



City of Brecksville, Ohio
City Council Regular Meeting
Ralph W. Biggs City Council Chambers
February 18, 2025 – 8:00 PM.

In compliance with the Americans with Disabilities Act, those requiring accommodation for meetings should notify the City Clerk's Office at least three days prior to the meeting at (440)526-2609.

AGENDA

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.

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing

1. Notice is hereby given that the Brecksville City Council will hold a public hearing to consider the renewal application of Brant E. Giere for placement of farmland in a an agricultural district, to wit: Permanent Parcel Nos. 604-16-00 I, 604-16-002, 6620 Miller Road, consisting of approximately 9 acres: and Stacey Giere for placement of farmland in an agricultural district, to wit: Permanent Parcel No. 604-16-003 consisting of approximately 2.6 acres, 6530 Miller Road; in the City of Brecksville, said hearing to be held on the 18th day of February, 2025 at 7:50 PM in the Brecksville City Hall, Ralph W. Biggs Council Chambers, 9069 Brecksville Road, Brecksville, Ohio 44141.

Approval of Minutes

2. **Council Minutes February 4, 2025**

New Business

3. **RES. 5658** - a Resolution promoting and appointing John A Chrisopulos to the position of Lieutenant in the Police Department of the City of Brecksville.
4. **RES. 5659** - a Resolution promoting and appointing Kenneth A. Septaric to the position of Sergeant in the Police Department of the City of Brecksville.
5. **RES. 5660** - a Resolution authorizing the Mayor to enter into a Joint Cooperative Agreement between the Cities of Brecksville and Independence for the resurfacing of Brecksville Road from Sprague Road to State Route 82.
6. **RES. 5661** - a Resolution authorizing the Mayor to apply for an Ohio Department of Public Safety, Division of EMS 2025- 2026 EMS Grant.

- 7. RES. 5662** - a Resolution approving an application for placement of Farmland in an agricultural district made by Stacey Giere for Permanent Parcel Number 604-16-003 located at 6530 Miller Road.
- 8. RES. 5663** - a Resolution approving an application for placement of Farmland in an agricultural district made by Brant E. Giere for Permanent Parcel Numbers 604-16-001 and 604-16-002 located at 6620 Miller Road in the City of Brecksville.

Old Business

- 9. ORD. 5769 - Second Reading** - an Ordinance to accept and dedicate real property from VA Land, LLC as roadway right-of-way, for the widening of Miller Road in the City of Brecksville, Ohio.
- 10. ORD. 5770** - an Ordinance to accept and dedicate real property from the Sherwin Williams Company as roadway right-of-way for the widening of Miller Road located in the City of Brecksville, Ohio.
- 11. ORD. 5771 - Second Reading** - an Ordinance to accept and dedicate real property from 6850 Miller Road Holding Company, LLC as roadway right-of-way, for the widening of Miller Road in the City of Brecksville, Ohio.

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

Report of Council Committees: Safety-Service, Streets & Sidewalks, Utilities, Buildings & Grounds, Legislation, Finance.

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.

Report of the Mayor

Adjournment

Mayor and Safety Director: Daryl Kingston

City Council Members: Dominic Caruso; *President*; Beth Savage, *Vice President*; Dan Bender, AJ Ganim, Mark Jantzen, Ann Koepke, Brian Stucky.

Clerk: Tammy Tabor

A RESOLUTION APPROVING A RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT MADE BY STACEY GIERE FOR PERMANENT PARCEL NUMBER 604-16-003 LOCATED AT 6530 MILLER ROAD IN THE CITY OF BRECKSVILLE; AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Pursuant to Section 929.02 of the Ohio Revised Code, this Council hereby approves the renewal application of Stacey Giere for placement of Permanent Parcel Number 604-16-003 located at 6530 Miller Road consisting of approximately 2.668 acres in an agricultural district with the following modification:

1. This approval shall be effective for a five (5) year period from the date the Cuyahoga County Fiscal Officer approves said application, provided said land maintains its use exclusively as farmland. The Brecksville City Council reserves the right to reevaluate its position concerning the characterization of said land upon reapplication, if any, by the then owner of same.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to indicate this Council's approval of the renewal application of the said Stacey Giere with the above stated modification and transmit said renewal application along with a certified copy of this Resolution to the Cuyahoga County Fiscal Officer. Additionally, the Clerk of Council be and is hereby authorized and directed to transmit by certified mail return receipt requested a copy of this Resolution to Stacey Giere at 6530 Miller Road, Brecksville, Ohio 44141 within five (5) days of the approval of this Resolution.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need for Council to take legislative action within a specified statutory time period, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

5663

A RESOLUTION APPROVING A RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT MADE BY BRANT E. GIERE FOR PERMANENT PARCEL NUMBERS 604-16-001 AND 604-16-002 LOCATED AT 6620 MILLER ROAD IN THE CITY OF BRECKSVILLE; AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Pursuant to Section 929.02 of the Ohio Revised Code, this Council hereby approves the renewal application of Brant E. Giere for placement of Permanent Parcel Numbers 604-16-001 and 604-16-002 located at 6620 Miller Road consisting of approximately 9 acres in an agricultural district with the following modification:

1. This approval shall be effective for a five (5) year period from the date the Cuyahoga County Fiscal Officer approves said application, provided said land maintains its use exclusively as farmland. The Brecksville City Council reserves the right to reevaluate its position concerning the characterization of said land upon reapplication, if any, by the then owner of same.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to indicate this Council's approval of the renewal application of the said Brant E. Giere with the above stated modification and transmit said renewal application along with a certified copy of this Resolution to the Cuyahoga County Fiscal Officer. Additionally, the Clerk of Council be and is hereby authorized and directed to transmit by certified mail return receipt requested a copy of this Resolution to Brant E. Giere at 6620 Miller Road, Brecksville, Ohio 44141 within five (5) days of the approval of this Resolution.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need for Council to take legislative action within a specified statutory time period, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 18, 2025

APPROVED: February 18, 2025

MAYOR

CLERK OF COUNCIL

5658

**A RESOLUTION PROMOTING AND APPOINTING
JOHN A. CHRISOPULOS TO THE POSITION OF
LIEUTENANT IN THE POLICE DEPARTMENT
OF THE CITY OF BRECKSVILLE;
AND DECLARING AN EMERGENCY**

WHEREAS, in order to fill a vacancy for the position of Lieutenant existing in the Police Department, the Civil Service Commission of the City of Brecksville has provided the appointing authority with a list of eligible candidates to fill such vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Upon the recommendation of the Director of Public Safety, John A. Chrisopulos be and is hereby promoted and appointed to the position of Lieutenant in the Police Department of the City of Brecksville commencing February 18, 2025.

SECTION 2. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency being that it relates to the daily operation of a municipal department, therefore, this Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 18, 2025

APPROVED: February 18, 2025

MAYOR

CLERK OF COUNCIL

5659

**A RESOLUTION PROMOTING AND APPOINTING
KENNETH A. SEPTARIC TO THE POSITION OF
SERGEANT IN THE POLICE DEPARTMENT
OF THE CITY OF BRECKSVILLE;
AND DECLARING AN EMERGENCY**

WHEREAS, in order to fill a vacancy for the position of Sergeant existing in the Police Department, the Civil Service Commission of the City of Brecksville has provided the appointing authority with a list of eligible candidates to fill such vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Upon the recommendation of the Director of Public Safety, Kenneth A. Septaric be and is hereby promoted and appointed to the position of Sergeant in the Police Department of the City of Brecksville commencing February 18, 2025.

SECTION 2. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency being that it relates to the daily operation of a municipal department, therefore, this Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 18, 2025

APPROVED: February 18, 2025

MAYOR

CLERK OF COUNCIL

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A JOINT COOPERATIVE AGREEMENT BETWEEN THE CITIES OF BRECKSVILLE AND INDEPENDENCE FOR THE RESURFACING OF BRECKSVILLE ROAD FROM SPRAGUE ROAD TO STATE ROUTE 82; AND DECLARING AN EMERGENCY

WHEREAS, the Cities of Brecksville and Independence have determined that it is in the best interest of the traveling public in general and the citizens of their respective communities to resurface Brecksville Road.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Mayor be, and he hereby is, authorized to enter into a Joint Cooperative Agreement between the Cities of Brecksville and Independence for the resurfacing of Brecksville Road from Sprague Road to State Route 82, a copy of which Agreement is attached hereto as Exhibit “A” and expressly made a part hereof by reference.

SECTION 2. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer’s certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the necessity to commence the project, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

A RESOLUTION AUTHORIZING THE MAYOR TO COMPLETE THE APPLICATION PROCESS FOR AN OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMS 2025-2026 EMS GRANT; AND DECLARING AN EMERGENCY

WHEREAS, the purpose of the EMS Grant Program is to improve and enhance EMS and trauma patient care in Ohio through the provision of grant funding for equipment, training, and research with funding from fines levied in the State of Ohio for seat belt violations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Mayor, be, and hereby is, authorized to complete the application process for an Ohio Department of Public Safety, Division of EMS 2025-2026 Ohio EMS Grant and to execute whatever documents are necessary to complete the application process. If successful in obtaining funding, the Mayor is authorized to execute whatever documents are necessary to effectuate the receipt of funds.

SECTION 2. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer’s certificate necessary to make the expenditures as described in Section 1 hereof and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that it relates to the need to meet the April 1, 2025 deadline for the application, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL

5662

A RESOLUTION APPROVING A RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT MADE BY STACEY GIERE FOR PERMANENT PARCEL NUMBER 604-16-003 LOCATED AT 6530 MILLER ROAD IN THE CITY OF BRECKSVILLE; AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Pursuant to Section 929.02 of the Ohio Revised Code, this Council hereby approves the renewal application of Stacey Giere for placement of Permanent Parcel Number 604-16-003 located at 6530 Miller Road consisting of approximately 2.668 acres in an agricultural district with the following modification:

- 1. This approval shall be effective for a five (5) year period from the date the Cuyahoga County Fiscal Officer approves said application, provided said land maintains its use exclusively as farmland. The Brecksville City Council reserves the right to reevaluate its position concerning the characterization of said land upon reapplication, if any, by the then owner of same.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to indicate this Council's approval of the renewal application of the said Stacey Giere with the above stated modification and transmit said renewal application along with a certified copy of this Resolution to the Cuyahoga County Fiscal Officer. Additionally, the Clerk of Council be and is hereby authorized and directed to transmit by certified mail return receipt requested a copy of this Resolution to Stacey Giere at 6530 Miller Road, Brecksville, Ohio 44141 within five (5) days of the approval of this Resolution.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need for Council to take legislative action within a specified statutory time period, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 18, 2025

APPROVED: February 18, 2025

MAYOR

CLERK OF COUNCIL

5663

A RESOLUTION APPROVING A RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT MADE BY BRANT E. GIERE FOR PERMANENT PARCEL NUMBERS 604-16-001 AND 604-16-002 LOCATED AT 6620 MILLER ROAD IN THE CITY OF BRECKSVILLE; AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Pursuant to Section 929.02 of the Ohio Revised Code, this Council hereby approves the renewal application of Brant E. Giere for placement of Permanent Parcel Numbers 604-16-001 and 604-16-002 located at 6620 Miller Road consisting of approximately 9 acres in an agricultural district with the following modification:

- 1. This approval shall be effective for a five (5) year period from the date the Cuyahoga County Fiscal Officer approves said application, provided said land maintains its use exclusively as farmland. The Brecksville City Council reserves the right to reevaluate its position concerning the characterization of said land upon reapplication, if any, by the then owner of same.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to indicate this Council's approval of the renewal application of the said Brant E. Giere with the above stated modification and transmit said renewal application along with a certified copy of this Resolution to the Cuyahoga County Fiscal Officer. Additionally, the Clerk of Council be and is hereby authorized and directed to transmit by certified mail return receipt requested a copy of this Resolution to Brant E. Giere at 6620 Miller Road, Brecksville, Ohio 44141 within five (5) days of the approval of this Resolution.

SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need for Council to take legislative action within a specified statutory time period, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 18, 2025

APPROVED: February 18, 2025

MAYOR

CLERK OF COUNCIL

5769

AN ORDINANCE TO ACCEPT AND DEDICATE REAL PROPERTY FROM VA LAND, LLC AS ROADWAY RIGHT-OF-WAY FOR THE WIDENING OF MILLER ROAD LOCATED IN THE CITY OF BRECKSVILLE, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, VA Land, LLC is the owner of real property located within the City of Brecksville, Ohio known as Parcel 604-09-016; and

WHEREAS, VA Land, LLC has transferred a 0.1326 acre portion of said Parcel 604-09-016 to the City of Brecksville, Ohio on May 9, 2022 through the Cuyahoga County Fiscal Office Instrument No. 202205090592; and

WHEREAS, the City Council of the City of Brecksville, Ohio deems it in the public interest and would promote the health, safety, and welfare of the residents of Brecksville to accept and dedicate said portion as roadway right-of-way.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The City of Brecksville, Ohio, by and through its City Council, hereby accepts and dedicates said 0.1326 acre portion of Parcel 604-09-016 as described in Exhibit A as roadway right-of-way, for the widening of Miller Road in the City of Brecksville, Ohio.

SECTION 2. The Assistant Law Director is hereby directed to record this Ordinance and Exhibit A with the Cuyahoga County Fiscal Office after adoption by City Council.

SECTION 3. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency relates to the necessity to accept and dedicate the land, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 4, 2025

APPROVED: February 4, 2025

MAYOR

CLERK OF COUNCIL

5770

AN ORDINANCE TO ACCEPT AND DEDICATE REAL PROPERTY FROM THE SHERWIN-WILLIAMS COMPANY AS ROADWAY RIGHT-OF-WAY FOR THE WIDENING OF MILLER ROAD LOCATED IN THE CITY OF BRECKSVILLE, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, The Sherwin-Williams Company is the owner of real property located within the City of Brecksville, Ohio known as Parcel 604-08-008; and

WHEREAS, The Sherwin-Williams Company has transferred a 0.1185 acre part of said Parcel 604-08-008 to the City of Brecksville, Ohio on May 9, 2023 through the Cuyahoga County Fiscal Office Instrument 202305090503; and

WHEREAS, the City Council of the City of Brecksville, Ohio deems it in the public interest and would promote the health, safety, and welfare of the residents of Brecksville to accept and dedicate said portion as roadway right-of-way.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The City of Brecksville, Ohio, by and through its City Council, hereby accepts and dedicates said 0.1185 acre part of Parcel 604-08-008 as described in Exhibit A as roadway right-of-way, for the widening of Miller Road in the City of Brecksville, Ohio.

SECTION 2. The Assistant Law Director is hereby directed to record this Ordinance and Exhibit A with the Cuyahoga County Fiscal Office after adoption by City Council.

SECTION 3. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency relates to the necessity to accept and dedicate the land, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 4, 2025

APPROVED: February 4, 2025

MAYOR

CLERK OF COUNCIL

5771

AN ORDINANCE TO ACCEPT AND DEDICATE REAL PROPERTY FROM 6850 MILLER ROAD HOLDING COMPANY, LLC AS ROADWAY RIGHT-OF-WAY FOR THE WIDENING OF MILLER ROAD LOCATED IN THE CITY OF BRECKSVILLE, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, the 6850 Miller Road Holding Company, LLC is the owner of real property located within the City of Brecksville, Ohio known as Parcel 604-17-003; and

WHEREAS, the 6850 Miller Road Holding Company, LLC has transferred a .0696 acre portion of said Parcel 604-17-003 to the City of Brecksville, Ohio on June 17, 2022 through the Cuyahoga County Fiscal Office Instrument No. 202206170548; and

WHEREAS, the City Council of the City of Brecksville, Ohio deems it in the public interest and would promote the health, safety, and welfare of the residents of Brecksville to accept and dedicate said portion as roadway right-of-way.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The City of Brecksville, Ohio, by and through its City Council, hereby accepts and dedicates said .0696 acre portion of Parcel 604-17-003 as described in Exhibit A as roadway right-of-way, for the widening of Miller Road in the City of Brecksville, Ohio.

SECTION 2. The Assistant Law Director is hereby directed to record this Ordinance and Exhibit A with the Cuyahoga County Fiscal Office after adoption by City Council.

SECTION 3. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency relates to the necessity to accept and dedicate the land, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: February 4, 2025

APPROVED: February 4, 2025

MAYOR

CLERK OF COUNCIL