

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

HELD _____ February 6, 2024

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1:36:40

Council was CALLED TO ORDER in Regular Session by Council President Caruso at 8:00 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: D. Caruso, AJ Ganim, M. Jantzen; A. Koepke, B. Savage, B. Stucky.

ROLL CALL

Members Absent: D. Bender.

Others Present: Mayor Daryl Kingston, Law Director D. Matty, Engineer G. Wise, Finance Director L. Starosta, CBO S. Packard, Economic and Community Dev. Director, M. Bartkiewicz, Purchasing Director R. Riser, Fire Chief N. Zamiska, Police Chief S. Korinek, Service Director J. Kickel, IT Technician P. Packard, Council Clerk T. Tabor.

1:37:32

MINUTES OF THE JANUARY 16, 2024 REGULAR MEETING: Motion by Ganim, seconded by Koepke, to dispense with the reading of the January 16, 2024 regular meeting minutes and to accept same as presented.

REGULAR MEETING MINUTES OF 1-16-2024

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:37:56

MINUTES OF THE JANUARY 25, 2024 ORIENTATION MEETING: Motion by Ganim, seconded by Koepke, to dispense with the reading of the January 25, 2024 Council Orientation meeting minutes and to accept same as presented.

COUNCIL ORIENT. MEETING MINUTES OF 1-25-2024

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:38:23

ORDINANCE 5674 re: an Ordinance providing for the submission to the electors of the City of Brecksville the question of amending the zoning map by adding an MS Motor Services Overlay Zoning District for a True North gas station and carwash on the approximately 2.39 acres fronting on Miller Road and an LB Local Business Overlay Zoning District on the approximately 2.35 acre remainder of PP #604-17-003 located at 6850 Miller Road.

ORD. 5674 REZONING 6850 MILLER ROAD ADDING MS MOTOR SERVICES AND LB LOCAL BUS

Motion by Ganim, seconded by Koepke, to approve Ordinance 5674.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:40:01

RESOLUTION 5522 re: a Resolution appointing Andrew J. Posa to the position of Police Officer in the Police Department of the City of Brecksville; and declaring an emergency, was read by title.

RES. 5522 APPOINT POLICE OFFICER POSA

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5522 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5522.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

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Mayor Kingston said the City began the process to test and interview for the position of Police Officer. Mayor Kingston said the appointments made tonight are, in his opinion, the top candidates from that process. **COMMENTS**

Mayor Kingston said Officer Posa currently lives in Medina, Ohio. He graduated from Bowling Green State University with a Bachelor's Degree in General Studies. He attended the Cuyahoga Community College Basic Police Academy where he received his state police certification. Officer Posa served with the Southwest General Police Department prior to his appointment here. Officer Posa is continuing his family's commitment to public service, his father is a Parma Fire Fighter, he will begin his FTO training tomorrow morning.

Mayor Kingston administered the oath of office. Officer Posa introduced his parents and family in attendance. Officer Posa's father had the honor of installing the badge of Police Officer on his son Andrew. **OATH OF OFFICE**

1:45:11

RESOLUTION 5523 re: a Resolution Appointing Alexander G. Plant to the position of Police Officer in the Police Department of City of Brecksville; and declaring an emergency, was read by title. **RES. 5523 APPOINT POLICE OFFICER PLANT**

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5523 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5523.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Mayor Kingston said Officer Plant currently lives in Canfield, Ohio. Officer Plant graduated from the University of Akron with a Bachelor's Degree in Accounting. He worked for the Bethany Beach Police Department as a seasonal police officer during the summer of 2022. Officer Plant has also served with the Columbiana Police Department and Tallmadge Police Department as an auxiliary police officer in the past. Alex is a Second Lieutenant in the Ohio Army National Guard. He is currently attending the Kent State University- Trumbull County Police Academy and will graduate on February 28th, 2024. After graduating, he will begin his FTO training program. **COMMENTS**

Mayor Kingston administered the oath of office. Officer Plant introduced his family in attendance. Officer Plant's father had the honor of installing the badge of Police Officer on his son Andrew. **OATH OF OFFICE**

1:49:24

RESOLUTION 5524 re: a Resolution appointing Jonathan Lindow as Assistant Director of Finance; and declaring an emergency, was read by title. **RES. 5524 APPOINT ASSISTANT FINANCE DIRECTOR LINDOW**

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5524 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5524.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:49:37

RESOLUTION 5525 re: a Resolution appointing Janice Cerovac as Finance Clerk in the Brecksville Finance Department; and declaring an emergency, was read by title. **RES. 5525 APPOINT FINANCE CLERK CEROVAC**

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5525 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

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MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5525.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:52:05

RESOLUTION 5526 re: a Resolution authorizing the Mayor to complete the application process and enter into a NOPEC Energized Community Grant agreement for a 2024 NOPEC Energized Community Grant; and declaring an emergency, was read by title. Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5526 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5526.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:53:00

RESOLUTION 5527 re: a Resolution authorizing the Mayor to accept funding through the NOPEC Community Event Sponsorship Program; and declaring an emergency, was read by title. Motion by Stucky, seconded by Koepke, to suspend the three reading rule and place Resolution 5527 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5527.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:53:56

RESOLUTION 5528 re: a Resolution authorizing the Mayor to apply for the County Road 50/50 Program Funding through the Cuyahoga County Department of Public Works; and declaring an emergency, was read by title. Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5528 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5528.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

1:54:50

RESOLUTION 5529 re: a Resolution authorizing the issuance of a grant in the amount of \$4,200.00 to the Brecksville Historical Association, Inc. to fund utility expenses at the Squire Rich Museum and declaring an emergency, was read by title. Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5529 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5529.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

**RES. 5526
AUTHORIZE
2024 NOPEC
ENERGIZED
COMMUNITY
GRANT
AGREEMENT**

**RES. 5527
AUTHORIZE
SPONSORSHI
P PROGRAM
APPLICATIO
N FOR
NOPEC
COMMUNITY
EVENT
SPONSORSHI
P**

**RES. 5528
AUTHORIZE
APPLICATIO
N FOR
PUBLIC
WORKS
COUNTY
ROAD 50-50
PROGRAM
2025-26**

**RES. 5529
AUTHORIZE
HISTORICAL
ASSOCIATIO
N GRANT
2024**

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1:55:47

RESOLUTION 5530 re: a Resolution authorizing the Mayor to execute an extinguishment of Temporary and Permanent Easements and declaring such easements are no longer needed for municipal purposes; and declaring an emergency, was read by title.

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5530 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5530.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

**RES. 5330
AUTHORIZE
EXTINGUISH
MENT OF
TEMPORARY
AND
PERMANENT
EASEMENTS**

1:56:36

RESOLUTION 5531 re: a Resolution authorizing the Mayor to execute a Release of mortgage deed for the Glen-Valley Club Co. for Permanent Parcel Nos. 602-15-004, 602-15-005 and 602-15-006; and declaring an emergency, was read by title.

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Resolution 5531 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Resolution 5531.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

**RES. 5331
AUTHORIZE
A RELEASE
OF
MORTGAGE
DEED GLEN
VALLEY
CLUB**

1:57:41

ORDINANCE 5680 re: an Ordinance authorizing the purchase of three (3) 2023 Ford Police Utility Vehicles for the Police Department from Montrose Ford in accordance with the provisions of Ohio Revised Code Section 125.04(C).; and declaring an emergency, was read by title.

Motion by Ganim, seconded by Koepke, to suspend the rules and place Ordinance 5680 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Ordinance 5680.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

**ORD. 5680
AUTHORIZE
STATE
EQUIVALENT
PURCHASE
POLICE
VEHICLES**

1:58:39

ORDINANCE 5681 re: an Ordinance authorizing the purchase of labor and equipment to decommission (3) aging police vehicles and equip (3) new vehicles for the Police Department, said contract to be in such form as is approved by the Director of Law, based upon the provisions of Ohio Revised Code Section 125.04(C).; and declaring an emergency, was read by title.

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Ordinance 5681 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Ordinance 5681.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

**ORD. 5681
AUTHORIZE
STATE
EQUIVALENT
PURCHASE
UPFITTING
OF VEHICLES**

1:59:42

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ORDINANCE 5682 re: an Ordinance amending Ordinance #5677 to authorize the purchase of (1) Ford F-350 pick-up for use by the Brecksville Service Department from National Auto Fleet Group, through Sourcewell and non-contract vehicle equipment from multiple vendors; and declaring an emergency, was read by title.

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Ordinance 5682 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Ordinance 5682.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

2:00:42

ORDINANCE 5683 re: an Ordinance authorizing the purchase of one (1) Concord Minuteman Snow and Ice Control Equipment Package installed on new Class 8 Single Axle Cab and Chassis from Concord Road Equipment, Mfg. for use by the Brecksville Service Department through the State of Ohio Department of Administrative Services; and declaring an emergency, was read by title.

Motion by Ganim, seconded by Koepke, to suspend the three reading rule and place Ordinance 5683 on third and final reading.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

Motion by Stucky, seconded by Savage, to pass Ordinance 5683.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

2:01:56

BOARD OF ZONING APPEALS: Councilmember Stucky reported the next meeting of the Board of Zoning Appeals will be Monday, February 12th at 7:30 P.M.

**ORD. 5682
AMEND O
5677 TITLE
AND
SECTION 1
TO
PURCHASE
TRUCK
FROM
SOURCE
WELL**

**ORD. 5683
AUTHORIZE
STATE
PURCHASE
CONCORD
ROAD
EQUIPMENT**

**BD. OF
ZONING
APPEALS**

PLANNING COMMISSION: Councilmember Caruso reported the next meeting of the Planning Commission will be February 22th at 7:00 P.M.

2:02:22

**PLANNING
COMMISSION**

TIMOTHY LANE FRONT YARD SET BACK – 12215 TIMOTHY LANE – Approval of a Front Yard Setback of 210' for 12215 Timothy Lane (PPN 605-20-010), Brecksville, Ohio, 44141, as described in the application dated December 17, 2023, contingent on approval by Board of Zoning Appeals of the following variance: A variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate.

**TIMOTHY
LANE FRONT
YARD SET
BACK 12215
TIMOTHY
LANE**

Motion for approval by Caruso, seconded by Stucky.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

2:03:34

DEPARTMENT OF HUMAN SERVICES: Councilmember Koepke reported the next meeting of the Human Services Advisory Board will be February 13th at 3:00 P.M.

**DEPT. OF
HUMAN
SERVICES**

Council member Koepke reported the sold out Kiwanis Empty Bowls fundraiser benefitting local food pantries is taking place tonight. Blood glucose screenings will also be available on scheduled dates at the Human Services Center. The Gathering Place and Hansen Home Services will offer presentations for senior residents. Long time volunteer Bob Petrushka passed away. Mr. Petrushka was honored by the City of Brecksville as Volunteer of the Year in 2011 and 2023 Citizen of the Year.

2:05:37

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RECREATION COMMISSION: Councilmember Ganim reported the next meeting of the Recreation Commission will be February 26th. The Organizational meeting of the Recreation Commission elected Council member Ganim as Chairperson and Mark Hanna as Vice Chairperson. The Commission discussed priorities and capital projects. The Commission will also look for opportunities for sponsorship of some recreation programs.

**RECREATION
COMMISSION**

2:06:17

SAFETY-SERVICE COMMITTEE: Councilmember Koepke reported the committee met earlier today and has two items for Council consideration.

**SAFETY-
SERVICE**

2:06:22

POLICE VEHICLE GRAPHICS - Approval of a Purchase Requisition to Cleveland Trim & Stripe Co. in the aggregate amount of \$2,550.00 for the vehicle graphic installation on the (3) new Police Utility Vehicles. Account #C1100210 33000. Project #EQ240004.

**POLICE
VEHICLE
GRAPHICS**

Motion by Koepke, seconded by Ganim.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

2:06:52

CODE RED NOTIFICATION - Approval of a purchase requisition for the contract extension with OnSolve, LLC for CodeRED Emergency Notification Service in the annual amount of \$10,838.28 and Weather Warning Service in the amount of \$4,072.50 for the aggregate total of \$14,910.78. The contract term is 2/28/24 - 2/27/25. Account #1100150 21030

CODE RED

Motion by Koepke, seconded by Ganim.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

2:07:40

STREETS & SIDEWALKS COMMITTEE: Councilmember Stucky reported the committee met earlier today and has one item for Council consideration.

**STREETS &
SIDEWALKS**

RIVERVIEW ROAD SLOPE REPAIR - Approval of a motion authorizing the Director of Purchasing to advertise the project for public bidding

**RIVERVIEW
ROAD SLOPE
REPAIR BID
AUTH**

Motion by Stucky, seconded by Ganim.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

UTILITIES COMMITTEE: Councilmember Ganim reported the committee met earlier and has one item for Council consideration.

**UTILITIES
COMMITTEE**

2:08:21

CHIPPEWA ROAD & CALVIN DR. - Approval of a Final Change Order #2 from Fabrizi Trucking & Paving Company Inc. in the amount of -\$23,463.80 for the Chippewa Road Calvin Drive Sanitary Sewer Project..

**CHIPPEWA
ROAD &
CALVIN DR
SANITARY
SEWER
PROJECT**

Motion by Ganim, seconded by Stucky.

Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.

2:08:48

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

**BUILDINGS &
GROUNDS
COMMITTEE**

AUTHORIZE BID ADVERTISEMENT - Approval of a motion authorizing the Director of Purchasing to advertise for bids for the Shingle Roof Replacement over the Community Center Field House and Meeting Rooms.

**AUTHORIZE
BID ADVERT.
COMMUNITY
CENTER**

Motion by Jantzen, seconded by Savage.

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<p>Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky. Nays: None. MOTION CARRIED 6-AYES, 0-NAYS.</p>	<p>FIELD HOUSE AND MEET ROOMS</p>
<p>2:09:20 LEGISLATION COMMITTEE: Councilmember Ganim reported the committee met earlier this evening and has one item for Council consideration.</p>	<p>LEGISLATIO N COMMITTEE</p>
<p>ADULT USE OF MARIJUANA: Authorize the Law Director to prepare legislation, to submit to the Planning Commission for consideration, prohibiting the cultivation, processing and dispensing of adult use cannabis in the City of Brecksville. Motion by Ganim, seconded by Stucky. Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky. Nays: None. MOTION CARRIED 6-AYES, 0-NAYS.</p>	<p>LEGISLATIO N REQUEST RE: ADULT USE OF MARIJUANA</p>
<p>2:10:10 FINANCE COMMITTEE: Councilmember Savage reported the committee met earlier this evening and has one item for Council consideration.</p>	<p>FINANCE COMMITTEE</p>
<p>MONTHLY BILLS - Approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$12,023.33; Kulchystsky Architects, LLC in the amount of \$1,062.50; William Logan in the amount of \$4,000.00 and Donald G. Bohning & Associates in the amount of \$12,460.54. Total of all invoices \$29,546.37. Motion by Savage, seconded by Stucky. Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky. Nays: None. MOTION CARRIED 6-AYES, 0-NAYS.</p>	<p>MONTHLY BILLS</p>
<p>2:11:06 REPORT OF LAW DIRECTOR: Law Director Matty said legislation authorizing the Extinguishment of Easements and the release of Mortgage Deeds approved today will be filed with the County and the attached Council discussion on these issues will be included as part of the record.</p>	<p>LAW</p>
<p>REPORT OF ENGINEER: No Report.</p>	<p>ENGINEER</p>
<p>REPORT OF FINANCE DIRECTOR: No Report.</p>	<p>FINANCE</p>
<p>2:12:30 REPORT OF BUILDING DEPARTMENT: C.B.O. Packard reported the Building Department issued 44 permits with a valuation just over \$617,000.00 and receipts totaling \$45,476.14 in the month of January.</p>	<p>BUILDING DEPT.</p>
<p>REPORT OF PLANNING & COMMUNITY DEVELOPMENT: No Report.</p>	<p>PLANNING & DEVELOP.</p>
<p>REPORT OF SERVICE DIRECTOR: No Report.</p>	<p>SERVICE</p>
<p>REPORT OF PURCHASING DIRECTOR: No Report.</p>	<p>PURCHASING</p>
<p>2:13:10 REPORT OF POLICE DEPARTMENT: Police Chief Korinek said the Department will be holding a Coffee with a Cop at the Primer Coffee Bar at Valor Acres on February 9th at 7:30 – 9:00 AM</p>	<p>POLICE</p>
<p>REPORT OF FIRE DEPARTMENT: No Report.</p>	<p>FIRE</p>
<p>REPORT OF RECREATION DEPARTMENT: No Report.</p>	<p>RECREATION</p>
<p>2:14</p>	

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REPORT OF THE MAYOR: Mayor Kingston reported the award of two large Transformational Mixed Use Development Program Grants. One of the grants went to Valor Acres and the other went to Cleveland for the Public Square Development.

MAYOR

2:14:40

COMMENTS: Jennifer Speer, 6545 Glen Coe Drive. MS. Speer said she is the Director of BBH Pride and speaking on behalf of the task force and over 300 Pride members, many are in attendance tonight. BBH Pride has been approved by the treasury as a 501c3 non-profit organization. Ms. Speer said she is here to discuss the specifics of Pridefest 2024. Ms. Speer provided an aerial view of the needed square footage and expected food trucks, portable toilets, stage and walking areas, approximately 21,000 square feet. Ms. Speer said she feels the Central School lawn and United Church of Christ next to that, the United Methodist Church and the Horticultural Building provide adequate space. Ms. Speer said the group wants the LGBTQ+ population and their allies to know Brecksville sees, respects, honors and celebrates them. Ms. Speer said Council member Koepke said, at candidate night "I love everybody, I feel everybody should feel great right off the bat I would love for the city to feel that as a whole and everyone that comes here feel comfortable I'm dedicated to working to make that happen I feel it's so important having an organized group like BBH pride is a great way to bring awareness."

COMMENTS

2:20:49

Ms. Speer said Mayor Kingston said "Many residents have chosen to leave pride signs up year round. which is great the impact of representation is massive because it promotes opportunities for discussions among friends and within families. Through these conversations over time that will prevent anyone especially children from feeling like they don't belong or are unwelcome or invisible."

Ms. Speer said for many years LGBTQ+ couples who sought to get married in this building (City Hall) were told go to Broadview Heights. Ms. Speer said she would like to apply for a standard permit, but found that type of permit does not exist. Ms. Speer said she needs to provide a date and location for the sponsors and asked if Brecksville could settle on a date and location today so she can send out the press release tomorrow. Council President Caruso thanked Ms. Speer for providing information for Council to think about. Ms. Speer asked Mayor Kingston when she could receive an answer. Mayor Kingston said Ms. Speer is addressing Council at a Council meeting, not Mayor. Mayor Kingston said he has not heard anything that will change his mind. Ms. Speer asked when she could have an answer. Ms. Speer said they do not have 150 vendors and is sure the Brecksville Police and Fire can provide the same resources Broadview Heights provided (2023). Ms. Speer asked for an answer by Friday. Council President Caruso said it was a nice presentation and Council will have a lot of items to consider. Council President Caruso said the item may be placed on the next Council meeting agenda. Council President Caruso said Council would have to confer officially in public, Council can't make decisions in private. Council member Stucky asked where the event was held in Broadview Heights. Ms. Speer said it was held at the Middle School parking lot. Council member Stucky said school property, not Broadview Heights city property. Ms. Speer asked if there is a permit application on line, and the non-discrimination policy on line is outdated by 50 years. Council member Koepke asked what makes the policy outdated. Ms. Speer said it cites 1964 and 1978 in the policy.

Ms. Speer argued the group brings their own paid security and has a \$2 million liability insurance policy, with no incidents last year. Council member Koepke said Council will need to look at, if there is a permit process, what that would look like and how it would be approved. Ms. Speer said she cannot wait another month and she did submit the request at the end of January. Ms. Speer said the Police Force is able to protect Home Days, surely they can protect Pride Fest.

Council member Stucky said he are not aware of a time where the City has rented out city property. Council President Caruso said there is a rental list, Public Square was purposely kept off of that list.

2:27:53

Ms. Speer said she understands that. Council President Caruso said there are precedents that need to be considered there's discussions with the Finance Department that would need to be considered. Council President Caruso said this event isn't in our capital budget. The City

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budgets for Home Days. Council President Caruso said Council would like to have an opportunity to go through the process of having it come through committee properly. If there is a policy change, the City does not want to set a bad precedent.

Ms. Speer said The Black Lives Matter (Protest) was much larger and held on the Municipal Lot. Council President Caruso that event was coordinated by the Safety Director at the time. Ms. Speer said that event set a precedent. Council member Stucky said not a good one. Ms. Speer said that event and was safe and nothing happened. Ms. Speer said her event is a family friendly event.

Council President Caruso said there are many things to be considered. Ms. Speer said Mayor Kingston offered to meet, and asked when she could meet, the group needs to talk to their sponsors and vendors who are requesting information on a date and location. Mayor Kingston said he would check with Council leadership to find availability for a meeting, possibly by the end of this week. Ms. Speer said Pride Fest Chairpersons could possibly attend, there are also task force members who could meet with City Officials.

Law Director Matty reminded Council there may not be a meeting discussing City business, without public notice and required notification, of 2 or more committee members, or 4 members of Council creating a quorum.

Nicola Foley, Gatewood Drive – Ms. Foley said in Mr. Kingston's denial letter to BBH Pride Mayor Kingston stated space, the gathering could not be accommodated. Mayor Kingston said he is not convinced that the event would not grow. Mayor Kingston said he is not aware of any organizations allowed to use City space for a private event, not a city event. Ms. Foley said it is a public event. Mayor Kingston said it is not a city driven event. Mumbled comments from the audience.

Council President Caruso said he feels the meeting should be held and discussion on the subject continue.

2:33:27

Inaudible comments. John, Amber Lane,

Ms. Foley said in the letter sent to (BBH Pride) Mayor Kingston said he talked to Council, the Safety Committee, Police Chief and all the others and just now Mayor Kingston said he didn't get past the first sentence before he said no. Ms. Foley wants to know why Mayor Kingston said that. Mayor Kingston said he spoke with the Police Chief, Fire Chief and Building Commissioner. Mayor Kingston said he did not offer a list of why he said no, he feels the event may be too big. Mayor Kingston said he may allow use of the area for wedding photos for a short amount of time. Mayor Kingston said, as with signs on city property, we allow all signs or we allow no signs. Brecksville does not allow signs to be placed on City property. We have not allowed events on city property. Mayor Kingston said he has received demands to change the past 50 years of City precedent and will not make these changes now.

Mayor Kingston said there are many things to discuss, financial, safety, precedent. There are other groups requesting to hold events on City property and the answer is no to all groups.

Inaudible comments.

Ms. Foley said she would like Mayor Kingston to contact Broadview Heights Mayor Alai and the Police Chief of Broadview Heights before the Friday meeting. Ms. Speer said this is public property and the group are taxpayers and believes this is not legal.

Council member Koepke said she doesn't believe this is accurate. City Council is asking for time, notice of a week or two is too fast to make a decision. Council members are not allowed to discuss any city business outside of a public meeting. Council member Koepke said the group has a good message and people willing to put the message out.

Ms. Speer argued she did not believe that is true.

Council member Stucky asked why they did not go back to the Middle School, the property overlaps both communities. Ms. Speer said there was a lot of harassment given to the Pride Group because they were at the middle school and several of the members did not safe because they were threatened by the opposing group.

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Councilmember Koepke said the City held the first environmental day which began planning (6) months before to get a date, location and set up.. Councilmember Koepke said asking the City to authorize a date and location in a couple weeks is not reasonable.

2:39:25

Ms. Speer said in other cities there would be a permit process. Ms. Speer believes there should be a process to rent public property.

2:39:45

Council member Savage said Ms. Speer's request has revealed that the City may have a gap in the permitting policy. The City is asking for time to review. Council member Savage said it is not about this event, it is about all events. Ms. Speer asked about the car shows that used to always be at Central School. Ms Speer asked what that permit process was.

2:40:16

Council President Caruso said that was school property at the time, it was a public event on school property which the school allowed. Council member Stucky said just like the old horse shows down at the stadium.

Council member Koepke said the City cannot speak on behalf of the school

2:40:39

Ms. Speer asked what was the process for the Black Lives Matter March. What was that process? Ms. Speer said some of Council was around for that event.

Council President Caruso said that was a very coordinated effort to make sure that our town was kept safe and that was a very challenging event.

2:41:12

Ms. Speer said she is not asking about outcome or what you're feeling about it was, Ms. Speer wants to know the process.

2:41:19

Council President Caruso said as Safety Director Mayor Hruby was involved with the Black Lives Matter protest.

Ms. Speer said her group is happy to work with the new Safety Director not only in coordination with Brecksville Police force but also County and I believe even Federal. Council President Caruso said that was the second largest Black Lives Matter event in Northeast Ohio and we did not have a single window broken.

I know it was amazing it was so safe. Ms. Speer asked what that permit process was.

2:42:19

Council President Caruso said it was coordinated through the Safety Director's office.

Ms. Speer asked if there was protocol for getting (permits).

2:41:56

Councilmember Koepke said City Council did not have anything to do with that event.

2:42:03

Ms. Speer asked who approved it.

Former Mayor Hruby as the Safety Director.

Ms. Speer said Mayor Hruby was able to approve it and she said she heard Mayor Kingston say he did not speak with Council but he gave this group an answer. Ms. Speer said Mayor Kingston did not talk with Council to tell us no. Ms. Speer asked why Mayor Kingston has to talk with Council to approve.

Mayor Kingston said he did not approve the event. C

Apples to Apples that's why no no no you I asked you about a single day event and how it came about and you said the mayor

2:42:33

gave his Blessing and so now

Mayor Kingston has said no, without talking to Council.

2:42:39

Council is requesting time to look at a permit process Ms. Speer said she is asking Mayor Kingston what is preventing him from saying yes, since he denied the use without Council's approval.

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Mayor Kingston said Council is affording you the opportunity to vet this event further. If Council wants to make a motion they can make a motion. Mayor Kingston said he will set up another time if Ms. Speer wants to meet with him. This is the time to address Council.

2:43:18

Council member Koepke said many Council members, speaking for herself, appreciate Ms. Speer's efforts and are open to ideas of the community working with LGBTQ.

2:43:52

Ms. Speer said this event has to happen in June, it is pride month we want to honor pride month and we want to honor your LGBTQ+ residents in pride month.

2:44:03

Council President Caruso asked if the group could secure a secondary location. The City would have time to go through the process and make an informed decision.

Ms. Speer said most of their vendors have to get their own licenses and policies and things in place. The vendors worked with the Health Department last year and for the insurance policy you have to know the location. Ms. Speer said there's a lot of moving pieces and the location is very critical.

2:44:53

Ms. Speer said she can look into that but it's probably not in the group's best interest to not be able to say they're not sure where it's at. That doesn't sound like a very well planned event. Ms. Speer said she will talk to the group's task force.

2:45:39

Council member Koepke said some of the information is new to her, licenses and insurance that's something she didn't know.

Ms. Speer said she would just ask that Mayor Kingston make this decision it's been done for 37 years, decisions have been made unilaterally. Ms. Speer said Mayor Kingston made his first decision unilaterally and maybe he doesn't want to do it that way. I can respect that but you did make your first decision. I'm happy to meet with you and bring other people.

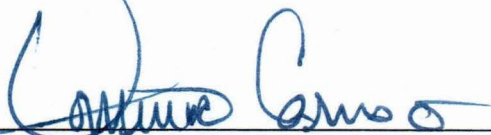
2:47:03

Motion by Caruso, seconded by Stucky, to adjourn the regular meeting at 9:18 P.M. **ADJOURN**

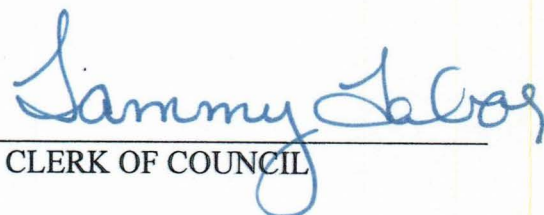
Ayes: Caruso, Ganim, Jantzen, Koepke, Savage, Stucky.

Nays: None.

MOTION CARRIED 6-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL