

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

HELD _____ January 17, 2023 _____

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Council was **CALLED TO ORDER** in Regular Session by Council President **CALL TO ORDER**
Redinger at 8:00 P.M. in Ralph W. Biggs Council Chambers.

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

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, Recreation Director Engle,
Fire Chief N. Zamiska, Police Chief S. Korinek,
Service Director R. Weidig, P. Packard,
Myles Rapkin.
Council Clerk T. Tabor.

MINUTES OF THE JANUARY 3, 2023 REGULAR MEETING: Motion by **REGULAR**
Kingston, seconded by Koepke, to dispense with the reading of the January 3, 2023 regular **MEETING**
meeting minutes and to accept same as presented. **MINUTES OF**
1-3-2023
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky. **APPROVED**
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

AMEND THE AGENDA TO INCLUDE (2) PIECES OF LEGISLATION FOR AMEND
APPOINTMENTS TO THE RECREATION COMMISSION. AGENDA

Motion for passage by Redinger, seconded by Caruso.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5382 re: a Resolution accepting the proposal of Sixmo Architects **RES. 5382**
& Engineers for Plans Examiner Services; and declaring an emergency, was read by title. **ACCEPT**
Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution **PROPOSAL**
5382 on third and final reading. **SIXMO**
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky. **PLANS**
Nays: None. **EXAMINER**
MOTION CARRIED 7-AYES, 0-NAYS. SERVICES

Motion by Caruso, seconded by Stucky, to pass Resolution 5382.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5383 re: a Resolution authorizing the sale of personal property no **RES. 5383**
longer needed for municipal purposes via internet auction in the calendar year 2023; and **AUTHORIZE**
declaring an emergency, was read by title. **INTERNET**
Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution **AUCTIONS**
5383 on third and final reading. **2023**

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 5383.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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RESOLUTION 5384 re: a Resolution accepting an easement for construction, reconstruction, maintaining, repairing, and replacing sidewalks and utilities in, under, across and through certain lands owned by Brecksville-Broadview Heights City School District and known as PPN 603-09-006; and declaring an emergency, was read by title. **RES. 5384**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution 5384 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 Resolution 5384.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ACCEPT
EASEMENT
OAKES RD.
SIDEWALK
PROJECT-
REPLACING
SIDEWALKS
BBHCSD**

RESOLUTION 5385 re: a Resolution authorizing a renewal of the Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District and the Northeast Ohio Regional Sewer District for the provision of technical assistance in implementing the City of Brecksville's soil and water conservation measures for the year 2023; and declaring an emergency, was read by title. **RES. 5385**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution 5385 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 Resolution 5385.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**AUTHORIZE
TO RENEW
MOU (LETTER
OF
ACKNOWLEDGEMENT)
WITH SWCD
AND NEORSD**

RESOLUTION 5386 re: a Resolution accepting the proposal of Karpinski Engineering in the amount of \$3,750.00 for the professional engineering services on the Brecksville Community Center Partial Gas line Replacement Project; and declaring an emergency, was read by title. **RES. 5386**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution 5386 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 Resolution 5386.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**ACCEPT
PROPOSAL
FOR PRO-
FESSIONAL
ENGINEER-
ING
SERVICES
KARPINSKI
FOR
COMMUNITY
CENTER GAS
PIPE**

ORDINANCE 5580 re: an Ordinance 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. **ORD. 5580**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Ordinance 5580 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 5580.

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

**APPROPRIA-
TION ADJUST-
MENTS #1**

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Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5581 re: an Ordinance amending Section 1314.23 of the Building Code to update the fees schedule for plan examination services; and declaring an emergency, was read by title. **ORD. 5581
AMEND
1314.23 PLAN
EXAM.
SERVICES
UPDATE
RATES**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Ordinance 5581 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 5581.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5582 re: an Ordinance authorizing the purchase of tires, tubes and related services through December 31, 2023 through the Goodyear Tire & Rubber Company for use by the City of Brecksville Service Department through the State of Ohio Department of Administrative Services; and declaring an emergency, was read by title. **ORD. 5582
AUTHORIZE
STATE
PURCHASE
GOODYEAR
TIRE RUBBER
CO. 2023**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Ordinance 5582 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 5582.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ORDINANCE 5583 re: an Ordinance accepting the bid of DiGioia-Suburban Excavating for the Riverview Road Culvert #1 & #2 Replacement Project; and declaring an emergency, was read by title. **ORD. 5583
ACCEPT BID
DIGIOIA
EXCAVATING
FOR
RIVERVIEW
CULVERT**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Ordinance 5583 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 5583.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5387 re: a Resolution confirming the appointment by the Mayor of Andrew M. Moleski as a citizen member of the Recreation Commission for a four year term; and declaring an emergency, was read by title. **RES. 5387
APPOINT A.
MOLESKI TO
RECREATION
COMMISSION**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution 5387 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 Resolution 5387.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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RESOLUTION 5388 re: a Resolution confirming the appointment by the Mayor of Nicole Kern as a citizen member of the Recreation Commission for a four year term; and declaring an emergency, was read by title. **RES. 5388 APPOINT N. KERN TO RECREATION COMMISSION**

Motion by Kingston, seconded by Koepke, to suspend the rules and place Resolution 5388 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 Resolution 5388.

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, February 13th at 7:30 P.M. **BD. OF ZONING APPEALS**

APPEAL 2023-01: Approval for a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate, for the construction of a single family dwelling located at 6401 Miller Road, PP# 604-06-012. **APP. 2023-01 6401 MILLER ROAD, PP# 604-06-012 SIDEWALKS**

Motion for approval by Caruso, seconded by Stucky.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

APPEAL 2023-02 AMENDED: Approval for (2) a variance from Section 1151.39(a)(5) from the maximum 6 ft. projection, to allow 8 ft., for a covered entry on a corner lot located at 6610 Morningside Drive, PP# 603-21-077. **APP. 2023-02 AMENDED 610 MORNINGSIDE DRIVE, PP# 603-21-077 COVERED ENTRY**

Motion for approval by Caruso, seconded by Stucky.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

PLANNING COMMISSION: Councilmember Stucky reported the next meeting of the Planning Commission will be January 26th at 7:00 P.M. A public hearing will be held for Valor Acres Mixed Use Phase 1- Miller Road and Brecksville Road. **PLANNING COMMISSION**

DECK INSTALLATION IN R-8 PDA – 7520 SANCTUARY CIRCLE: DECK
Approve the installation of a 10' x 20', 200 sq. ft. deck at 7520 Sanctuary Circle, Brecksville, Ohio 44141, as described in the application dated November 4, 2022, and attached drawings by Klasic Deck. **INSTALL IN R-8 PDA – 7520 SANCTUARY CIRCLE**

Motion for approval by Stucky, seconded by Caruso.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

FEDOR SOLAR PANEL INSTALLATION – 4920 SENTINEL DRIVE: FEDOR SOLAR
Approve a solar panel system installation at 4920 Sentinel Drive, Brecksville, Ohio as described in the application dated December 1, 2022 and attached plans dated November 18, 2022 by Fluent Solar, contingent on utility company interconnection approval and City Council approval. **PANEL INSTALL 4920 SENTINEL DRIVE**

Motion for approval by Stucky, seconded by Caruso.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

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RECREATION COMMISSION: Councilmember Ganim reported the next meeting of the Recreation Commission will be January 23rd. **RECREATION COMMISSION**

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

TELECOMMUNICATIONS COMMISSION: No Report. **TELEC. COM.**

SAFETY-SERVICE COMMITTEE: Councilmember Ganim reported the committee met earlier today and has 1 item for consideration. **SAFETY-SERVICE**

CHAGRIN VALLEY DISPATCH (CVD) in the aggregate amount of \$511,710.00 for the 2023 Operating Cost Share of \$42,642.50/month, per the Member Participation Agreement with CVD approved via Resolution 4796 in December 2017. This reflects an increase of \$22,035 for operating costs based on actual call count projections. Additional explanation about the City's participation can be provided by Police Chief Korinek and/or Fire Chief Zamiska. **CHAGRIN VALLEY DISPATCH (CVD) COST SHARE**
Account #110210 2132

Motion for approval 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 has no items for Council consideration. **STREETS & SIDEWALKS**

UTILITIES COMMITTEE: Councilmember Stucky reported the committee met earlier and said the committee has two (2) items for Council consideration. **UTILITIES COMMITTEE**

RIVERVIEW ROAD CULVERT #1 & #2 REPLACEMENT PROJECT-CONSTRUCTION MANAGEMENT SERVICES DGB - Approval of the proposal of Donald G. Bohning & Associates for construction related services for the Riverview Road Culvert #1 & #2 Replacement Project in the amount of \$16,650.00. **RIVERVIEW CULVERT #1 & #2 PROJECT CONSTRUCT MGMT SERVICES DG BOHNING**
Motion for approval by Stucky, seconded by Caruso.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

10207-10231 HIGHLAND DRIVE STORM SEWER REPLACEMENT PROJECT-DESIGN SERVICES - Approval of the proposal of Donald G. Bohning & Associates for engineering & surveying related design services in the amount of \$18,750.00 for the 10207-10231 Highland Drive Storm Sewer Replacement Project. **10207-10231 HIGHLAND DRIVE STORM SEWER REPLACEMENT PROJECT SERVICES**
Motion for approval by Stucky, seconded by Caruso.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

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

SUPPLEMENTARY SNOWPLOWING: Approval of a purchase requisition to Mattes Landscaping in the amount of \$40,000.00 for Supplementary Snowplowing for the 2023 snow season. This includes plowing/icing various parking lots and sidewalks. The Administration recommends accepting the pricing that was submitted in the RFQ process conducted in September 2022 for the 2023 & 2024 snow seasons. **SUPPLEMENTARY SNOWPLOWING**

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Account #110430 2103 \$30,000.00

Account #110172 2103 \$10,000.00

Motion for approval 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 has no items for Council consideration. Councilmember Savage reported the Charter Review Commission will meet on Saturday, January 28th at 10:00 AM.

FINANCE COMMITTEE: Councilmember Caruso reported the committee met earlier today and has several items for Council consideration.

BID AUTHORIZATION - Approval of a motion authorizing the Purchasing Director to advertise for bids on the following annual purchases & upcoming projects in 2023:

Annual Purchases:

- 2023 Online Auctions of Surplus Property on GovDeals.com (Ongoing)
- Supplying Asphalt Materials (municipal purchasing consortium) (April 2023)
- Gasoline & Diesel Fuel (municipal purchasing consortium) (Sept 2023)
- 2023 Road Program (December 2023)

Motion for approval by Caruso, seconded by Stucky.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

ACCIDENT & HEALTH INSURANCE - Approval of a Purchase Requisition to Wichert Insurance Services, Inc. for year 2 of a 3 year rate-guaranteed policy through Provident for Accident & Health Insurance Coverage for Volunteer & Part-Time Firefighters at \$3,234.00 per year. Policy term 2/1/2023 – 2/1/2024. Account No. 290260 2101.

Motion for approval by Caruso, seconded by Stucky.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

CHAGRIN VALLEY DISPATCH - Approval of a purchase requisition to Chagrin Valley Dispatch in the amount of \$288,000.00 for Annual IT Management and support fees for 2023. Account #110135 2101.

Motion for approval by Caruso, seconded by Stucky.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

RECREATION GENERAL PROGRAMMING - Approval of a new 2023 Blanket Purchase Order for the Recreation Department in the amount of \$10,000.00 titled "General Programming" for class offerings such as painting and acting. Account #240710 2102.

Motion for approval by Caruso, seconded by Stucky.

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

Nays: None.

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CAD DISASTER SOFTWARE & MOBILE DATA -Approval of a purchase requisition to Sundance Systems, Inc. for the annual support of CAD Disaster Software and Mobile Data, Public Records Online, AVL Support, Hosted System and Mayor's Court Interface Support for the aggregate amount of \$11,540.00 for the period of 1/1/2023 – 12/31/2023. Account #110210 2103. **CAD DISASTER SOFTWARE & MOBILE DATA**

Motion by Caruso, seconded by Stucky.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

POLICE & FIRE RADIO EQUIPMENT - Approval of a Purchase Requisition to Chagrin Valley Dispatch in the amount of \$7,632.00 for the City's annual maintenance agreement on radio equipment for the period of 1/1/2023 – 12/31/23. Police Account #110210 2613 to be charged \$3,792.00. Fire Account #290260 2501 to be charged \$3,624.00. Administration Account #110150 2501 to be charged \$216.00. **POLICE & FIRE RADIO EQUIPMENT MAINTENANCE**

Motion by Caruso, seconded by Stucky.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

PROFESSIONAL BILLS: Approve the payment of bills for professional services, as follows: Matty, Henrikson and & Greve in the amount of \$12,610.33; Lisa Sabol in the amount of \$5,967.50.00; Squire Patton Boggs in the amount of \$1,511.25, Kulchystsky Architects, LLC in the amount of \$1,891.25; and J. Neusser in the amount of \$2,000.00; Jonathan I. Klein in the amount of \$2,550.00; Donald G. Bohning & Associates in the amount of \$19,101.25.00 and Sixmo in the amount of \$362.50; Total of all invoices \$45,994.08 **MONTHLY BILLS FOR PROFESSIONAL SERVICES**

Motion by Caruso, seconded by Stucky.
Ayes: Caruso, Ganim, Kingston, Koepke, Redinger, Savage, Stucky.
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

- 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**
- REPORT OF PLANNING & COMMUNITY DEVELOPMENT:** No Report. **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 Recreation Department reported \$4,000 in concession sales over the weekend. **MAYOR**

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The Cuyahoga County Treasurer has extended the deadline to pay property taxes. The deadline to pay property taxes without penalty has been extended to February 9, 2023. The Metroparks will begin deer culling January 17 thru March 16th. Areas of the Metroparks will be closed and marked during the culling.

COMMENTS: Councilmember Stucky commended the Service Department for **COMMENTS** keeping the roads clear during weather events.

Motion by Redinger, seconded by Caruso, to adjourn the regular meeting at 8:44 **ADJOURN**
P.M.

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

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL