

MINUTES OF THE MEETING OF THE  
**CITY OF BRECKSVILLE COUNCIL COMMITTEE MEETING**

HELD: June 18, 2024

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**UTILITIES COMMITTEE**

**Call to Order**

**Chairperson: AJ Ganim**

**Members: Ann Koepke, Brian Stucky**

6:31 PM

**Roll Call**

Present: Ganim, Koepke, Stucky.

**Items for Consideration:**

**UTL 1. Utilities June 4, 2024 Committee Meeting Minutes**

Motion made by Ganim, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Stucky.

**5:00**

**UTL 2. First Energy Regional External Affairs Representative Dave Conley**

Mr. Conley introduced himself as the Regional External Affairs contact for First Energy, The Illuminating Company. Mr. Conley said he works with public officials, police and fire personnel and city service personnel.

Mr. Conley recommended residents notify first energy of power outages. Calling 1-888-544-4877 or texting STAT to 544487. Mr. Conley explained crews are dispatched to work 16 hours and are off for 8 hours before returning to work when necessary to restore power.

**UTL 3. Bid Authorization** - Recommend to Council authorizing the Purchasing Director to advertise for bids for the installation of electrical service from the existing power pole to the Vehicle Maintenance Building.

Service Director Kickel said the electrical service for the Vehicle Maintenance Building was affected by the recent fire damage. The request this evening is to advertise for bid submissions for the installation of the electrical service from the power pole to the Vehicle Maintenance Building.

Motion made by Ganim, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Stucky.

**UTL 4. Vehicle Maintenance Building** - Recommend to Council approval of a purchase requisition in the amount of \$10,665.96 for the installation of a 277/480V 3 Phase Power Service for the Vehicle Maintenance Building. Account: C4900170-32020; Project: BI240002.

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Service Director Kickel said this project is related to the easement approved by Council on June 4, 2024. Authorizing the charges incurred from the Illuminating Company to install a transformer and all pertinent wires and facilities.

Motion made by Ganim, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Stucky.

**UTL 5. Storm Water Management Facility Inspections – Update**

Engineer Wise said the City has begun conducting storm water facility inspections. Inspectors will be on private property inspecting ponds. Reports will be created and forwarded to the owner, combination of owners, or Home Owners Association.

**UTL 6. NEORSD Riverview Road Flood Reduction Project – Update**

Engineer Wise said he is working through the final easement documents with NEORSD. Appraisals have been completed and will be distributed shortly. Engineer Wise said all calls related to the easements should be referred to Law Director Matty or Engineer Wise. The negotiation process and if necessary the easements will be taken.

**Other Matters deemed appropriate**

Highland Drive sewer project is complete. Grass installation needs to be completed.

AT&T will be working later this year on replacing lines in all of the Whitewood subdivision. There will be directional drilling to install the conduits and then return to install the wires, set the handholds, and trim the conduits to meet the grade.

**Motion to Adjourn**

6:45 PM

Motion made by Ganim, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Stucky.

17:33

**BUILDINGS & GROUNDS COMMITTEE**

**Call to Order**

**Chairperson Mark Jantzen**

**Members Beth Savage, Brian Stucky**

**6:45 PM**

**Roll Call**

**Present: Jantzen, Savage, Stucky.**

**Items for Consideration:**

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**B&G 1. Buildings & Grounds June 4, 2024 Committee Meeting Minutes**

**17:54**

Motion made by Jantzen, Seconded by Savage.

Voting Yea: Jantzen, Savage, Stucky.

**B&G 2. Fire Alarm Systems** - Recommend to Council approval of a Resolution accepting the proposal of Silco Fire & Security for design and installation of fire alarm systems in the amount of \$35,063.66 for the Vehicle Storage Building, Brecksville Service Garage, and the Brecksville Vehicle Maintenance Shop located at 4460 Oakes Road.

**18:22**

Service Director Kickel said the City has been working with the fire consultant from DSC Architects for the installation of fire alarm systems in (3) service department buildings. The department received (3) quotes. Silco Fire & Security came in as the lowest and best bidder, along with the recommendation of the fire consultant.

Motion made by Jantzen, Seconded by Stucky.

Voting Yea: Jantzen, Savage, Stucky.

**19:23**

**B&G 3. Pickleball Courts at Kids Quarters** - Recommend to Council approval of a purchase requisition in the amount of \$65,000 authorizing the construction of pickleball courts at Kids Quarters.

Recreation Director Engle said the City received a \$50,000 grant for the Community Development Supplemental Grant from Cuyahoga County. Recreation Director Engle thanked Economic & Community Development Director Bartkiewicz for help with obtaining that grant. The City has had a loud demand for outdoor pickleball courts. Mayor Kingston, Service Director Kickel and Recreation Director Engle worked to determine a location for the pickleball courts.

It was determined the outdoor basketball court at Kids Quarters located at the community center is the best location to utilize this grant. Recreation Director Engle said she looks forward to maximizing the space in that area while also working on this project this summer and into the fall. There is flexibility if demand changes for this space for the future we can still have a multi-use function if needed with approval the space will transformed in to 4 pickelball courts.

**20:18**

Service Director Kickel said the address for the last item on the list is 9023 Brecksville Road.

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Council member Stucky asked when the work will be starting. Service Director Kickel said the Service Department will be redoing those, possibly by end of July, when the paving project is completed.

Council member Koepke asked if the use will be on a first come basis, will the courts be locked or reservations needed. Recreation Director Engle said use of the existing courts has always been first come, first serve. That is how the department would like it to remain so families and individuals are welcome to come up there and play. If we need to switch in the future, for programming uses, it may need to be changed.

**22:28**

Councilmember Ganim thanked everyone that worked on this project and said great job to everybody involved.

Motion made by Jantzen, Seconded by Stucky.

Voting Yea: Jantzen, Savage, Stucky.

**Motion to Adjourn**

Motion made by Jantzen, Seconded by Stucky.

Voting Yea: Jantzen, Savage, Stucky.

**FINANCE COMMITTEE**

**6:51 PM**

**Call to Order**

**Chairperson: Beth Savage**

**Members: Dan Bender, Ann Koepke**

**6:51 PM**

**Roll Call**

**Present: Bender, Koepke, Savage.**

**Items for Consideration:**

**FIN 1. Finance June 4, 2024 Committee Meeting Minutes**

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

**FIN 2. Appropriations - Recommend to Council approval of an Ordinance making appropriations for current expenses.**

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Finance Director Starosta said there is one appropriation adjustment and that is for the fire alarm system on the agenda for the Safety Service Committee later today.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

- FIN 3. Transfers** - Recommend to Council approval of a Resolution making necessary transfers and advances between certain funds for the fiscal year ending 12-31-2024.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

- FIN 4. Assessing Ordinance Chippewa Calvin Sanitary Sewer Project** - Recommend to Council approval of an Ordinance levying special assessment for the Chippewa Road (S.R. 82) Calvin Drive Sanitary Sewer Project.

Finance Director Starosta said this legislation is the final assessing ordinance for 74 benefiting parcels which is at \$13,500. The legislation does not need to be passed as an emergency. When passed the property owners may choose to be assessed over 30 years or prepay.

Motion to move to second reading by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

**26:50**

- FIN 5. Treasury Bond** - Recommending to Council approval of an Ordinance providing for the issuance and sale of bonds in the maximum amount of \$249,000 to pay the property owners portion of the Chippewa Road Calvin Drive Sanitary Sewer Project.

Finance Director Starosta said the amount being assessed is the bond for \$249,000, the amount being assessed is covered by \$750,000 0% OPWC loan and then currently City Council authorized the Finance Department to issue a \$249,000 bond anticipation note when residents decide if they're going to pay or be assessed over time. The City will then issue a bond for any amounts outstanding over the \$750,000 loan from OPWC. Finance Director Starosta asked that they are passed on the final third reading in the order that they're presented today, first the assessing ordinance then the bond legislation.

Motion to move to second reading by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

- FIN 6. Lease** - Recommend to Council approval of an Ordinance authorizing the Mayor to execute a Restatement of Lease Agreement on behalf of the City of Brecksville with South Suburban Montessori Association, Inc. for the lease of premises known as Building 6 located at 4448 Oakes Road in the Blossom Hill Property Complex consisting of approximately 5,882 square feet, including the use of access roads.

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Service Director Kickel said Blossom Hill Buildings #6 & #7 are leased to the Montessori School. This is a (6) year lease renewal with a 3% increase per year. The CAM (Common Area Maintenance) charges will increase 5% per year.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

**29:57** Mayor Kingston said he was able to talk to Amy (Head of the school) and they do a great job with the children and we are happy to have them in our building.. Mayor Kingston said he is also very happy to have the Co-op School in our community and in our space (at Blossom Hill).

**30:28** Council member Jantzen said the City wants to do business with and understanding that the tenants have been with us for a long time, was anything else changes. Service Director Kickel said there was previous language regarding the maintenance of the gymnasium floor. That language was removed and it is the school's responsibility to maintain the floor.

**31:15** Council member Jantzen asked why there is no "out" afforded to either party in the agreements and why does the term need to be so very long. Councilmember Jantzen said he term exceeds all of the Council members and Mayor, why are the terms for (6) years. Service Director Kickel said the previous leases were for (5) years, when calculating the new terms, Service Director Kickel thought it more attractive to lessees to secure a (6) year lease as well as the City to know the buildings are rented for (6) years. Council member Jantzen said the City doesn't yet know what we may or may not wish to do with that entire Blossom facility and what timetable that could roll out on and I'm just wondering if six years is going to potentially impede something that we or our predecessors do in the future there. Council member Koepke asked Law Director Matty if there is nothing written in the contract how does an entity go about terminating a lease if either side needs to do so. Law Director Matty said a there's a section in the contract called Remedies for Breach that allow termination under certain conditions and if either party at any point in time wanted to terminate the lease both parties, by an amendment, if agreed could do so if it benefits both parties.

**33:10** Law Director Matty said if the city has a use for the property and the school wants to go elsewhere or vice versa it would be able to be done by mutual agreement. Law Director Matty said these buildings have been long-term leases. The relationship was important because that zoning only allows nonprofit organizations does not allow profit organizations.

**33:37** Council member Koepke said the schools have been there for several decades. Mayor Kingston said the pre-school was the first school in Brecksville.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

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**FIN 7. Lease** -Recommend to Council approval of an Ordinance authorizing the Mayor to execute a Restatement of Lease Agreement on behalf of the City of Brecksville with South Suburban Montessori Association, Inc. for the lease of premises known as Building 7 located at 4450 Oakes Road in the Blossom Hill Property Complex consisting of approximately 31,000 square feet, including the use of access road.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

**36:09**

**FIN 8. Lease** -Recommend to Council approval of a Resolution authorizing the Mayor to enter into a Restatement of Lease Agreement between the City of Brecksville as Lessor and the Brecksville Cooperative Pre-School, Inc. as Lessee for premises located at 4430 Oakes Road in the Blossom Road Property Complex.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage.

**Other Matters deemed appropriate**

**Motion to Adjourn**

7:04 PM

Motion made by Savage, Seconded by Koepke.

Voting Yea: Bender, Koepke, Savage

**LEGISLATION COMMITTEE**

**37:09**

**Call to Order**

**Chairperson: Dan Bender**

**Members: AJ Ganim, Mark Jantzen**

**7:04 PM**

**Roll Call**

**Present: Bender, Ganim, Jantzen.**

**Items for Consideration:**

**LEG 1. Legislation Committee Meeting Minutes 6-4-2024**

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Motion made by Bender, Seconded by Jantzen.  
Voting Yea: Bender, Ganim, Jantzen

**Motion to Adjourn**

7:05 PM

Motion made by Bender, Seconded by Jantzen.  
Voting Yea: Bender, Ganim, Jantzen.

**SAFETY-SERVICE COMMITTEE**

**38:03**

**Call to Order**

**Chairperson: Ann Koepke**

**Members: Mark Jantzen, Beth Savage**

**7:06 PM**

**Roll Call**

**Present: Koepke, Jantzen, Savage.**

**SAF 1. Safety Service June 4, 2024 Committee Meeting Minutes**

Motion made by Koepke, Seconded by Savage.  
Voting Yea: Jantzen, Koepke, Savage.

**38:30**

**SAF 2. Ammunition Purchase** - Consideration of a motion recommending to Council approval of an Ordinance authorizing the State Contract Purchases from Vance's Law Enforcement and Kiesler Police Supply in the aggregate amount of \$33,966.20 for the annual purchase of training and duty ammunition. *Account #1100210 22090.*

**38:44**

Police Chief Korinek said this purchase will help keep up the inventory of training ammunition and also duty ammunition to conduct the training that we do all year. The Brecksville officer training exceeds what the state requires. The department will be cycling out duty ammunition. Police Chief Korinek said there has been some price increases a couple of them were 31% up from previous orders.

Motion made by Koepke, Seconded by Savage.  
Voting Yea: Jantzen, Koepke, Savage.

**40:12**



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**SAF 3. Audible Pedestrian Signal Change Order** - Recommend to Council approval of a deduct change order for the Audible Pedestrian Signals Project in the amount of (\$680.00).

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Motion made by Koepke, Seconded by Savage.  
Voting Yea: Jantzen, Koepke, Savage.

**40:43**

**SAF 4. Vehicle Purchase** - an Ordinance authorizing the purchase of a leased vehicle, a 2022 Jeep Grand Cherokee in the amount of \$31,024.26 currently being used by Service Director Kickel.

Service Director Kickel said the vehicle was used by former Mayor Hruby. The lease will be ending and the City wishes to purchase the vehicle to be used by the Brecksville Service Director. Law Director Matty said he did not receive the request for legislation. Law Director Matty recommended to Council if the committee would like to make a motion to request legislation he could prepare that for the next meeting.

Motion to request Law Director Matty prepare legislation to purchase the 2022 Jeep Grand Cherokee.

Motion made by Koepke, Seconded by Savage.  
Voting Yea: Jantzen, Koepke, Savage.

**42:25**

**SAF 5. Document Shredding Events** - Recommend to Council approval of a blanket purchase order in the total amount of \$7,297.00 for the document shredding events and the pull-up educational banner.

Service Director Kickel said the City received a grant of \$6,000.00 from Cuyahoga recycles. The grant requires an educational component. The purchase of a pull up informational banner will also be purchased.

Motion made by Koepke, Seconded by Savage.  
Voting Yea: Jantzen, Koepke, Savage.

**Motion to Adjourn**

7:11 PM

Motion made by Koepke, Seconded by Savage.  
Voting Yea: Jantzen, Koepke, Savage.

**STREETS & SIDEWALKS COMMITTEE**

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**43:53**

**Call to Order**

**Chairperson: Brian Stucky**

**Members: Dan Bender, AJ Ganim**

**7:11 PM**

**Roll Call**

**Present: Bender, Stucky, Ganim.**

**Items for Consideration:**

**S&S 1. Streets & Sidewalks June 4, 2024 Committee Meeting Minutes**

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Ganim, Stucky.

**S&S 2. SR 21 Repaving Project - Recommend to Council approval of a motion authorizing Donald G. Bohning and Associates Inc. to provide construction services on an hourly as needed basis throughout the duration of the project.**

Engineer Wise said the contractors have set up the construction zone and traffic signs have been placed. Engineer Wise said he provides construction services on an as needed basis throughout the project, approval not to exceed \$15,000.

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Ganim, Stucky.

**46:10**

**S&S 3. Road Program Concrete Repairs - Recommend to Council approval of a deduct Change Order in the amount of (\$113,294.57) for the 2024 Road Program concrete repairs.**

Service Director Kickel said this change order is the result of the concrete program portion of the road program. Several contingencies were removed and adjustments to the final quantities have resulted in the deduction. Council member Stucky asked if the concrete program is complete. Service Director Kickel said the sidewalk program is ongoing.

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Ganim, Stucky.

**Other Matters deemed appropriate**

**47:11**

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**Blossom Hill Multi Purpose Trail** - Engineer Wise said the project is substantially complete. A “punch” list of remaining work will be issued to the contractor for items to be completed.

**47:33**

**Highland Drive Culvert** – Engineer Wise said Council authorized the appraisals to be done, when completed residents will be approached regarding the necessary easements.

**Motion to Adjourn**

7:16 PM

Motion made by Stucky, Seconded by Bender.

Voting Yea: Bender, Ganim, Stucky.

**COMMITTEE OF THE WHOLE**

**48:27**

**Call to Order**

**Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.**

**7:16 PM**

**Roll Call**

**Present: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.**

**Items for Consideration:**

**CoW 1. June 4, 2024 Committee Meeting Minutes**

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Ganim, Jantzen, Koepke, Savage, Stucky

Voting Abstaining: Caruso.

**49:15**

**CoW 2. Discussion - Dorskocil**

Engineer Wise said a resident requested a subdivision to be built on Snowville Road. The location requested for the proposed driveway has some sight distance issues at the intersection of Dewey (at Snowville). The road will need to be brought up to current standards. A section of Snowville Road would require significant lowering of the road. The applicant is willing to do the repairs but are requesting an assessment on their property, that would be applied to the subdivided parcels. Engineer Wise said the assessment would most likely be applied to the future parcels. Since it's an assessment the applicant would have to obtain outside counsel and then meet with the applicants legal team and prepare the legislation to bring back to Council and this is because of the nature of the development being proposed. Construction of one

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single home would not require any road changes. The owner split the property into 12 lots and they are required to bring the property into conformance with current standards.

Council President Caruso said what he understands is that they're willing to do the work themselves and asking our assistance just with the assessment versus doing it as a municipal contract.

**51:56**

Engineer Wise said it would be done as a municipal project contract it would just be but you are correct all costs would be Dave would be put towards the developer.

Council President Caruso asked if the City is raising debt to get the project done and then doing the assessment or they're incurring the expense and we're just doing the assessment. Engineer Wise said similar in concept to Chippewa assessment, it is a loan but all the cost of that loan all the construction, all the engineering, legal, any bonding would be included in that assessment and then assesses to the future sub lots.

Council President Caruso asked what the risk is to the City.

52:52

Finance Director Starosta said if it went to assessment and the properties didn't pay, the assessment would sit on their property as due but the City wouldn't have the cash flow. The City would have to find another cash flow source to pay that Debt Service until it is collected either when properties were closed or they were foreclosed. Finance Director Starosta asked if the owner of the property on as a guarantor?

**53:23**

Law Director Matty asked if Mr. Daskocil or his representative could come forward.

Gary Naim, 4223 Brecksville Road, Richfield, Ohio with Petros, came forward. Law Director Matty said . Ohio revised Code Section 727.06 provides direction for submitting this request. The request should be sent to Tammy Tabor, City Council Clerk, not the Mayor's Court Clerk. Law Director Matty said related to the question of risk, the petition that submitted the request is recently formed and is recently the owner of the property. Law Director Matty asked that Mr. Daskocil also be listed on the petition as the previous owner of the property. Law Director Matty asked that the petition be changed to include all costs of construction, engineering and including legal, engineering and any other costs that are related to this project. Law Director Matty asked Mr. Naim to take the requests and return the additional information and the City could start new with this petition before the city discusses this further.

**55:53**

Law Director Matty asked that Council consider authorizing the services of Katie Romanek from Squire to assist Law Director Matty in preparing documents related to the assessment request.

Motion made by Caruso, Seconded by Savage to authorize Katie Romanek to assist with the discussions related to the assessment request.

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Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky

**Other Matters deemed appropriate**

7:27 PM

**59:49**

Convene an executive session to discuss matters related to the employment of public employees.

Present: Law Director Matty, Mayor Kingston, Bender, Ganim, Jantzen, Koepke, Savage, Stucky.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Adjourn executive session and reconvene the regular meeting.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky

**Motion to Adjourn**

7:45 PM

Motion made by Caruso, Seconded by Savage.

Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.