood, to approve a purchase requisition in the aggregate amount of $13,730.00 to extend the City's contract with Emergency Communications Network, Inc. for the term 2/28/17 – 2/27/18 for CodeRED Emergency Notification Service in the annual amount of $9,980.00 and Weather Warning Service in the amount of $3,750.00 (fully unlimited service which eliminates the minute bank and allows the City unlimited notification calls, both emergency and non-emergency). Account #110150 2103. **EXTENSION OF CONTRACT WITH EMERGENCY COMMUNICATIONS NETWORK FOR CODERED EMERGENCY NOTIFICATION SERVICE**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

STREETS & SIDEWALKS COMMITTEE: On behalf of Councilmember Broski, Councilmember Murphy reported that the Streets & Sidewalks Committee met earlier this evening and does not have any recommendations for Council consideration. **STREETS & SIDEWALKS COMMITTEE**

UTILITIES COMMITTEE: Councilmember Carouse reported that the committee met earlier this evening and recommended legislation passed earlier by Council regarding an agreement between the City and Cuyahoga Soil and Water Conservation District and Northeast Ohio Regional Sewer District for technical services to implement the City's soil and water conservation measures. Expenses associated with the services will be reimbursed to the City through NEORSD. **UTILITIES COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Harwood reported that the Buildings & Grounds Committee met earlier this evening. He thanked Council for the passage of Ordinances relating to contracts with ThenDesign Architecture for architectural and engineering design services for the Brecksville Aquatics Facility Project and the Brecksville Field House & Related Facilities Project. He also thanked Council for passage of a Resolution accepting the proposal of Karpinski Engineering to provide professional engineering services for the Community Center boiler plant expansion project. **BUILDINGS & GROUNDS COMMITTEE**

Councilmember Harwood presented the following additional recommendations on behalf of the Buildings & Grounds Committee.

Motion by Harwood, seconded by Veras, to authorize the Purchasing Director to advertise for bids for modifications to the Fire Station. **AUTH. TO ADVERTISE FOR BIDS FOR FIRE STATION MODIFICATIONS**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Harwood, seconded by Carouse, to approve a purchase requisition to B&B Wrecking & Excavating, Inc. in the amount of $6,900.00 for the demolition of Blossom Hill Building #8 (the white/black building located adjacent to the Montessori School Annex Building). **DEMOLITION OF BLOSSOM HILL BLDG. #8**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6- AYES, 0- NAYS.

Motion by Harwood, seconded by Veras, to approve a purchase requisition to Mattes Landscaping in the amount of $20,000.00 for 2016/2017 supplementary snowplowing and salting services for parking lots, drives and sidewalks (Brecksville Postal Unit and Municipal Parking Lot; Southwest Municipal Parking Lot; Old Town Hall Annex; Brecksville Center for the Arts). Account #110430 2103. **MATTES LANDSCAPING SUPPLEMENTARY SNOW PLOWING SERVICES**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Harwood, seconded by Redinger, to approve a blanket vendor purchase requisition for costs related to an incident on 12/3/16 involving the Human Services pool chlorinator: $4,846.47 charged to Human Services Account #110330 2603; Insurance Reimbursement Amount $1,549.23 charged to Account #110150 2125. Purchase Requisition Total: $6,395.70. **REPAIRS TO HUMAN SERVICES POOL**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

LEGISLATION COMMITTEE: Councilmember Murphy reported that the committee met earlier this evening and has one item for Council's consideration. **LEGIS. COM.**

Motion by Murphy, seconded by Redinger, to renew the City's contract with KOFILE Preservation, Inc. for professional services to preserve original historic records of the City of Brecksville in an amount not to exceed $15,000 (Blanket P.O. #BL17202) for the period January 1, 2017 to December 17, 2017. Account #110150 2103. **RENEWAL OF KOFILE CONTRACT FOR HISTORIC RECORD PRESERVATION SERVICES**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

FINANCE COMMITTEE: Councilmember Redinger reported that the committee met earlier this evening and recommends seven (7) items for Council's consideration. **FINANCE COMMITTEE**

Motion by Redinger, seconded by Carouse, to authorize the Purchasing Director to Advertise for bids for annual purchases and projects in 2017, as follows. **AUTH. FOR PURCHASING DIRECTOR TO ADVERTISE FOR BIDS FOR ANNUAL PURCHASES & PROJECTS IN 2017**

Annual Purchases: Supplying Sodium Chloride (municipal purchasing consortium), March 2017; Disposal of Rubbish, Leaves, Recycle, Street Sweepings & Vactor Debris, March 2017; Supplying Asphalt Materials (municipal purchasing consortium), April 2017; Supplying Gasoline & Diesel Fuel (municipal purchasing consortium), September 2017; Temporary General Labor Staffing for the Service Department in 2018, November 2017; 2018 Road Program, November 2017.

Projects: Fire Station Modifications, January 2017; Community Center Clock Tower Restoration, TBD; SCBA Compressor for the Brecksville Fire Department, TBD; Community Center Boiler Plant Expansion Project, March 2017.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to authorize the Purchasing Director to advertise the sale of personal property no longer needed for municipal purposes via internet auction in the calendar year 2017. **AUTH. TO ADVERTISE SALE OF PERSONAL PROPERTY**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to approve a purchase requisition to Wichert Insurance Services, Inc. for year 2 of a 3 year rate-guaranteed policy through Provident for Accident & Health Insurance Coverage for City of Brecksville Volunteer and Part-Time Firemen at $3,201.00 per year. Account #290260 2101. **ACCIDENT & HEALTH INSURANCE COVERAGE FOR COB VOLUNTEER & PT FIREMEN**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to authorize an increase in the amount of $916.70 to Blanket Purchase Order #BL163106 for 2016 Yuletide Program expenses due to expansion of the program to include more participants. **INCREASE TO BLANKET P.O. FOR 2016 YULETIDE HUNGER PROGRAM**
New P.O. Total: $20,916.70. Account #701330 2409.

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to approve a purchase requisition to Sundance Systems, LLC for annual support for the period 1/1/17 – 12/31/17 of CAD Disaster and Mobile Data Software in the amount of $9,000.00, and Public Records Online in the amount of $600.00. Account #110210 2103. **SUNDANCE SYSTEMS SUPPORT FOR CAD DISASTER AND MOBILE DATA SOFTWARE**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to authorize, as recommended by the Mayor/Safety Director, reimbursement of 160 hours of sick time to Service Department employee Dale Dutko as a result of an on-the-job injury which took place on November 30, 2016. **REIMBURSEMENT OF SICK TIME TO SERVICE DEPT. EMPLOYEE D. DUTKO**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

Motion by Redinger, seconded by Carouse, to authorize payment of monthly bills for professional services, as follows: Matty, Henrikson & Greve - $11,157.00; Sergio I. DiGeronimo - $7,450.00; Roger Wadsworth - $350.00; Kulchytsky Architects, LLC - $1,173.75; J. Neusser LLC - $2,000.00; Donald G. Bohning & Associates - $23,142.25. Total of all Invoices: $45,273.00. A complete breakdown of the invoices is on file in the Finance Department. **MONTHLY BILLS FOR PROFESSIONAL SERVICES**

Ayes: Carouse, Harwood, Murphy, Redinger, Skaljac, Veras.
Nays: None.
MOTION CARRIED 6-AYES, 0- NAYS.

REPORT OF LAW DIRECTOR: Law Director Matty reported that on February 15, 2017 at 10:00 A.M. he will be arguing the McNair case in front of the Court of Appeals that challenges the City of Brecksville tax credit reduction ordinance that City Council passed at the end of 2014. He said that the trial court entered judgment on behalf of the City of Brecksville and the Regional Income Tax Agency (RITA) and based upon motions for judgments on the pleadings filed Law Director Matty will report back to City Council with the Court of Appeals decision. **LAW DEPARTMENT**

REPORT OF ENGINEER: Engineer Wise reported that after another flooding event at Vaughn Road, and most likely additional erosion by the Cuyahoga River, he submitted the area to the Northeast Ohio Regional Sewer District. NEORSD indicated that an evaluation of the area would be performed and they will let City officials know whether it can be considered a regional project. **ENGINEERING DEPARMENT**

REPORT OF FINANCE DIRECTOR: Finance Director Price announced that as of tomorrow the auditors are scheduled to be on site at Brecksville City Hall to begin the annual audit for the year 2016. **FINANCE DEPARTMENT**

REPORT OF BUILDING DEPARTMENT: No report. **BLDG. DEPT.**

REPORT OF SERVICE DIRECTOR: No report. **SERVICE DEPT.**

REPORT OF PURCHASING DIRECTOR: No report. **PURCHASING**

REPORT OF POLICE DEPARTMENT: No report. **POLICE DEPT.**

REPORT OF FIRE DEPARTMENT: No report. **FIRE DEPT.**

REPORT OF RECREATION DEPARTMENT: No report. **RECREATION**

REPORT OF THE MAYOR: Mayor Hruby announced that pursuant to Section 129 of the Brecksville Code of Ordinances, a Democracy Day hearing will be held at 6:30 P.M. on February 27, 2017 in the Human Services Gathering Room. **REPORT OF THE MAYOR**

COMMENTS: There were no further comments from City Council. Mr. and Mrs. Slusarczyk, 4200 Royalton Road, thanked City Council for the third reading of the Ordinance relating to the proposed rezoning of multiple Royalton Road (SR-82) properties. **COMMENTS**

Motion by Skaljac, seconded by Carouse, to adjourn the regular meeting at 8:52 P.M. **REGULAR MEETING ADJOURNED**

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

Nays: None.

MOTION CARRIED 7- AYES, 0- NAYS.

PRESIDENT OF COUNCIL **CLERK OF COUNCIL**