

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

HELD _____ September 17, 2024 _____

Page 1

Call to Order

8:00 PM

Pledge of Allegiance

Roll Call

Present: Council President D. Caruso, Vice President B. Savage. Councilmembers: D. Bender; A. Ganim; M. Jantzen; A. Koepke; B. Stucky. Mayor Kingston, Asst. Law Director L. Sabol, City Engineer Wise, CBO Packard, Fire Chief M. Bender, Police Chief Korinek, Service Director J. Kickel, Purchasing Director Bartkiewicz, Human Services Director Dr. Paciorek, IT Specialist P. Packard , Clerk T. Tabor.

Absent: None

1:13:06

Approval of Minutes

1. Approval of September 3, 2024 Council Minutes

Motion made by Ganim, Seconded by Koepke.

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

New Business

1:13:32

2. RES. 5600 - Appointment - a Resolution appointing Kyle Bauman as a full time Firefighter/Paramedic in the City of Brecksville Fire Department.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Resolution 5600.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Mayor Kingston said Kyle has family history of public servants. Kyle's father, Mike Bauman is currently a Brecksville Police Sergeant. Kyle attended the University of Akron where he is obtained his Bachelor of Science in Emergency Management. Kyle played football for the Akron Zips and graduated Summa Cum Laude. Kyle Bauman is a recent graduate of the University Hospitals Parma Paramedics program . In his training at the Cuyahoga County Community College fire academy and paramedic school Kyle finished top in his class.

Mayor Kingston administered the oath of office to Firefighter Kyle Bauman.

Kyle Bauman's Mother had the honor of installing the badge on her son.

1:18:45

3. RES. 5601 - Flock Cameras - a Resolution authorizing payment of an invoice from Flock Group, Inc. DBA Flock Safety for the use of 12 cameras during a 34 day period without a contract.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Resolution 5601.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:19:39

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

September 17, 2024

HELD _____

Page 2

- 4. RES. 5602 - Request Tax Advances** - 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.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Resolution 5602.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:20:42

- 5. RES: 5603 - Transfers** - a Resolution making necessary transfers between certain funds for the fiscal year ending 12-31-2024.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Resolution 5603

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:21:35

- 6. RES. 5604 - Budget Commission 2025 Tax Rates** - 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.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Resolution 5604.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:22:24

- 7. RES. 5605 - Easement** - a Resolution accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Nathan Swisher and Mary Margaret Swisher, Trustees and known as PPN 602-08-009.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

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

HELD _____ September 17, 2024 _____

Page 3

Motion by Stucky, seconded by Savage, to pass Resolution 5605.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:23:31

- 8. RES. 5606 - Easement** - a Resolution accepting a permanent easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Heidi L. Jackson and known as PPN 602-08-008.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Resolution 5606.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:24:35

- 9. RES. 5608 - Water Service Easement** - a Resolution accepting a standard easement for the installation and maintenance of a water main for the purpose of supplying water service.

Motion for suspension made by Koepke, Seconded by Jantzen.

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

Nays: None.

Abstain: Ganim.

MOTION CARRIED: 6- Ayes, 0-Nays, 1-Abstain.

Motion by Stucky, seconded by Savage, to pass Resolution 5608.

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

Nays: None.

Abstain: Ganim

MOTION CARRIED: 6- Ayes, 0-Nays, 1-Abstain.

1:25:40

- 10. ORD. 5733 - Physicians Ambulance** - an Ordinance authorizing the Mayor to execute an Amended and Restated Economic Incentive and Job Preservation Agreement with Physicians Ambulance Service, Inc. concerning the granting by the city of certain incentives to create and preserve jobs within the City of Brecksville.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Ordinance 5733.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:26:48

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

September 17, 2024

HELD _____

Page 4

- 11. ORD. 5734 - Amend Ordinance** - an Ordinance amending Section 1. of Ordinance No. 5629 to amend the number of V300 body worn cameras and related items purchased for the Police Department from Chagrin Valley Dispatch in accordance with the provisions of Ohio Revised Code Section 125.04(C)

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Ordinance 5734.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:27:51

- 12. ORD. 5735 Body Worn Cameras** - an Ordinance authorizing the purchase of (9) WatchGuard V700 Body Worn Cameras and related items for the Police Department from Chagrin Valley Dispatch in accordance with the provisions of Ohio Revised Code Section 125.04(C)

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Ordinance 5735.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:28:59

- 13. ORD. 5736 - Police Body Armor** -an Ordinance authorizing the purchase of body armor, for use by the Police Department through the State of Ohio, Administrative Services Purchasing Program.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Ordinance 5736.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:29:50

- 14. ORD. 5737 - Routers & Antennas for Police Cruisers** - an Ordinance authorizing the purchase of thirteen (13) Cradlepoint Devices and thirteen (13) external antennas by the Police Department from Parr Public Safety Equipment through the State of Ohio Administrative Services Purchasing Program.

Motion for suspension made by Ganim, Seconded by Koepke.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

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

HELD _____ September 17, 2024

Page 5

Motion by Stucky, seconded by Savage, to pass Ordinance 5737.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.
Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:30:53

- 15. ORD. 5738 - Cost Share Agreement** - an Ordinance authorizing the Mayor to execute a Project Costs Deposit Agreement related to the Snowville Land Corp., LLC.

Motion for suspension made by Ganim, Seconded by Koepke.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky
Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Ordinance 5738.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.
Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:31:45

- 16. RES 5607 - Geotechnical Investigation Services** - a Resolution accepting the proposal of CTL Engineering, Inc. for geotechnical Investigation Services for the Snowville Road Lowering Project.

Motion for suspension made by Ganim, Seconded by Koepke.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky
Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Motion by Stucky, seconded by Savage, to pass Resolution 5607.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.
Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:32:54

Report of Council Representatives:

Board of Zoning Appeals: Council Member Stucky

1:33:06

Appeal 2024-31 9567 Park Place Dr Simon Musulin

Approval of a variance from Section 1151.25 (d)(2)(b) maximum 192 sq ft to allow 240 sq ft for the construction of shed located at 9567 Park Place Dr., PP#602-02-050.

Motion by Stucky, seconded by Bender.
Voting Yea: Bender, Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.
Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:33.41

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

HELD _____ September 17, 2024 _____

Page 6

Appeal 2024-32 6723 Westview Dr. Alan and Lori Murray

Approval of a variance from Section 1151.25(d)(2)(B) maximum 192 sq ft to allow 240 sq ft for the construction of a replacement shed located at 6723 Westview Dr., PP# 603-20-008.

Motion by Stucky, seconded by Bender.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:37:03

Appeal 2024-33 7530 Bristol Lane Robert Ganley

Approve a variance from Section 1326-02 to install a generator in the side yard, instead of the rear as required by code, located at 7530 Bristol Ln, PP# 604-03-066.

Motion by Bender, seconded by Savage.

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

Nays: None.

Abstain: Stucky

MOTION CARRIED: 6- Ayes, 0-Nays, 1-Abstain.

1:37:57

Appeal 2024-34 7777 Parkview Rd., Greg Seifert on behalf of Kris Monaco-Geis, Trustee

Approve a variance for the construction of a detached garage located at 7777 Parkview Rd, PP# 605-01-027.

1. A variance from Section 1151.25 (d)(1) maximum 660 sq ft to allow 1,648 sq ft
2. A variance from Section 1151.26 (1) located in the rear yard required to allow in the side yard
3. A variance from Section 1181.(b) 15 ft. maximum building height to allow a 28 ft height

Motion by Stucky, seconded by Bender.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:39:04

Planning Commission: Council President Caruso reported the next meeting of the Planning Commission will be September 19, 2024 at 7:00 PM.

1:42:59

MetroHealth Sign Package Application Review 9200 Treeworth Blvd, Brecksville, Ohio.

approve the MetroHealth sign package for ground, wall and directional signs and the Building Department should issue 21 permits for the MetroHealth Rebranding Sign Package, 9200 Treeworth Blvd, Brecksville, Ohio as described in the application dated August 19, 2024, and attached drawings conditional on City Council's approval of the following deviations:

- A deviation from the requirement in Section 1187.05(d)(2) that internal illumination may be permitted only on free standing, ground, identification signs to allow internal illumination wall signs.
- A deviation from the requirement in Section 1187.05(d)(2) that internal illumination be Limited to business logo or individual letters in the business name and shall exclude all background areas of the sign to allow background and edge illumination.
- A deviation from the requirement in Section 1187.09 (c) that the wall identification sign be located on the front of the building to allow signs on the north and west sides of the building.

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

September 17, 2024

HELD _____

Page 7

- A deviation from the requirement in Section 1187.09 (c) of 1 wall sign per unit to allow 3 wall signs.
- A deviation from the requirement in Section 1187.05 (a) that no more than 4 colors may be used on any sign to allow up to 8 colors.
- A deviation from the requirement in Section 1187.06 (c) of 1 ground sign per lot to allow 5 ground signs.
- A deviation from the requirement in Section 1187.06 (c) of 2 directional signs to allow 13 directional signs.
- A deviation from the requirement in Section 1187.09 (c) of a maximum directional sign heights of 3' to allow 4'5" height.
- A deviation from the requirement in Section 1187.09 (c) of a maximum directional sign face of 2 sq ft to allow 8 sq ft per side.
- A deviation from the requirement in Section 1187.09 (b)(2) that the maximum permanent building frontage wall sign square footage of 284.25 to allow 621 sq ft.
- A deviation from the requirement in Section 1187.09 (b)(1) that the maximum total of all permitted signage square footage of 284.25 to allow 1054.68 square feet.

- Deviations for Sign 4 (Freeway Ground Sign)
 - A deviation from Section 1187(k) which prohibits "a free standing sign along a freeway that is designed to be visible to freeway traffic" to permit a free standing sign along a freeway.
 - A deviation from Section 1187.06 (b)(1) from the maximum ground sign height of 5' to allow a 35' ground sign.
 - A deviation from Section 1187.09(c) from the maximum ground sign face of 30 sq ft to allow 130 sq ft per side.
- Deviations for Sign (Retaining Wall Sign)
 - A deviation from the requirement in Section 1187.09 (c) that the wall identification sign be located on the front of the building to allow a wall sign to be located on a retaining wall.
 - A deviation from the requirement in Section 1187.09(c) of the maximum height of 3' to allow 8'.

Motion by Caruso , seconded by Savage.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:43.00

Solar Panel Installation 8531 Riverview Road

Approve a solar panel system installation at 8531 Riverview Road, Brecksville, Ohio, 44141 as described in the application dated July 16, 2024, and attached plans by Yellow Lite, Inc. contingent on utility company interconnection approval and City Council's approval of the follow deviations:

- A deviation from Section 1186.03 (c)(1) to allow panels on a roof that faces a side yard.
- A deviation from Section 1186.03 (c)(7) to allow two (2) solar systems on one (1) lot.

Motion by Caruso , seconded by Savage.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:44:16

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

HELD _____ September 17, 2024

Page 8

American Legion Hall Deck Awning 7400 Chippewa Rd

Approve a 23' patio covering over the existing deck on the back of the building for American Legion Hall, 7400 Chippewa Road, PP# 606-28-016 as described in the application dated August 19, 2024, and drawing by Natural Light Patio Covers, contingent on approval of City Council.

Motion by Caruso , seconded by Savage.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Recreation Commission: Council Member Ganim reported the next meeting of the Recreation Commission will be September 23rd at 7:30 PM.

1:45:21

Human Services Advisory Board: Council Member Koepke said the next meeting of the Human Services Advisory Board will be October 8th at 3:00 PM.

Report of Council Committees:

Safety-Service: Council Member Koepke reported the committee met earlier and has two items for Council consideration.

1:46:42

Equipment and Air Quality Testing - Approve an increase to Blanket Purchase Order #20242606 in the amount of \$500.00, from \$4,500.00 to \$5,000.00 for SCBA equipment and air quality testing for the Fire Department. *Account # 2900260 - 26110*

Motion by Koepke , seconded by Ganim.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:47:38

Police Department Cruisers - Authorizing a purchase requisition in the amount of \$5,525.00 for the installation of 13 Cradlepoint devices and 13 external antennas on Police Department Cruisers.”

Motion by Koepke , seconded by Ganim.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:48:06

Streets & Sidewalks: Council Member Stucky.

Surveying & Engineering Service Proposal - Approve a motion authorizing Donald G. Bohning & Associates to provide engineering and surveying services in the amount of \$53,575.00 for the Snowville Road Lowering Project. *Account # C4800171 35010 Project #RD240002*

Motion by Stucky , seconded by Bender.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

Utilities: Council Member Ganim reported the committee met earlier and has no items for Council consideration.

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

HELD _____ September 17, 2024 _____

Page 9

1:48:59

Buildings & Grounds: Council Member Jantzen reported the committee met earlier and has three items for Council consideration.

Vehicle Maintenance Garage – Approve a motion authorizing a change order in the amount of \$10,781.60 for the installation of an external meter disconnect switch. Account #C4900170-32020; Project BI40002.

Motion by Jantzen, seconded by Ganim.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:49:31

Service Garage Fire Reconstruction Project - Authorize the Purchasing Director to advertise for bids for the Service Garage Fire Reconstruction Project.

Motion by Jantzen, seconded by Ganim.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:49:58

Fall Trees - Approve a purchase requisition in the amount of \$11,551.00 for the purchase of 65 new and replacement trees for the annual Fall planting. *Account #2520530 – 22010*

Motion by Jantzen, seconded by Ganim.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:50:31

Legislation: Council Member Bender No Report.

1:50:50

Finance: Council Member Savage

Recreation Concession Purchase Order - Approve an increase to PO #20245102 in the amount of \$10,000.00 for concession supplies in the Recreation Department. *Account # 2400710 - 23030*

Motion by Savge, seconded by Ganim.

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

Nays: None.

MOTION CARRIED: 7- Ayes, 0-Nays.

1:51:34

Report of the Department Directors

Asst. Director of Law: L. Sabol: No Report.

Engineer, Gerry Wise: No Report.

Chief Building Official, CBO Scott Packard: No Report

Director of Human Services, Steve Paciorek: Dr. Paciorek reported the Human Services Department will hold a presentation alerting residents of current scams on September 23rd The annual Gas and Electric