

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

HELD: September 06, 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.

LEGISLATION COMMITTEE

Call to Order

Chairperson Beth Savage

Members: AJ Ganim, Ann Koepke

6:30 PM

Items for Consideration:

Roll Call

Present: Ganim, Koepke, Savage.

LEG 1. Legislation Committee Approval of Minutes 8-16-2022

Motion made by Savage, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Savage

LEG 2. NOPEC PACE Program - Presentation of NOPEC Pace Program. Councilmember Savage said the PACE program requires a membership fee and an applicant with an approved project. Ted Lux introduced Aaron Marcovey Economic Development Director for NOPEC. Mr. Marcovey provided written information on the PACE Program. Mr. Marcovey is responsible for several Business Finance and Grant Programs. The PACE Program stands for Property Assessed Clean Energy. Make agreeably termed business loans for energy efficient improvements. Payback is done through self assessed tax payment. The initiation fee is \$5,000 and a yearly maintenance fee of \$1,000.00. Mr. Marcovey said NOPEC would work to prepare the loan papers for the project. This type of program allows for economic development for the City of Brecksville. Councilmember Koepke asked what the proposed project is. Mr. Marcovey said the property is 7000 Fitzwater Place, a 20,000 sq. ft. building with a 15 year payback. Councilmember Savage asked what benefits the City receives. Mr. Marcovey said the economic development is the biggest benefit. Councilmember Savage said she understood the benefits to the city would be; savings on administrative costs, marketing to businesses, general guidance and options for projects.

Councilmember Savage asked if Mr. Marcovey knew the longest running member, to determine if cities stay or leave the program. Councilmember Ganim asked if there is an impact or liability to the City. Mr. Marcovey said there is no liability on the City.

Law Director Matty \$255k loan, borrower paying 5K initiation fee still lower than another loan. Mr. Marcovey said he believes it is. Law Director Matty asked if the owner defaults on

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paying the assessed real estate taxes, who proceeds on the foreclosure of the property. Mr. Marcovey said NOPEC would. Councilmember Koepke asked if the business moves, who guarantees repayment. Mr. Marcovey said with any tax assessment it would stay with the property and the responsibility of the property owner. Finance Director Starosta asked if the City is required to sign off on the loan documents. Mr. Marcovey said yes, there is an approval. A Resolution of necessity approving the plan, an Ordinance to proceed and an Ordinance to assess will be needed to be approved by the City. Councilmember Stucky asked if the City is required to stay in the ESID. Mr. Marcovey said he does not know. Councilmember Koepke asked how many projects are in process. Mr. Marcovey said approximately 32. Councilmember Stucky asked if the Brecksville project has already been pre-approved. Mr. Marcovey said the City would not be approached unless NOPEC believed it was a good project. Economic Development Director Bartkiewicz requested Jennifer Kuzma be included to provide information on the ESID and communication with Finance Director Starosta and Law Director Matty.

LEG 3. Commendation - Recommending to Council a Resolution commending Mark Coyner upon his retirement from the City of Brecksville Fire Department.

Chief Zamiska said Firefighter Coyner has been with the City since 1995. Firefighter Coyner has been a valuable member of the part-time staff and has filled in where he was needed.

Motion made by Savage, Seconded by Ganim.

Voting Yea: Ganim, Koepke, Savage.

LEG 4. Appointment- Approval of a Resolution confirming the appointment by the Council of Gary Marzec to the Telecommunication Commission.

Mayor Hruby said Gary Marzec moved to the City of Brecksville a few years ago. Mr. Marzec was first interviewed for a position on the Charter Review Commission before being considered for appointment to the Telecommunication Commission.

Motion made by Savage, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Savage.

Other Matters deemed appropriate

Motion to Adjourn

7:05 PM

Motion made by Savage, Seconded by Koepke.

Voting Yea: Ganim, Koepke, Savage

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BUILDINGS & GROUNDS COMMITTEE

Call to Order

Chairperson Ann Koepke

Members: AJ Ganim, Brian Stucky

7:05 PM

Roll Call

Present: AJ Ganim, Ann Koepke, Brian Stucky

Items for Consideration:

B&G 1. Buildings & Grounds Approval of Minutes 8-16-2022

Motion made by Koepke, Seconded by Ganim.

Voting Yea: Ganim, Koepke, Stucky.

B&G 2. Urban Canopy Restoration Grant - Approval of a Resolution authorizing the Mayor to apply for a 2022 Urban Canopy Restoration Grant coordinated by the USDA Forest Service Urban & Community Forestry Program to provide funding for purchasing, planting, maintaining and protecting trees and other related costs.

Motion made by Koepke, Seconded by Ganim.

Voting Yea: Ganim, Koepke, Stucky.

B&G 3. Roof Replacement Project 4430 Oakes Road - Approval of an increase to Purchase Order #P220652 for the roof replacement Project at 4430 Oakes Road, Blossom Building #10 in the amount of \$890.00 for additional deck boards. *Account #C490161 3202 Project #BI220002*

Motion made by Koepke, Seconded by Ganim.

Voting Yea: Ganim, Koepke, Stucky.

B&G 4. Tennis Court Lighting Project – Approval of an Ordinance authorizing the Mayor to enter into a Capital Improvement Community Park, Recreation/Conservation Project Pass-Through Grant Agreement on behalf of the City of Brecksville with the Ohio Department of Natural Resources for installation of tennis court lighting.

Purchasing Director Riser said this legislation is prepared as formal acceptance from ODNR for the previously approved Tennis Court Lighting Project.

Motion made by Koepke, Seconded by Ganim.

Voting Yea: Ganim, Koepke, Stucky.

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Other Matters deemed appropriate

Motion to Adjourn

7:09 PM

Motion made by Koepke, Seconded by Stucky.

Voting Yea: Ganim, Koepke, Stucky.

FINANCE COMMITTEE

Call to Order

Chairperson Dominic Caruso

Members: Daryl Kingston, Beth Savage.

7:09 PM

Roll Call

Present: Caruso, Kingston, Savage.

Items for Consideration:

FIN 1. Finance Committee Approval of Minutes 8-16-2022

FIN 2. Municode Subscription Renewal -Approval of a purchase requisition authorizing renewal of the Municode Agenda & Meeting Management Subscription program. *Account #110150 2103*

Clerk Tabor said the Agenda and Meeting Management program is used for preparing and publishing agendas and minutes for all Boards and Commissions in addition to City Council.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

FIN 3. Grant - Approval of a Resolution authorizing the Mayor to provide a grant to the Brecksville-Broadview Heights Community Awareness and Prevention Association for prevention and intervention services.

Finance Director Starosta said she has reviewed the financial statement from the organization and has no objection.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

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FIN 4. Appropriations - Approval of an Ordinance to amend Ordinance No. 5457, making appropriations for current expenses of the City of Brecksville during the fiscal year ending December 31, 2022, making necessary appropriation and revenue adjustments.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

FIN 5. Fund Transfer - Approval of a Resolution making necessary transfers and advances for the fiscal year ending December 31, 2022.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

FIN 6. Budget Commission 2023 Tax Rates - Approval of a Resolution accepting the amounts & rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

FIN 7. Request Tax Advances - Approval of a Resolution requesting the County Fiscal officer advance the sums allowed by law from the proceeds of tax levies.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

FIN 8. Professional Bills - Authorizing payment of monthly bills for professional services.

PROFESSIONAL BILLS - Approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$13,323.33; Lisa Sabol in the amount of \$6,105.00; Roger Wadsworth in the amount of \$700.00; Kulchystsky Architects, LLC in the amount of \$258.75; J Neusser, LLC in the amount of \$2,000.00; and Donald G. Bohning & Associates in the amount of \$21,037.50 and Sixmo in the amount of \$1,622.50; Total of all invoices \$45,047.08.

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage.

Other Matters deemed appropriate

Proposed Budget meeting November 22, 2022 at 5:00 PM

Mayor Hruby Grant funds received

Motion to Adjourn

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7:20 PM

Motion made by Caruso, Seconded by Savage.

Voting Yea: Caruso, Kingston, Savage

SAFETY-SERVICE COMMITTEE

Call to Order

Chairperson AJ Ganim

Members Kingston, Stucky

7:20 PM

7:21 PM

Roll Call

Present: Ganim, Kingston, Stucky.

Items for Consideration:

SAF 1. Safety Service Approval of Minutes 8-16-2022

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Kingston, Stucky.

SAF 2. Body Cameras - Approval of a Resolution authorizing a grant application through Ohio Criminal Justice Services for funding to purchase (31) body worn cameras.

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Kingston, Stucky.

SAF 3. Firing Range Filter Maintenance - Approval of a purchase requisition to Precision Environmental in the amount of \$3,420.00 for the removal, replacement and disposal of air filters in the Police Department Firearms Indoor Range. *Account #110210 2209*

Motion made by Ganim, Seconded by Stucky.

Voting Yea: Ganim, Kingston, Stucky

SAF 4. Taser Cartridges - Approval of a Purchase Requisition to sole vendor Axon Enterprise, Inc. for the aggregate amount of for the purchase of Taser Cartridges for training and mandatory annual recertification for (31) officers that carry the Taser X2 . *Account #110210-2501.*

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Motion made by Ganim, Seconded by Stucky.
Voting Yea: Ganim, Kingston, Stucky

SAF 5. Policy & Procedure - Approval of a Resolution authorizing the Mayor to enter into agreement with Lexipol at a cost of \$12,468.65 for the Annual Law Enforcement Policy Manual & Daily Training Bulletins with Supplemental Publication Service with Procedures for 12 months starting October 1, 2022 through September 30, 2023. *Account #110210 2101*

Police Chief Korinek said Lexipol is a policy and procedure company. Policies are state specific, specific to Ohio. If Ohio statutes change, updates are made. Daily training bulletins, implementing policies, quiz or testing for proficiency is also included. Records of testing and reports are made available to the City. Mobile Apps are available to officers.

Motion made by Ganim, Seconded by Stucky.
Voting Yea: Ganim, Kingston, Stucky.

Other Matters deemed appropriate

Motion to Adjourn

7:31 PM

Motion made by Ganim, Seconded by Stucky.
Voting Yea: Ganim, Kingston, Stucky

STREETS & SIDEWALKS COMMITTEE

Call to Order

Chairperson Daryl Kingston

Members: Caruso, Savage

7:31 PM

Roll Call

Present: Caruso, Kingston, Savage.

Items for Consideration:

S&S 1. Streets & Sidewalks Committee Approval of Minutes 8-16-2022

Motion made by Kingston, Seconded by Caruso.
Voting Yea: Caruso, Kingston, Stucky.

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S&S 2. Authorize Escrow Agreement for Highway Improvement-ODOT – Approval of a Resolution authorizing an Escrow Agreement for Highway Improvement with the Ohio Department of Transportation (ODOT) and PNC Bank for the PID 104983 CUY-77-0.42 Interchange, Part 1 Project.

Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage.

S&S 3. Limited Warranty Deed PNC Bank - Acceptance of a limited warranty deed from PNC Bank, National Association.

Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage.

S&S 4. ODOT FINAL Legislation I-77 Miller Rd Interchange Cost - Approval of an Ordinance for completing the partial diamond interchange at the I.R. 77/Miller Road interchange by adding a northbound exit ramp, southbound entrance ramp, and auxiliary lane between the new southbound entrance ramp and I.R. 80, realigning the southbound exit ramp, and widening the northbound entrance ramp and Miller Road between South Edgerton Road and Southpointe Parkway, lying within the City of Brecksville; (PID 104983 CUY IR 077 0.42 Interchange)

Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage.

S&S 5. ODOT FINAL Legislation I-77 Miller Rd Interchange Cost - Fiscal Officer Certificate

S&S 6. Authorize Settlement Release – Approval of a Resolution authorizing the Mayor to enter into a settlement agreement and mutual release with Dennis & Paula Kancler regarding repair of their driveway.

Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage.

Other Matters deemed appropriate

Motion to Adjourn

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Motion made by Kingston, Seconded by Caruso.

Voting Yea: Caruso, Kingston, Savage.

UTILITIES COMMITTEE

Call to Order

Chairperson: Brian Stucky

Members: Caruso, Koepke.

7:48 PM

Roll Call

Present: Caruso, Koepke, Stucky.

Items for Consideration:

UTL 1. Utility Committee Approval of Minutes 8-16-2022

Motion made by Stucky, Seconded by Caruso.

Voting Yea: Caruso, Koepke, Stucky.

UTL 2. Easement - Accepting a a Storm Sewer Easement for installation and maintenance of storm sewer facilities and appurtenances thereto in, under, across and through certain lands owned by Gary L. and Patricia S. Naim Permanent Parcel # 601-33-008.

Engineer Wise said a new house constructed at 9075 Highland Drive. In the plan review process it was determined the Highland Drive Culvert (C-13) extended into the property and is in need of repair. The property owner is willing to grant an easement to the City. The Service Department will make the necessary repairs.

Motion made by Stucky, Seconded by Caruso.

Voting Yea: Caruso, Koepke, Stucky.

UTL 3. Chippewa Road Calvin Drive Sanitary Project Update

Engineer Wise said resident notifications have been sent regarding the start of the project. A preconstruction meeting with the contractor has been held and the preconstruction video has been completed. Construction is anticipated to begin in the next few weeks. Engineer Wise said the Metroparks & National Park want to relocate sewer to the opposite side of street. Approval of a change order from Fabrizi will be needed. Councilmember Stucky asked how long the sewer is. Engineer Wise said 35 -40 feet. Engineer Wise said a City Inspector and County will be on site for the sanitary and storm sewer installations.

UTL 4. Dominion Gas Main Replacement Project Update

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Dominion was unable to work in rain on Sunday and Monday. Contractor is expected to begin installing the pipe in the next week.

Other Matters deemed appropriate

Motion to Adjourn

COMMITTEE OF THE WHOLE

Call to Order

Roll Call

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

Items for Consideration:

CoW 1. Committee Minutes Approval 8-16-2022

Other Matters deemed appropriate

Motion to Adjourn

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