

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

HELD: August 02, 2022

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Virtual Meeting Notice

For the safety of our staff and residents, to listen to the live stream of the meeting please go to: <https://www.facebook.com/233577357056186/live/> or the City's website: www.brecksville.oh.us. Questions and comments may be e-mailed to ttabor@brecksville.oh.us or by phone to (440) 526-2609 and will be forwarded to the appropriate personnel for a response.

BUILDINGS & GROUNDS COMMITTEE

Call to Order

Chairperson Ann Koepke

Members: AJ Ganim, Brian Stucky

6:32 PM

Roll Call

Present: AJ Ganim, Brian Stucky

Absent: Ann Koepke

Items for Consideration:

B&G 1. Buildings & Grounds Approval of Minutes 7-19-2022

Other Matters deemed appropriate

Motion to Adjourn

FINANCE COMMITTEE

Call to Order

Chairperson Dominic Caruso

Members: Daryl Kingston, Beth Savage.

6:33 PM

Roll Call

Present: Ganim, Kingston, Stucky

Items for Consideration:

FIN 1. Finance Committee Approval of Minutes 7-19-2022

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage

FIN 2. Grant Application - Motion recommending to Council approval of a Resolution authorizing the Mayor to apply for funding through the American Rescue Plan Act.

Planning & Community Development Director Bartkiewicz said the city would like to submit an application to Cuyahoga County for funds received through the American Rescue Plan Act. The funding is to advance sustainability, growth and development in Cuyahoga County.

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This maximum grant award is \$250,000.00. Potential projects are economic development including capital improvements. Public safety and services for vulnerable populations. Installation of audible pedestrian signals at SR 21 and SR 82, SR 21 and Windward Hills Road and SR 21 and Arlington Street. Planning Director Bartkiewicz said the installation of these signals would advance the accessibility and walkability of downtown Brecksville and residents with disabilities are served and can travel downtown safely.

An additional project being considered would be for a small business store front program. This would offer grants to small businesses, which would comply with one of the requirements of the application.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

- FIN 3. Vehicle Lease** - Motion recommending to Council approval of an Ordinance authorizing the Mayor to execute an agreement with Ken Ganley Chrysler Dodge Jeep Ram Bedford for a 24-month/30,000 mile lease of a new 2022 Jeep Grand Cherokee Limited. This will be used as the Mayor's vehicle, and the current 2020 model would be traded in for a value of \$8,500.00. *Account #110210 2507*

Purchasing Director Riser said the City is accepting the offer to trade in the 2020 Jeep Grand Cherokee, 10 months early, currently used by the Mayor. The City will receive \$8,500.00 trade in value on the lease of a 2022 model with the intent to purchase at the end of the lease term.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage

- FIN 4. Human Services Kitchen** - Motion recommending to Council approval of an increase to Blanket Purchase Order #BL223105 in the amount of \$3,000.00 for Human Services Kitchen Disposables due to price increases and an increase in the number of customers served. *Account #110330 2201*

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage

- FIN 5. Professional Bills** - Authorizing payment of monthly bills for professional services.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage

Other Matters deemed appropriate

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Motion to Adjourn

6:40 PM

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

LEGISLATION COMMITTEE

Call to Order

Chairperson Beth Savage

Members: AJ Ganim, Ann Koepke

6:40 PM

Roll Call

Present: Ganim, Savage

Absent: Koepke.

Items for Consideration:

LEG 1. Legislation Committee Approval of Minutes 7-19-2022

Motion made by Savage, Seconded by Ganim.

Voting Yea: Ganim, Savage.

LEG 2. NOPEC Resident Opt-In Program - Motion recommending to Council approval of an Ordinance authorizing the establishment of an Opt-In natural gas aggregation program through NOPEC.

Councilmember Savage said the next (3) agenda items are related to NOPEC Gas Aggregation program. The opt-in legislation makes it easier for residents to join the NOPEC Natural Gas Aggregation Program.

Councilmember Savage said the second piece of legislation requires (2) public hearings, the first being held at 7:45 PM today. The ordinance adopts the plan of operation and governance of the NOPEC Natural Gas Aggregation Program.

Councilmember Savage said the final piece of legislation will allow the establishment of a “Do not Knock Registry” that will be created and maintained by NOPEC. Residents may sign up for the “Do No Knock Registry”. Lists will be available to contractors and labels will be provided to homeowners to mark their property as a member of the “Do Not Knock Registry”.

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Motion made by Savage, Seconded by Ganim.

Voting Yea: Ganim, Savage

LEG 3. NOPEC Amendment - Motion recommending to Council approval of an Ordinance adopting the Northeast Ohio Public Energy Council Natural Gas Aggregation Program Plan of Operation and Governance for the purpose of establishing and implementing the NOPEC Natural Gas Aggregation Program as a NOPEC member.

Motion made by Ganim, Seconded by Savage.

Voting Yea: Ganim, Savage

LEG 4. NOPEC Do Not Knock Registry - Motion recommending to Council approval of an Ordinance establishing a "Do Not Knock Registry" established and maintained by NOPEC.

Motion made by Savage, Seconded by Ganim.

Voting Yea: Ganim, Savage.

Motion to Adjourn

6:45 PM

Motion made by Savage, Seconded by Ganim.

Voting Yea: Ganim, Savage

SAFETY-SERVICE COMMITTEE

Call to Order

Chairperson AJ Ganim

Members Kingston, Stucky

6:45 PM

Roll Call

Present: Ganim, Kingston, Stucky.

Items for Consideration:

SAF 1. Safety Service Approval of Minutes 7-19-2022

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Kingston, Stucky

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SAF 2. Appoint Part Time Firefighter Paramedic - Motion recommending to Council approval of a Resolution appointing Connor S. Mares as a part-time firefighter paramedic in the City of Brecksville.

Fire Chief Zamiska said the Fire Department will be losing a part time firefighter to retirement later this year and would like Firefighter Mares to join the department to fill that vacancy.

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Kingston, Stucky.

Motion to Adjourn

6:47 PM

Motion made by Ganim, Seconded by Kingston.

Voting Yea: Ganim, Kingston, Stucky

STREETS & SIDEWALKS COMMITTEE

Call to Order

Chairperson Daryl Kingston

Members: Caruso, Savage

6:47 PM

Roll Call

Caruso, Kingston, Savage.

Items for Consideration:

S&S 1. Streets & Sidewalks Committee Approval of Minutes 7-19-2022

Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage

S&S 2. I-77/Miller Road Interchange Project –Motion recommending to Council approval of a Resolution accepting the proposal of Euthenics, Inc. for on-going services during construction of the I-77 Miller Road Interchange Project.

Engineer Wise said this approval will be for the services of Euthenics during construction for engineering clarifications and questions. Engineer Wise said this service is required for ODOT let projects. The City will be reimbursed for 50% of the cost through TRAC funds.

Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage.

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Motion to Adjourn

6:49 PM

Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage.

UTILITIES COMMITTEE

Call to Order

Chairperson: Brian Stucky

Members: Caruso, Koepke.

6:50 PM

Roll Call

Present: Caruso, Stucky.

Absent: Koepke.

Items for Consideration:

UTL 1. Utility Committee Approval of Minutes 7-19-2022

Motion made by Stucky, Seconded by Caruso.

Voting Yea: Caruso, Stucky.

UTL 2. Storm Sewer Easement 3158 Royaltan Road- Motion recommending to Council approval of a Resolution granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer & public sidewalk facilities, and appurtenances thereto in, under, across and through PP# 603-01-022 owned by Craig E. Ruth.

Engineer Wise said these are 2 of the (5) easements needed for the Glenwood Trail Project. Three additional easements have been received and will be brought to Council at the next meeting.

Motion made by Stucky, Seconded by Caruso.

Voting Yea: Caruso, Stucky.

UTL 3. Storm Sewer Easement 9259 Glenwood Trail- Motion recommending to Council approval of a Resolution granting an easement for construction, reconstruction, operating, maintaining, repairing and replacing storm sewer & public sidewalk facilities, and appurtenances thereto in, under, across and through PP# 603-02-022 owned by The Grayson Family Revocable Living Trust.

Motion made by Stucky, Seconded by Caruso.

Voting Yea: Caruso, Stucky

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Other Matters deemed appropriate

Engineer Wise reported (5) bids were received for the Glenwood Trail Project. The lowest bidder, before tabulation and full review of the bids, appears to be Catts Construction. The bid of Catts construction appears to be \$1,000,000 lower than estimated.

Engineer Wise said the OPWC grant application will be submitted for the Riverview Culvert C1 and C2 Project. Legislation will be prepared for Council consideration at the next meeting. Councilmember Stucky asked if the timetable for the project will change. Engineer Wise said the grant award notification will be in November.

Councilmember Kingston asked for an update on the Chippewa Road Calvin Drive Sanitary Sewer Project. Engineer Wise said he spoke to the contractor, Fabrizi, and should have information on the project schedule later this week. A notice will be prepared for residents.

Motion to Adjourn

6:55 PM

Motion made by Stucky, Seconded by Caruso.

Voting Yea: Caruso, Stucky.

COMMITTEE OF THE WHOLE

Roll Call

Present: Caruso, Ganim, Kingston, Redinger, Savage, Stucky.

Absent: Koepke.

Items for Consideration:

CoW 1. Committee Minutes Approval 7-19-2022

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Kingston, Redinger, Savage, Stucky

CoW 2. Sherwin-Williams Construction Hours

Mayor Hruby said Sherwin-Williams approached the City through Missions Made Real, project manager for the project. They have requested permission to allow the projects at Valor Acres to begin concrete pouring at 4:00 Am rather than 7:00 AM to avoid the heat of the day. Mayor Hruby read the reasons provided by Missions Made Real. Safety to get the workers and the concrete finish out of the heat, improved serviceability from the supplier, fewer concrete pours and traffic before 7:00 AM, improve quality of the concrete finishing flexibility to schedule around the weather. Another item explained to Mayor was that the temperature of the outside air would not allow them to pour. Mayor Hruby said he gave the contractor a

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temporary approval to work beginning at 4:00 AM and City Council would need to approve any change to the 7:00 AM -7:00 PM allowable construction work times. Mayor Hruby said a decibel study was provided. On 6-29-2022, 65 decibels at 7:00 AM, similar to the highway noise. On 7-11-2022 50 decibels at 5:00 AM. The noise that is coming out primarily is the beeping sound of the trucks backing up. Mayor Hruby said he was at the (construction) site and found the sound to be considerably less on Westview than at the construction site. Mayor Hruby said the highway noise during rush hour is much louder than the Sherwin Williams construction. Mayor Hruby said the contractors were unable to provide a time frame for the concrete work but did not expect to go past the end of the month.

Councilmember Kingston said there were (4) large concrete pours, for which the first three received no complaints and the fourth day of pours, the city received complaints. Councilmember Kingston asked if there was anything different that was done on the fourth day of pouring early. Mayor Hruby said he does not know. Council President Redinger asked if a temperature condition was given that will not allow for daytime concrete pours. Mayor Hruby said no. Councilmember Stucky said ODOT has stipulations at what temperature concrete can be poured and when concrete can be finished. Councilmember Stucky said the contractor should provide any information regarding temperature requirements for pouring concrete. Councilmember Stucky said if the contractor has parameters for safety or quality control that would be a concern they would need to provide to Council. Councilmember Stucky said it is always difficult for contractors to work when they are near residential districts, he feels the City should help the contractor when they can, this may last 1-2 years. Councilmember Kingston said the residents were not notified and Councilmember Kingston asked if the contractor could provide a schedule. Mayor Hruby said the residents that contacted him were concerned by the noise and waking up children. Mayor Hruby said this is unfortunate, but it happens in construction. The utility work on SR 21 will have equipment running 24 hours a day. Residents in the downtown area will be impacted by that project. Mayor Hruby said when the townhouses are built on the Valor Acres site, it may impact the Westview residents more. Councilmember Caruso asked if there was any discussion on starting later than 4:00 AM. Mayor Hruby said that wasn't discussed. Councilmember Savage asked if there was discussion on shifting to evening when temperatures are cooler. Councilmember Stucky said in construction the start time is in the coolest part of the day. Councilmember Ganim asked if Council could provide a limit of time. Councilmember Stucky said the contractor should provide information regarding safety, temperature, engineering reports.

Katie Hannigan, 6816 Westview Dr., resident. Ms. Hannigan said her family is unable to keep windows open at night due to the noise. In addition to the machines beeping there is the sound of scraping rocks and breaking glass. The Hannigan's have (3) children age 3 and 5 who are awakened by the noise. Ms. Hannigan said she has video of contractors causing light pollution at 2:00 AM.

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Heather Ochacki, 6738 Westview, resident. Ms. Ochacki said her family has a kindergartener and a 4th grader who have been woken up by the lights in their windows at night. Ms. Ochacki said there are (3) spotlights and a huge truck with orange flashing lights on the site at 2:00 AM.

Amy Thomas 6750 Westview, resident. Ms. Thomas said she has a one year old child and a child entering kindergarten. The children still maintain a strict schedule during the summer.

Denise Wilson 6834 Westview, resident. Ms. Wilson said the noise from I-77 is definitely louder since the removal of the trees. Ms. Wilson said the residents have asked for barrier trees or mounds to block the sound and have not had any response. MS. Wilson said there is a 30-40 foot wall of debris that is creating a lot of dust in her home and in her vents.

Councilmember Stucky asked how the lighting is on the sight. CBO Packard said he understands the temporary lights are directed to the south. Councilmember Caruso asked, if approved, how would the City monitor for compliance. Mayor Hruby said the Police would be asked to monitor overnight activity.

Councilmember Stucky said he believes the contractor should maintain the 7:00 AM – 7:00 PM work times for the Sherwin Williams and Valor Acres projects. If contractors provided additional information regarding safety and industry requirements, change could be considered.

Councilmember Caruso said it is usually faster to have a contractor get the work completed and leave the site.

Council President Redinger asked if Council could grant 2 days per week and gather more information from the residents and contractors on the necessity of working so early

Councilmember Savage said the code is in place for challenges like this. If more information was provided a compromise may be considered.

Councilmember Kingston said he is also considering a 7:00 AM – 7:00 PM work time. But would like to hear more from the contractor.

Councilmember Ganim said he is also in favor of a 7:00 AM – 7:00 PM work time. But would also like to hear more from the contractor.

Motion by Stucky, seconded by Kingston to keep the construction hours at Valor Acres a 7:00 AM – 7:00 PM work time. But would like to hear more from the contractor.

Voting Yea: Caruso, Ganim, Kingston, Redinger, Savage, Stucky

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CoW 3. Executive Session - Convene an Executive Session to discuss matters relating to Real Estate and Economic Development and personnel.

7:31 PM

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Kingston, Redinger, Savage, Stucky

Motion to Adjourn

Motion to adjourn executive session and reconvene regular meeting.

7:52 PM

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Kingston, Redinger, Savage, Stucky.

Motion to adjourn regular meeting.

7:52 PM

Motion made by Redinger, Seconded by Caruso.

Voting Yea: Caruso, Ganim, Kingston, Redinger, Savage, Stucky.

Mayor and Safety Director: Jerry N. Hruby,

City Council Members: Laura C. Redinger, *President*; Dominic Caruso, *Vice President*; AJ Ganim,
Daryl Kingston, Ann Koepke, Beth Savage, Brian Stucky.

Clerk: Tammy Tabor