

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

HELD _____ February 21, 2023 _____

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Council was **CALLED TO ORDER** in Regular Session by Council President **CALL TO ORDER** Redinger at 8:02 P.M. in Ralph W. Biggs Council Chambers.

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

Members Present: D. Caruso, AJ Ganim, D. Kingston, A. Koepke,
L. Redinger, B. Savage, B. Stucky. **ROLL CALL**

Members Absent: None.

Others Present: Mayor Jerry N. Hruby, 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 R. Weidig,
P. Packard. Council Clerk T. Tabor.

MINUTES OF THE FEBRUARY 7, 2023 REGULAR MEETING: Motion by **REGULAR** Kingston, seconded by Koepke, to dispense with the reading of the February 7, 2023 regular **MEETING** meeting minutes and to accept same as presented. **MINUTES OF**

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

2-7-2023

APPROVED

RESOLUTION 5398 re: a Resolution authorizing the Mayor to enter into a **RES. 5398** **NOPEC 2023 Energized Community Grant Agreement for a 2023 NOPEC Energized NOPEC 2023** Community Grant; and declaring an emergency, was read by title. **ENERGIZED**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution **COMMUNITY** 5398 on third and final reading. **GRANT**

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Stucky, to pass Resolution 5398.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

AGREEMENT

RESOLUTION 5399 re: a Resolution authorizing the issuance of a grant in the **RES. 5399** amount of \$4,200.00 to the Brecksville Historical Association, Inc. to fund utility expenses **BRECKS-** at the Squire Rich Museum ; and declaring an emergency, was read by title. **VILLE**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution **HISTORICAL** 5399 on third and final reading. **ASSOCIATION**

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Stucky, to pass Resolution 5399.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

GRANT

RESOLUTION 5400 re: a Resolution authorizing the Director of Finance to “Opt **RES. 5400** in” to National Opioid Settlements to resolve opioid litigation against Teva, Allergan, CVS, **NATIONAL** Walgreens, and Walmart and to complete Participation Form for each settlement; and **OPIOID** declaring an emergency, was read by title. **SETTLEMENT**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution **“OPT IN”** 5400 on third and final reading.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

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Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Stucky, to pass Resolution 5400.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5588 re: an Ordinance accepting bids of J.D. Striping & Services Inc., Specialized Construction, Inc., Set in Stone Contracting LLC, Independence Cement LLC, Asphalt Fabrics, Cole Burton Contractors LLC, Geauga Highway Co., and Cuyahoga Fence LLC, for various portions of the 2023 Road Maintenance Program for the Service Department of the City of Brecksville; and declaring an emergency, was read by title.

Motion by Kingston, seconded by Koepke, to suspend the rules and place Ordinance 5588 on third and final reading.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Stucky, to pass Ordinance 5588.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5589 re: an Ordinance to amend Ordinance No. 5570, making appropriations for current expenses of the City of Brecksville during the fiscal year ending December 31, 2023, making necessary appropriation and revenue adjustments; and declaring an emergency, was read by title.

Motion by Kingston, seconded by Koepke, to suspend the rules and place Ordinance 5589 on third and final reading.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Stucky, to pass Ordinance 5589.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5401 re: a Resolution making necessary advances between certain funds for the fiscal year ending December 31, 2023; and declaring an emergency, was read by title.

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution 5401 on third and final reading.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Kingston, to pass Resolution 5401.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5402 re: a Resolution confirming the appointment by the Mayor of Andie Asimes Lazaridis as a citizen member of the Recreation Commission ; and declaring an emergency, was read by title.

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution 5402 on third and final reading.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

**ORD. 5588
ACCEPT BIDS
FOR 2023
ROAD
MAINTEN-
ANCE
PROGRAM**

**ORD. 5589
APPROPRIA-
TIONS**

**RES. 5401
TRANSFERS**

**RES. 5402
APPOINT A.
LAZARIDIS
TO
RECREATION
COMMISSION**

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MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Caruso, seconded by Kingston, to pass Resolution 5402.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

BOARD OF ZONING APPEALS: Councilmember Caruso reported the next meeting of the Board of Zoning Appeals will be Monday, March 13th at 7:30 P.M. **BD. OF ZONING APPEALS**

APPEAL 2023-03 13161 CHIPPEWA ROAD FENCE

Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1185.03(a) maximum fence height of 4 ft., to allow a 6 ft. fence height, and (2) a variance from Section 1185.02(d) to install a solid board type fence instead of the permitted types of fence, and (3) a variance from Section 1151.23(4)(b) to allow a fence to be located in, other than the rear or side yard, as required by code, (4) a variance from Section 1151.03(c) to install a fence on a on a vacant lot (not permitted), located at 13161 Chippewa Road, PP# 602-30-018.

Motion by Caruso, seconded by Stucky.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**APP. 2023-03
13161
CHIPPEWA
ROAD FENCE**

APPEAL 2023-04 WOODVIEW WAY GENERATOR

Board of Zoning Appeals recommend to City Council approval for a variance from Section 1326.02 to install a generator in the side yard on a corner lot, instead of the rear as required by code, located at 10230 Woodview Way, PP# 605-24-035.

Motion by Caruso, seconded by Stucky.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**APP. 2023-04
10230
WOODVIEW
WAY
GENERATOR**

APPEAL 2023-05 6610 MORNINGSIDE DR. SHED

Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.26(2) to place a shed in front of the building line, on a corner lot, as shown on the drawing dated 1-19-23, located at 6610 Morningside Drive, PP# 603-21-077.

Motion by Caruso, seconded by Stucky.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**APP. 2023-05
6610
MORNING
SIDE DR.
SHED**

APPEAL 2023-06 10728 PARTRIDGE TR. ADDITION SETBACK

Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 a minimum 30 ft. total side yards required to allow 28 ft. for an addition located at 10728 Partridge Trail, PP# 602-05-062.

Motion by Caruso, seconded by Stucky.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**APP. 2023-06
10728
PARTRIDGE
TR. ADDITION
SETBACK**

PLANNING COMMISSION: Councilmember Stucky reported the next meeting of the Planning Commission will be February 23rd at 7:00 P.M. **PLANNING COMMISSION**

APRICOT LANE BOUTIQUE two (2) 5.78 sq. ft. projection identification signs and (1) 21 sq. ft non-illuminated permanent identification wall sign for Apricot Lane Boutique at 8918 Brecksville Road, Brecksville, Ohio 44141, as described in the applications **APRICOT LANE BOUTIQUE**

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dated January 23 & 26, 2023, and as shown on the attached drawings contingent on City **SIGNS** Council approval with the following deviations:

- A deviation from Section 1187.09(d)(6) to permit a second projection identification sign at the building rear, in addition to the projection identification sign and wall identification sign at the front of the building.
- A deviation from Section 1187.09(d)(1) that the maximum total building signage be 100 sq. ft. for 8918 – 8926 Brecksville Road to allow 116.7 sq. ft.

Motion by Stucky, seconded by Savage.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RECREATION COMMISSION: Councilmember Ganim reported the next **RECREATION COMMISSION** meeting of the Recreation Commission will be February 27th.

DEPARTMENT OF HUMAN SERVICES: Councilmember Koepke reported the **DEPT. OF HUMAN SERVICES** next meeting of the Human Services Advisory Board will be March 14th at 3:00 P.M.

TELECOMMUNICATIONS COMMISSION: Councilmember Savage had no **TELEC. COM.** report.

SAFETY-SERVICE COMMITTEE: Councilmember Ganim reported the **SAFETY-SERVICE** committee met earlier today and has several items for Council consideration.

SERVICE DEPARTMENT APPAREL –Approve a purchase requisition in the **SERVICE DEPARTMENT APPAREL** amount of \$6,669.61 to Adler Team Sports for the annual purchase of apparel for the Service Department. Account #110610 1404 (Service) \$5,963.47; Account # 110165 1404 (Housekeeping) \$706.14.

Motion by Ganim, seconded by Kingston.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

WARNING SIREN REPAIR -Approval of an increase to Purchase Order **WARNING SIREN REPAIR** #P221101 to Vasu Communications, Inc. in the amount of \$493.24 for additional repair work required on the warning sirens. Account #110171 2601.

Motion by Ganim, seconded by Kingston.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

BID AUTHORIZATION - Authorizing he Purchasing Director to Advertise for **TRAFFIC SIGNAL POLE PAINTING PROJECT** Bids for the Traffic Signal Pole Painting Project.

Motion by Ganim, seconded by Kingston.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

BID AUTHORIZATION -Authorizing the Purchasing Director to advertise for bids **BID ADVERT OF RUBBISH, RECYCLE, LEAVES STREET** for a new 3-year contract for the Disposal of Rubbish, Recycle, Leaves and Street Sweepings/Vactor Debris.

Motion by Ganim, seconded by Kingston.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

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MOTION CARRIED 7-AYES, 0-NAYS.

**SWEEP &
DEBRIS**

SOUTHWEST COUNCIL OF GOVERNMENTS -Approval of a purchase requisition in the amount of \$28,000.00 to Southwest Council of Governments for annual membership fees. Southwest Enforcement Bureau -Police \$18,000.00 Account#110210 2103 Southwest Emergency Response Team -Fire \$10,000.00 Account # 290260 2103. **SOUTHWEST COUNCIL OF GOVERNMENTS**

Motion by Ganim, seconded by Kingston.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

STREETS & SIDEWALKS COMMITTEE: Councilmember Kingston reported the committee met earlier today and **STREETS & SIDEWALKS**

BID AUTHORIZATION - Authorizing the Purchasing Director to advertise the project for public bidding for the Miller Road Pavement Improvement Project. The project includes removal and replacement of the pavement section and watermain along Miller Road between Brecksville Road and Southpointe Parkway. **MILLER ROAD PAVEMENT IMPROVEMENT PROJECT**

Motion by Kingston, seconded by Caruso.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

UTILITIES COMMITTEE: Councilmember Stucky reported the committee met earlier and has no items for council consideration. **UTILITIES COMMITTEE**

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

BID AUTHORIZATION - Authorizing the purchasing director to advertise for bids for the Natatorium Post Repairs Project. **NATATORIUM POST REPAIRS PROJECT.**

Motion by Koepke, seconded by Ganim.

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

LEGISLATION COMMITTEE: Councilmember Savage reported the committee met earlier today and no items for Council consideration. The next meeting of the Charter Review Commission will be held February 27th at 6:00 PM. **LEGISLATION COMMITTEE**

FINANCE COMMITTEE: Councilmember Caruso reported the committee met earlier today and has no items for Council consideration. **FINANCE COMMITTEE**

REPORT OF LAW DIRECTOR: No Report. **LAW**

REPORT OF ENGINEER: No Report. **ENGINEER**

REPORT OF FINANCE DIRECTOR: No Report. **FINANCE**

REPORT OF BUILDING DEPARTMENT: No Report. **BUILDING DEPT.**

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REPORT OF PLANNING & COMMUNITY DEVELOPMENT: Director Bartkiewicz	PLAN & DEVELOPMENT
REPORT OF SERVICE DIRECTOR: No Report.	SERVICE
REPORT OF PURCHASING DIRECTOR: No Report.	PURCHASING
REPORT OF POLICE DEPARTMENT: No Report.	POLICE
REPORT OF FIRE DEPARTMENT: No Report.	FIRE
REPORT OF RECREATION DEPARTMENT: No Report.	RECREATION

REPORT OF THE MAYOR: Mayor Hruby said the Conversation with the Mayor was held today at the Human Services Gathering Room. The State of the City Address will be held at the Human Services Gathering Room, doors open at 6:00 with the presentation of the business and citizen of the year awards beginning at 6:30 PM. Mayor Hruby said a Proclamation has been prepared and will be presented to the family of John Adams. Mayor Hruby said Mr. Adams was known as the “drummer” for the Cleveland Indians. Mr. Adams gave his time to the City of Brecksville and volunteered many hours to the City for special events and board appointments. Mayor Hruby said Mr. Adams helped people with special needs at the community center pool and through the Kiwanis.

COMMENTS: Mayor Hruby said he provided City Council members with copies of e-mail conversations with Mr. Robert Belovich. Mr. Belovich would like the City to continue Democracy Day. Mayor Hruby said Democracy Day was created by initiative petition in 2012. The petition said Democracy Day would last 10 years with meeting biannually. The petition also said Democracy Day would last through February, 2023. Mayor Hruby said he would like a Councilmember to meet with him and Mr. Belovich to discuss this issue. Mayor Hruby said the City held (5) five Democracy Day events in ten years and advertised in 2021 it would be the final Democracy Day held by the city.

Motion by Redinger, seconded by Caruso, to adjourn the regular meeting at 8:39 P.M. **ADJOURN**

Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL