

MINUTES OF A MEETING OF THE

COUNCIL OF THE CITY OF BRECKSVILLE

April 1, 2025

HELD _____

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granted by the Board of Zoning Appeals and approved by City Council: 1.A variance from the Section 1119.09(d) not to install the required public sidewalks until such time as the City deems appropriate.2.A variance from sidewalk Section 1151.04 to allow the 2880 sq. ft. accessory use to exceed the 1120 sq. ft. of the single-family dwelling (main use).3.A variance from the Section 1324.02 & 1324.02(a) requirement that stables shall be located on the rear portion of any lot and 125 feet from any dwelling to allow a stable to be a part of the main structure.4.A variance from Section 1183.15(a) to allow for a gravel driveway

Motion by Caruso, seconded by Savage.

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

Abstain: None

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

Recreation Commission - Council Member Ganim said the next meeting of the Recreation Commission will be April 28, 2025 at 7:30 PM.

Human Services Advisory Board - No Report.

Report of Council Committees:

Safety Service Committee - No Report.

Streets & Sidewalks

Brecksville Road (S.R. 21) Resurfacing CUY SR 021 0.00-0.82 – GPI - Recommend to Council approval of an increase to the purchase requisition for the Brecksville Road (S.R. 21) Resurfacing CUY SR 021 0.00-0.82 in the amount of \$29,089.00.

Motion by Stucky, seconded by Bender.

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

Abstain: None.

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

Utilities – No Report

Buildings & Grounds – No Report

Legislation - No Report

Finance - Council member Savage – Reported the committee met earlier this evening and has two items for Council consideration.

Professional Bills - Authorizing payment of monthly professional bills as follows:

Matty, Henrikson & Greve LLC \$11,994.33, Kulchystsky Architects, LLC \$106.25, William Logan \$4,000.00, Donald G. Bohning & Associates, Inc. \$11,427.26, Total of all Invoices \$27,527.84.

Motion by Savage, seconded by Bender.

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

Abstain: None.

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

Natural Gas Supply - Authorizing the Purchasing Director to enter into an agreement expiring in May with our current supplier, IGS Energy, for the City's (14) natural gas accounts.

Motion by Savage, seconded by Bender.

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

Abstain: None.

MOTION CARRIED: 6- Ayes, 0-Nays.

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Civil Service Commission certifier is one of the top 10 candidates she clearly separated herself from the rest of the applicants during the very competitive interview process and was the unanimous first choice of the panel of interviewers.

The Oath of Office was administered by Mayor Kingston, Officer Walter had her Mother, Melissa, install the badge. Many members of her family and friends were in attendance along with several members of the Police and Fire Departments.

Officer Walter thanked Council for the opportunity to serve the City of Brecksville and is looking forward to meeting her fellow officers and co-workers.

37:42

4. **RES. 5672** - a Resolution authorizing the Mayor to execute a General Agreement regarding Law Enforcement Assistance between The United States Department of the Interior National Park Service and the Brecksville Police Department.

Motion for suspension made by Ganim, Seconded by Jantzen.

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

Nays: None.

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

Motion by Stucky, seconded by Bender, to pass Resolution 5672.

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

Abstain: None.

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

5. **ORD. 5779** - an Ordinance amending Section 2 of Ordinance 5760 to amend the authorized vendor and add the Landscape Structures, Inc. proposal.

Motion for suspension made by Ganim, Seconded by Jantzen.

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

Nays: None.

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

Motion by Stucky, seconded by Bender, to pass Ordinance 5779.

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

Abstain: None.

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

Report of Council Representatives: Board of Zoning Appeals, Planning Commission, Recreation Commission, Human Services Advisory Board.

Board of Zoning Appeals - Council Member Stucky said the next meeting of the Board of Zoning Appeals will be April 7, 2025 at 7:30 PM.

Planning Commission –

Council President Caruso moved to accept the recommendation of the Planning Commission for FINAL approval for a Front Yard Setback of 628' from the right of way for the installation of a barndominium dwelling located at 5324 Miller Rd., Brecksville, Ohio. Permanent parcel number 60414014, as described in the application dated February 3, 2025 contingent upon approval of the following variances being

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30:00

Call to Order

Pledge of Allegiance

Roll Call

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

Absent: A. Koepke.

Guests: Several police officers, staff and family were present to support Police Officer Gabriella Walter.

Approval of Minutes

1. Approval of March 18, 2025 Regular Meeting Minutes

Motion made by Ganim, Seconded by Jantzen.

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

2. Approval of March 18, 2025 Minutes.

Motion made by Ganim, Seconded by Jantzen.

Voting Yea: Caruso, Jantzen, Savage, Stucky.

Voting Abstaining: Bender, Ganim.

32:15

New Business

3. RES. 5671 - a Resolution authorizing the appointment of Gabriella Walters to the position of Police Officer in the Police Department of the City of Brecksville.

Motion for suspension made by Ganim, Seconded by Jantzen.

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

Nays: None.

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

Motion by Stucky, seconded by Bender, to pass Resolution 5671.

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

Abstain: None.

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

33:11

Mayor Kingston said upon the recent retirement and promotions within the Police Department a need to appoint an officer to fill in the vacancy of a police officer. The Civil Service testing and panel interviews determined Gabriella Walter to be a great candidate for the position. Mayor Kingston said Gabriella graduated from Field High School in 2020 excelling in both academics and athletics, She remained a standout student athlete at John Carroll University playing soccer all four years and was voted Captain by her teammates for her ability to inspire, motivate and lead under pressure both on and off the field. She graduated in May of 2024 with a degree in psychology.

Gabriella became interested in law enforcement and upon graduation she enrolled in the Cleveland Heights Police Academy and recently graduated from the academy passing the basic peace officer state certification test with distinction. After graduation from the academy she took Brecksville's test and our

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Report of the Director of Law, Engineer, Director of Finance, Chief Building Official, Director of Human Services, Director of Service, Director of Purchasing, Chief of Police Department, Chief of Fire Department, Director of Recreation.

46:10

Director of Law, Dave Matty – Law Director Matty said Federal District Court Judge Bridget Mian Brennan issued a 25 page memorandum opinion and order in the civil case of John Petsche versus Mayor Hruby, Council Members Laura Redinger, Kim Veras, Gerald Broski, Louis Carouse, City of Brecksville and Law Director Matty.

All were named defendants in Judge Bridget Meehan Brennan's memorandum of opinion.

Judge Brennan granted summary judgment in favor of the city and all individually named defendants.

Law Director Matty said Judge Brennan's opinion is meticulously written with her statements of facts presented in an orderly chronological timetable reciting the relevant actions of both Mr. Petsche and all the named defendants over a period of years. The Law and analysis section of this memorandum opinion specifically cites the case law precedent supporting the dismissal of Mr. Petsche's four claims of First Amendment retaliatory prosecution, Fourth Amendment malicious prosecution, 14th Amendment fabrication and falsification of evidence and Ohio law malicious prosecution. three claims were dismissed due to the presence of probable cause and the lack of supporting evidence and one claim was dismissed as a matter of law. Law Director Matty asked Council and Mayor Kingston to take the time to carefully read and review Judge Brennan's Memorandum of Opinion. Law Director Matty said he hopes this opinion will assist Mayor Kingston and Council Members in understanding your own ethical obligations and responsibilities in your everyday decision making.

48:20

Engineer, Gerry Wise– No Report.

Director of Finance - No Report.

Chief Building Official – In March the Building Department issued 79 permits with a valuation of \$974,70.00. Total fees collected were 23,112.61.

Director of Human Services - Dr. Steve Paciorek - No Report.

Service Director Joseph Kickel – No Report.

Director of Purchasing, Monica Bartkiewicz– No Report.

Chief of Police Department, Stan Korinek– The Drug take back will be held at the Horticulture Building on April 26, 2025..

Chief of Fire Department - Mark Bender - No Report.

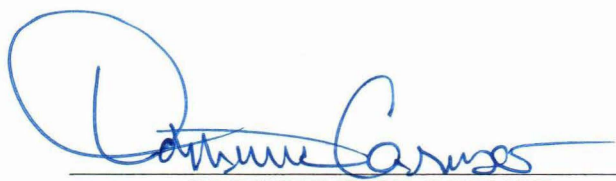
Report of the Mayor – Mayor Kingston said the Arbor Day Foundation has awarded Brecksville a tree City USA status. May or Kingston reported the City has been going through a lot of ongoing training for the new website and software programs. The Aqua Easter Egg Hunt is on Friday, April 11th please contact the community center with any questions and to sign up. City offices and Human Services Center will be closed on Good Friday, April 18th. The Community Center will be open from 10:00 AM to 5:00 PM. The Kiwanis Easter Egg Hunt, always a resident favorite, will be held on Saturday April 19th at 10:00 a.m. The event has been moved adjacent to the high school football practice field and that will take place rain or shine

8:29 PM

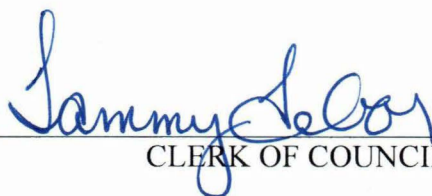
Motion made by Caruso, Seconded by Savage.

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

MOTION CARRIED: 7- Ayes, 0-Nays, 0-Abstain.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL