

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

HELD September 3, 2019

Page 1

Council was **CALLED TO ORDER** in Regular Session by Council President Mike Harwood at 9:15 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:

Members Present: G. Broski, L. Carouse, Jr., M. Harwood, J. Petsche,
L. Redinger, D. Rose, K. Veras.

ROLL CALL

Members Absent: None.

Others Present: Mayor Jerry N. Hrubby, 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 Chief W. Goodrich,
Recreation Director T. Tupa, Service Director
R. Weidig, Council Clerk T. Tabor.

MINUTES OF THE AUGUST 20, 2019 REGULAR MEETING: Motion by Carouse, seconded by Redinger to dispense with the reading of the August 20, 2019 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 8-20-2019 APPROVED

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

Abstain: Broski.

Nays: None.

MOTION CARRIED 6-AYES, 1- ABSTAIN, 0-NAYS.

Mayor Hrubby said the City is recognizing Brecksville resident Kevin Coholan. Mr. Coholan has been inducted into the Mercyhurst University Hall of Fame. Mayor Hrubby introduced Ted Lux, who will be presenting a Proclamation to Mr. Coholan. Mr. Lux said Kevin and his wife Betsy are his neighbors. Kevin was a member of the 2011 NCAA Division II National Champion Lacrosse Team. The City would like to congratulate Kevin Coholan on his induction to the Athletic Hall of Fame and urge the citizens of Brecksville to congratulate Kevin with admiration and respect for his contributions to lacrosse and our youth.

RECOGNIZE K. COHOLAN SPORTS HALL OF FAME INDUCTEE

RESOLUTION 4966 re: a Resolution requesting the County Fiscal Officer advance the sums allowed by law from the proceeds of tax levies in the account of the City of Brecksville, pursuant to Section 321.34 of the Ohio Revised Code; and declaring an emergency, was read by title.

RES. 4966 REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE FUNDS FROM THE PROCEEDS OF TAX LEVIES

Motion by Rose, seconded by Veras, to suspend the rules and place Resolution 4966 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4966.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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

HELD September 3, 2019

Page 2

RESOLUTION 4967 re: a Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4967 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4967.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4967
ACCEPTING
THE
AMOUNTS
AND RATES
AND AUTH.
THE
NECESSARY
TAX LEVIES
TO THE
COUNTY
FISCAL
OFFICER**

ORDINANCE 5261 re: an Ordinance authorizing the Mayor to enter into a Wetland Mitigation Purchase Agreement with the Stream + Wetlands Foundation for the purchase of wetland mitigation credits; and declaring an emergency, was read by title.

Motion by Broski, seconded by Rose, to suspend the rules and place Ordinance 5261 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5261.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5261
BLOSSOM
HILL
WETLAND
MITIGATION
PURCHASE
FROM
TRUMBULL
CREEK
WETLANDS
MITIGATION
BANK**

ORDINANCE 5260 re: an Ordinance authorizing the Mayor to enter into a Wetland Mitigation Purchase Agreement with the Stream + Wetlands Foundation for the purchase of wetland mitigation credits; and declaring an emergency, was read by title.

Motion by Veras, seconded by Broski, to suspend the rules and place Ordinance 5260 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5260.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ORD. 5260
BLOSSOM
HILL
WETLAND
MITIGATION
PURCHASE
FROM PINE
BROOK
WETLANDS
MITIGATION
BANK**

RESOLUTION 4968 re: a Resolution accepting an easement for construction, reconstruction, maintaining, repairing and replacing sidewalks in, under, across and through PP# 604-10-008, PP# 604-10-009, PP# 604-10-010, PP# 604-10-011 and PP# 604-10-012 owned by Petros Homes Four Seasons, LLC, Michael J. and Colleen G. Gackowski, Sharon L. Horgan, John S. and Laura A. Seif and Dean Bailey Lyden ; and declaring an emergency, was read by title.

Motion by Broski, seconded by Veras, to suspend the rules and place Resolution 4968 on third and final reading.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4958.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 4968
ACCEPT.
SIDEWALK
EASEMENT
FOR PP# 604-
10-008, PP#
604-10-009, PP#
604-10-010, PP#
604-10-011 and
PP# 604-10-012
IN FOUR
SEASONS SUB-
DIVISION**

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

HELD September 3, 2019

Page 3

BOARD OF ZONING APPEALS: Councilmember Rose reported the next meeting of the Board of Zoning Appeals will be Monday, September 9th at 7:30 P.M. to hear five variance applications.

**BD. OF
ZONING
APPEALS**

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will September 19th at 7:00 P.M.

**PLANNING
COMMISSION**

Motion by Harwood, seconded by Redinger, to accept the Planning Commission's recommendation of approval of the consolidation of PP #605-01-014 and PP #605-01-021 to create Lot A, 5.3594 acres, and establish a front yard setback of 485.0 feet at 7777 Parkview Drive, Brecksville, Ohio, as described in the attached plat drawing by Dempsey Surveying Company dated June 27, 2019, and contingent upon approval of the City Engineer and the Cuyahoga County Board of Health. Contingent further upon the driveway being moved from 17 feet to 27 feet from the side yard property line and a row of pine trees to be planted adjacent to the driveway.

**GEIS LOT
SPLIT
7759 & 7837
PARKVIEW**

Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Veras.

Abstain: Rose

Nays: None.

MOTION CARRIED 6-AYES, 1-ABSTAIN, 0-NAYS.

Councilmember Rose abstained, Geis is a client of the legal firm he works for.

Motion by Harwood, seconded by Veras, to accept the Planning Commission's recommendation of approval for a lot split and consolidation of PP # 601-32-002 and PP #601-32-017 to create Parcel A, 2.2024 acres, and Parcel B, 2.0746 acres and establish a frontyard setback for Parcel B of 346.2 feet at 9060 Highland Drive, Brecksville, Ohio as described in the attached plat drawing and topographic survey by Cardinal Surveying and Mapping, dated June 6, 2019, and contingent upon approval of the City Engineer and approval of the Brecksville Board of Zoning Appeals of the following variances:

**ASIMES
FRONT
SETBACK 9060
HIGHLAND**

- From Section 1117.09 requiring that lot design be generally rectangular to allow the creation of two irregularly shaped lots.
- From Section 1151.22 a variance of 54.3 feet from the minimum required lot width of 200 feet to allow 145.7 feet for Parcel B.

Contingent upon the house potentially being moved further east from the western property line, and approval by the City Engineer.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Harwood, seconded by Redinger, to accept the Planning Commission's recommendation of approval for a lot split of PP #601-32-009, portions of which to be conveyed to PP #601-32-011 and PP #601-32-012 to create Parcel A, 2.3336 acres, and Parcel B, 3.0667 acres at 9150 and 9164 Highland Drive, Brecksville, Ohio as described in the attached application dated July 12, 2019 and plat drawing by C.W. Courtney Company, and contingent upon approval of the City Engineer and also approval of the Brecksville Board of Zoning Appeals of the following variances:

**9150 & 9164
HIGHLAND
LOT SPLIT &
CONSOLID-
ATION**

- A variance from Section 1151.22 of 77.34 feet from the minimum required lot width of 200 feet to allow 122.66 feet for Parcel A, PP #601-32-011.
- A variance from Section 1151.22 of 44.2 feet from the minimum required lot width of 200 feet to allow 155.80 feet for Parcel B, PP #601-32-012.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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

HELD _____ September 3, 2019

Page 4

Motion by Harwood, seconded by Carouse, to accept the Planning Commission's **VERIZON 6896** recommendation of approval of plans for the installation of 6 antennas at the 150 foot level **MILLER** along with radios, cables, and related equipment on an existing wireless communication **ROAD** facility at 6896 Miller Road, Brecksville, Ohio, 44141, for Celco Partnership D/B/A Verizon Wireless as described in the application dated June 28, 2019, and on the attached drawings and Structural Analysis Report by Paul J. Ford & Company dated August 28, 2019, contingent on the approval of City Council:

T-1/A	Title Sheet	03/18/19
	Site Survey 1 of 2	01/25/16
	Site Survey 2 of 2	01/25/16
GD-2	Erosion Control and Civil Detail	03/18/19
GD-3	Erosion Control Notes	03/18/19
C-1	Overall Site Plan	03/18/19
C-2	Compound Site Plan	03/18/19
C-3	Tower Elevation and Antenna Detail	03/18/19
C-4	Equipment Pad Foundation Detail	03/18/19
C-5	Equipment Pad/Cabinet Layout	03/18/19
C-8	General Notes	03/18/19
E-1	Utility Routing Plan	03/18/19
E-3	Permanent Power and LLC Detail	03/18/19
E-4	Panel Schedules	03/18/19
E-5	Riser Diagram and Trench Detail	03/18/19
E-6	Equipment Pad Lighting Layout	03/18/19
G-1	Grounding Plan	03/18/19
G-2	Equipment Pad and Grounding Details	03/18/19
G-3	Grounding Details	03/18/19
G-4	Grounding Details	03/18/19
NTC-1	Notice to Contractor	03/18/19
Structural Analysis Report	Paul J. Ford & Company	05/28/19
GPD	3rd Party Review	07/26/19

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Harwood, seconded by Carouse, to accept the Planning Commission's **MEGA FLEX** recommendation of **PRELIMINARY** approval for the proposed construction of a 24 unit **STORAGE** Storage Facility, as an accessory use, to be built on currently vacant space behind the existing **10060** Warehouse/Office building on the property, PP #604-18-009, Brecksville, Ohio, as described **BRECKSVILLE ROAD** in the application dated June 20, 2019 and attached drawings dated June 10, 2019.

SP. 1 – Site Plan	7/17/2019
SK. 1 – Elevations	7/15/2019
SP1 – Site Plan	7/22/2019
SP2 – Drainage and Grading Plan	7/22/2019
Parking Requirements 10060 Brecksville Road	7/22/2019
Response to Questions from the Building Dept.	7/25/2019

Contingent upon relocation of the driveway and approval by the City Engineer and further conditioned upon changes to the building elevation finishes being acceptable to the Planning Commission.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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

HELD September 3, 2019

Page 5

Motion by Harwood, seconded by Petsche, to accept the Planning Commission's 7338 recommendation of approval of a solar panel system installation at 7338 Crosswinds Lane, CROSSWINDS Brecksville, Ohio as described in the application dated July 17, 2019 and attached plans by SOLAR PANEL Yellowlite and the Synergy Engineering Services report dated July 25, 2019, contingent on Utility Company interconnection approval and also contingent on City Council's approval.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RECREATION COMMISSION: No Report.

**RECREATION
COMMISSION**

DEPARTMENT OF HUMAN SERVICES: Council Representative Veras DEPT. OF reported the next meeting of the Human Services Advisory Board will be September 11th at HUMAN 3:00 P.M. SERVICES

TELECOMMUNICATIONS COMMISSION: Councilmember Broski reported TELECOM. the committee will meet on Monday September 9th and will discuss 5G wireless equipment.

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

Motion by Carouse, seconded by Rose, to authorize a purchase requisition in the PLOW amount of \$9,166.06 for Carbide Plow Blades and Curb Guards for the 2019-2020 winter BLADES & season. Account # 110430 2201. CURB
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. GUARDS
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Broski reported the STREETS & road program is complete for this year and thanked Council for the legislation passed this SIDEWALKS evening.

UTILITIES COMMITTEE: Councilmember Petsche reported the committee met UTILITIES earlier and discussed the 5G wireless equipment and thanked Councilmember Broski for his COMMITTEE input.

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

Motion by Veras, seconded by Broski, to approve a purchase requisition to Gardiner APPROVE in the amount of \$4,500.00 for repairs to the RTAC Chiller at the Human Services Center. RTAC Account #110330 2604. CHILLER AT
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. HUMAN SERV
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Veras, seconded by Broski, to approve a purchase requisition to R.C. APPROVE Childs in the amount of \$24,315.00 for the sole vendor purchase of (9) decorative pole bases. PURCHASE Account #110171 2606. REQ FOR
Ayes: Broski, Carouse, Harwood, Petsche, Redinger, Rose, Veras. LIGHT POLE
Nays: None. BASES
MOTION CARRIED 7-AYES, 0-NAYS.

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

HELD September 3, 2019

Page 6

Motion by Veras, seconded by Rose to authorizing the Mayor and Law Director to negotiate an agreement with the Brecksville Broadview Heights School District for the installation and shared use of tennis courts to be located behind Brecksville City Hall.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**AUTH TENNIS
COURT USE
AGREEMENT
WITH
BBHCSD**

LEGISLATION COMMITTEE: No Report.

**LEGISLATION
COMMITTEE**

FINANCE COMMITTEE: Councilmember Redinger thanked Council for the passage of the tax levy legislation presented this evening. The Finance Committee is requesting approval of the payment of monthly bills for professional services.

**FINANCE
COMMITTEE**

Motion by Redinger, seconded by Carouse, to approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$7,956.83; Sergio I. DiGeronimo in the amount of \$5,692.50; Roger Wadsworth in the amount of \$700.00; Kulchytsky Architects, LLC in the amount of \$1358.75; J Neusser, LLC in the amount of \$2,000.00; Donald J. Bohning & Associates in the amount of \$21,216.87 and Sixmo in the amount of 237.50. Total of all invoices \$39,162.45.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**MONTHLY
BILLS FOR
PROFESS-
IONAL
SERVICES**

REPORT OF LAW DIRECTOR: No Report.

LAW

REPORT OF ENGINEER: No Report.

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report.

FINANCE

REPORT OF BUILDING DEPARTMENT: C.B.O. Packard reported in August the Building Department issued 120 permits with a valuation of just under \$3.2 million and the total receipts collected of \$57,154.68.

**BUILDING
DEPT.**

REPORT OF SERVICE DIRECTOR: No Report.

SERVICE

REPORT OF PURCHASING DIRECTOR: No Report.

PURCHASING

REPORT OF POLICE DEPARTMENT: Chief Goodrich reported the Brecksville Police Department, the City of Brecksville, was named the second safest City in Ohio. Chief Goodrich said our crime records were better than the No. 1 city, however they were named No. 1 because the survey factored in the ratio of officers to population. The City is consistently in the top rankings of statewide surveys. Chief Goodrich said achieving the award is a team effort, along with the support of the administration, Council and the citizens of Brecksville.

POLICE

REPORT OF FIRE DEPARTMENT: Chief Zamiska reported the Fire Fighters Clam Bake will be held on Saturday September 7th.

FIRE

REPORT OF RECREATION DEPARTMENT: No Report

RECREATION

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

HELD September 3, 2019

Page 7

REPORT OF THE MAYOR: Mayor Hruby congratulated The Police Department **MAYOR** on placing second on the list of safest cities. Mayor Hruby said there are several different agencies that rank safe cities. This award is from a company that does the homework and tests 29,000 cities throughout the nation. Opening of the Police Station on September 14th. Ted and Helen Zelich were residents of the City of Brecksville and have made donations to the Police Department and Fire Department from their trust, after their death. The resident committee for Valor Acres and Central School will be meeting on September 25th at 6:30 P.M. Mayor Hruby wished the Fire Department good luck at the Clam Bake.

Motion by Carouse, seconded by Broski., to adjourn the regular meeting at 9:47 P.M. **ADJOURN**

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL