

November 21, 2023

Page 1

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

**CALL TO ORDER**

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

Members Present:	D. Caruso, AJ Ganim, A. Koepke, L. Redinger, B. Savage, B. Stucky.	<b>ROLL CALL</b>
Members Absent:	D. Kingston.	
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, Fire Chief N. Zamiska, Police Chief S. Korinek, Service Director J. Kickel, IT Technician P. Packard, Myles Rapkin. Council Clerk T. Tabor. Vincent Battaglia, Anthony Battaglia, Jimmy Smyczek Approximately 35 guests.	

45:20

**MINUTES OF THE NOVEMBER 7, 2023 REGULAR MEETING:** Motion by Ganim, seconded by Koepke, to dispense with the reading of the November 7, 2023 regular meeting minutes and to accept same as presented.

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

**REGULAR MEETING MINUTES OF 11-7-2023 APPROVED**

**MOTION CARRIED 6-AYES, 0-NAYS.**

45:50

**PROCLAMATION:** Commending Brian Scabbo Mayor Hruby presented a proclamation recognizing Detective Brian Scabbo for his work to obtain a murder conviction for a drug dealer responsible for the overdose death of a Brecksville resident.

**COMMEND BRIAN SCABBO**

“Detective Brian Scabbo has displayed a personal commitment and perseverance to the betterment of the City of Brecksville and provided a safer community through his dedication as a Detective in the Brecksville Police Department; and

**WHEREAS:** Brian was hired by the City of Brecksville on March 3, 2008 and was assigned to the Detective Bureau in April 2017. He has achieved his Master Criminal Investigator certification through the Ohio Peace Officer Training Academy and currently serves as the Assistant Commander of the Southwestern Enforcement Bureau- East Region SWAT Team; and

**WHEREAS:** Detective Scabbo was assigned to a case on September 16<sup>th</sup>, 2021 where the victim subsequently passed due to drug overdose; and

**WHEREAS:** Through Brian’s investigative skills and evidence collection abilities he was able to identify the drug dealer that sold the victim the drugs that caused the fatal overdose. These types of investigations are hard to prove and take a long time to complete, however, Detective Scabbo was able to provide sufficient evidence to the Cuyahoga County Grand Jury to obtain an indictment.; and

**WHEREAS:** Almost two years after this tragic incident, through Detective Scabbo’s continued persistence of the case, the drug dealer pled guilty to the charge of Involuntary Manslaughter, and as punishment, received a seven and a half year prison sentence; and

**WHEREAS:** Brian’s personal commitment to hold the individual responsible for this tragic death is commendable. He not only made the community safer by removing a dangerous drug dealer from society, but he obtained justice for the victim and the victim’s family.

**NOW THEREFORE:** I, Jerry N. Hruby, Mayor of the City of Brecksville, hereby salute Detective Brian Scabbo on his dedication, bravery, and unwavering service to the public safety of our fine community.

November 21, 2023

Page 2

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Seal of the Mayor of the City of Brecksville on this 21<sup>st</sup> day of November, 2023.

**52:05**

**PROCLAMATION:** Commending Brian Stucky. Mayor Hruby presented Council member **COMMEND**  
Brian Stucky upon his retirement from a career of coaching and mentoring students. **BRIAN**

“For 40 years, Brian Stucky has dedicated his life to coaching, teaching and inspiring **STUCKY**  
young athletes to learn teamwork, and along the way he taught not only athletic skills  
but invaluable life skills; and

**WHEREAS:** Brian’s journey as a coach began at Hocking Hills Junior High School  
in 1983 as assistant track coach. Three weeks in the head coach had to leave and Brian  
was appointed head coach! But that left the assistant’s job open. Yes, he became his  
own assistant! and

**WHEREAS:** You’ve heard of travel teams, but he has been a travel coach! The stops  
include Olmsted Falls HS, Rocky River HS, Brecksville-Broadview Heights HS, up  
the scholastic ladder to John Carroll, and then back home to the Bees Soccer Academy  
and the Brecksville Travel Baseball Association. Track, football, wrestling, girls  
softball and soccer. What a resume! and

**WHEREAS:** In 2004 while coaching the Blue Streaks wrestling team, home called  
and Brian added his son’s U6 soccer team. And that led to teaming up with the  
legendary soccer coach, Tony Niccoli. Together they founded the Brecksville Soccer  
Academy in 2007 which is still thriving after 16 years; and

**WHEREAS:** Brian has been a dedicated volunteer coach for the Soccer Academy  
and initiated the Run For Your Life Program, between the two, spending over 3,000  
rewarding and fulfilling hours aimed at helping area kids. Was he hard on them at  
times? Yes, because he wanted to push them to be the best they could be; and

**WHEREAS:** He has received volumes of letters from players thanking him for life  
lessons learned as a result of his guidance making his coaching career highly  
rewarding and certainly worthwhile. But the time has come. His last day as a coach  
was October 15, 2023. He was honored to be called, “Coach.” and

**WHEREAS:** After coaching his own kids and other parents’ kids where do you go  
from here? Why not back to the beginning? And that means coaching his three-year-  
old grandson, Tyson!

**NOW THEREFORE:** I, Jerry N. Hruby, Mayor of the City of Brecksville, hereby  
salute Brian Stucky and declare November 22<sup>nd</sup> “Brian Stucky Day” in Brecksville!

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed  
the Seal of the Mayor of the City of Brecksville on this 21<sup>th</sup> day of November, 2023.

Council member Stucky introduced his family. His wife Mary Lo, Allison, Joey and  
his grandson Tyson. Council member Stucky thanked Tony Niccoli and others who  
helped him along the way.

**58:26**

**ORDINANCE 5661 re:** an Ordinance amending Section 145.13 of the **ORD. 5661**  
Administrative Code and the exempted employees of the City of Brecksville; and declaring **AMEND 145.01**  
an emergency, was read by title. **EXEMPTED**

Motion by Ganim, seconded by Koepke, to suspend the rules and place Ordinance **EMPLOYEES**  
5661 on third and final reading.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Caruso, seconded by Stucky, to pass Ordinance 5661.

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

59:35

**ORDINANCE 5662 re:** an Ordinance amending Ordinance Nos. 4550, 4665, 4741, 4816, 4967, 5142, 5276 and 5434 to provide a new retainer and rate schedule for the services of Donald G. Bohning & Associates as Consulting Engineers and Gerald M. Wise as the City Engineer; and declaring an emergency, was read by title. **ORD. 5662 ENGINEERING RATES**

Motion by Ganim, seconded by Koepke, to suspend the rules and place Ordinance 5662 on third and final reading.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Caruso, seconded by Stucky, to pass Ordinance 5662.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

1:00:44

**ORDINANCE 5663 re:** an Ordinance authorizing purchase of various grades of gasoline and diesel fuel for the City of Brecksville through a Joint Municipal Purchasing Consortium; and declaring an emergency, was read by title. **ORD. 5663 PURCHASE GAS AND DIESEL FUEL**

Motion by Ganim, seconded by Koepke, to suspend the rules and place Ordinance 5663 on third and final reading.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

Motion by Caruso, seconded by Stucky, to pass Ordinance 5663.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

1:01:28

**ORDINANCE 5664 re:** an Ordinance authorizing the Mayor to enter into a Valley Parkway Access and Maintenance Agreement with the Board of Park Commissioners of the Cleveland Metropolitan Park District and the Brecksville-Broadview Heights City School District.; and declaring an emergency, was read by title. **ORD. 5664 VALLEY PARKWAY ACCESS AND MAINTENANCE AGREEMENT**

Motion by Redinger, seconded by Caruso, to table Ordinance 5664.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

1:02:00

**BOARD OF ZONING APPEALS:** Councilmember Caruso reported the next meeting of the Board of Zoning Appeals will be Monday, December 11th at 7:30 P.M. Council member Caruso requested all interested residents to submit resume's to Council Clerk Tabor for open positions on Boards and Commissions. **BD. OF ZONING APPEALS**

1:02:21

**APPEAL 2023-44** John Kusa for Joan Doyne for (1) a variance from Section 1117.09 requiring lots to be generally rectangular, to allow irregularly shaped lots, for the consolidation and lot split located at 9135 Highland Drive PP#601-33-035 & 9155 Highland Dr. PP#601-33-014. **APP. 2023-44 9135 HIGHLAND DR AND 9155 HIGHLAND DR LOT SPLIT & CONSOLIDATION**

Motion by Caruso, seconded by Stucky.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

1:02:54

**APPEAL 2023-45** John and Maureen Wain for a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, located at 6582 Harold Drive PP# 601-14-042. Screening to be provided. **APP. 2023-45 6582 HAROLD DRIVE PP# 601-14-042 GENERATOR**

Motion by Caruso, seconded by Stucky.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**1:03:32**

**APPEAL 2023-46** Doug Wahl, for Leo and Darlene Michitsch for a variance from **APP. 2023-56**  
Section 1151.25(d)(2)(B) from the maximum 240 sq. ft. to allow 1360 sq. ft. for the **8531**  
construction of a shed located at 8531 Riverview Road, PP# 602-29-011. **RIVERVIEW**

Motion by Caruso, seconded by Stucky.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**1:04:27**

**PLANNING COMMISSION:** Council member Stucky reported the next meeting **PLANNING**  
of the Planning Commission will be December 7<sup>th</sup> at 7:00 P.M. A public hearing will be held **COMMISSION**  
on December 7<sup>th</sup> to hear the proposal of a 16 lot major subdivision, including front yard  
setbacks, at 9457 Highland Drive, Brecksville, Ohio 44141.

**1:04:41**

**DIY CRAFT WAREHOUSE 55 ANDREWS CIRCLE** –Approval of 2.40 sq. ft., **DIY CRAFT**  
2.28 sq. ft., and 2.4 sq. ft. door identification signs, and (1) 3 sq. ft. dock information sign **WAREHOUSE**  
for DIY Craft Warehouse, 55 Andrews Circle, Brecksville, Ohio, as described in the **55 ANDREWS**  
application dated October 2, 2023 and attached drawing, conditional on City Council's **CIRCLE**  
approval of the following deviation:

- A deviation from Section 1187.10(d)(2) that multi-unit building service entrances may be identified by the business name and address on a permanent nameplate not exceeding two (2) square feet to permit service door signs including the business logo, directional/instructional text, phone number on the warehouse deliveries entrance, with a maximum sign face area of 2.40 sq. ft.

Motion by Caruso, seconded by Savage.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**1:05:47**

**SIGNATURE SAUCES 10140 BRECKSVILLE ROAD** - Approval for one (1) **SIGNATURE**  
31.33 sq. ft. per side externally illuminated ground sign panel replacement, one (1) 6 sq. ft. **SAUCES 10140**  
wall identification sign; one (1) 1.6 sq. ft. door identification sign; and five (5) 4 sq. ft. dock **BRECKS**  
signs for Signature Sauces, 10140 Brecksville Road, Brecksville Ohio, as described in the **VILLE ROAD**  
application dated October 16, 2023 and attached drawing, conditional on City Council's  
approval of the following deviation: A deviation from Section 1187.10(d)(2) that multi-unit  
building service entrances may be identified by the business name and address on a  
permanent nameplate not exceeding two (2) square feet to permit a service door sign for a  
single-unit building, including the business logo and directional/instructional text.

Motion by Caruso, seconded by Savage.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

**1:07:05**

**CURTISS-WRIGHT 10195 BRECKSVILLE ROAD**- Approval of (1) 40 sq. ft. **CURTISS-**  
per side internally illuminated ground sign replacement and two (2) address signs for Curtiss- **WRIGHT**  
Wright, 10165 – 10195 Brecksville Road, Brecksville, Ohio 44141, as described in the **10195**  
application dated October 30, 2023 and attached drawing, conditional on City Council's **BRECKSVIL-**  
approval of the following deviation: **LE ROAD**

- A deviation from Section 1187.10(c) that ground signs be a minimum of 40' from the right-of-way to permit a ground sign 10' from the right-of-way.

Motion by Caruso, seconded by Savage.

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

Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

1:07:57

**THE SKIN CENTER FACADE 1 PUBLIC SQUARE - PRELIMINARY THE SKIN CENTER FACADE 1 PUBLIC SQUARE**  
approval for building façade modifications for The Skin Center, 1 Public Square, Brecksville, Ohio 44141, as described in the application received October 13, 2023 and as shown on the attached drawings and contingent upon revisions to the awnings and/or windows on the Rt. 21 façade and the removal of the gates, and contingent upon City Council approval of the following deviation:

- Deviation from Section 1187.06(a)(5) to permit awnings to extend into the right-of-way.  
Motion by Caruso, seconded by Savage.  
Ayes: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.  
Nays: None.

**MOTION CARRIED 6-AYES, 0-NAYS.**

1:09:28

**RECREATION COMMISSION:** Council member Ganim reported the next meeting of the Recreation Commission will be December 4<sup>th</sup>. Council member Ganim requested all interested residents to submit resume’s to Council Clerk Tabor for open positions on Boards and Commissions.

**RECREATION COMMISSION**

**DEPARTMENT OF HUMAN SERVICES:** Councilmember Koepke reported the next meeting of the Human Services Advisory Board will be December 12<sup>th</sup> at 3:00 P.M.

**DEPT. OF HUMAN SERVICES**

1:10:09

**SAFETY-SERVICE COMMITTEE:** Council member Ganim reported the committee met earlier today and has one item for Council consideration.

**SAFETY-SERVICE**

Authorizing the Law Director to prepare legislation authorizing the purchase of 10 additional FLOCK license plate reader cameras.

Motion by Ganim, seconded by Stucky.  
Ayes: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.  
Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**STREETS & SIDEWALKS COMMITTEE:** Council President Redinger reported Committee of the Whole met earlier today and has one item for Council consideration.

**STREETS & SIDEWALKS**

1:10:42

**BLOSSOM HILL MULTI-PURPOSE TRAIL IMPROVEMENT PROJECT -**  
Approval of a Change Order in the amount of \$2,362.50 for horizontal curb cutting of three (3) driveways on Oakes Road.

**BLOSSOM HILL MULTI-PURPOSE TRAIL IMPROVEMENT PROJECT**

Motion by Redinger, seconded by Caruso.  
Ayes: Caruso, Ganim, Koepke, Redinger, Savage, Stucky.  
Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

**UTILITIES COMMITTEE:** Councilmember Stucky reported the committee met earlier and has no items for Council consideration.

**UTILITIES COMMITTEE**

1:11:27

**BUILDINGS & GROUNDS COMMITTEE:** Councilmember Koepke reported the Buildings & Grounds Committee met earlier this evening and has no items for Council consideration.

**BUILDINGS & GROUNDS COMMITTEE**

**LEGISLATION COMMITTEE:** Councilmember Savage reported the committee met earlier today and has no items for Council consideration.

**LEGISLATION COMMITTEE**

1:11:48

**FINANCE COMMITTEE:** Councilmember Caruso reported the committee met earlier today and has no items for Council consideration.

**FINANCE COMMITTEE**

<b>REPORT OF LAW DIRECTOR:</b> No Report.	<b>LAW</b>
<b>REPORT OF ENGINEER:</b> No Report.	<b>ENGINEER</b>
<b>REPORT OF FINANCE DIRECTOR:</b> No Report.	<b>FINANCE</b>
<b>REPORT OF BUILDING DEPARTMENT:</b> No Report.	<b>BUILDING DEPT.</b>
<b>REPORT OF PLANNING &amp; COMMUNITY DEVELOPMENT:</b> No Report.	<b>PLAN &amp; DE- VELOPMENT</b>
<b>REPORT OF SERVICE DIRECTOR:</b> No Report.	<b>SERVICE</b>
<b>REPORT OF PURCHASING DIRECTOR:</b> No Report.	<b>PURCHASING</b>

1:12:48

**REPORT OF POLICE DEPARTMENT:** Chief Korinek thanked Council for considering additional FLOCK Cameras in the City. Chief Korinek thanked Council for recognizing Detective Scabbo. The recognition of Det. Scabbo and the subsequent indictment shows that drug dealers can be convicted. Police Chief Korinek commended the Echo Hills Home Owners Association and residents for their assistance in locating a missing teen. The teen was found safe.

**POLICE**

<b>REPORT OF FIRE DEPARTMENT:</b> No Report.	<b>FIRE</b>
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<b>REPORT OF RECREATION DEPARTMENT:</b> No Report.	<b>RECREATION</b>
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1:14:19

**REPORT OF THE MAYOR:** Mayor Hruby congratulated Mayor Elect Kingston, and newly elected Council members Dan Bender and Mark Jantzen. Mayor Hruby also congratulated Councilmembers Ann Koepke and Dominic Caruso on their re-elections to City Council. Lisa Galek, Mark Dosen and Eva O’Mara were elected to the Brecksville-Broadview Heights Board of Education. Brecksville resident Sergio DiGeronimo was elected as a Judge in the Garfield Heights Municipal Court and Judge Deborah Nicastro was also elected to serve the Garfield Heights Municipal Court..

**MAYOR**

Mayor Hruby said the Charter Review recommendations were all approved by the voters as well as the rezoning of the former Central School property.

The tree lighting and Christmas parade will take place on Sunday November 26<sup>th</sup> at 4:00 PM, beginning on Stadium Drive and marching to City Hall where the tree lighting and festivities will take place. Fireworks are scheduled to begin following the tree lighting.

<b>COMMENTS:</b> Councilmember Koepke wished everyone a Happy Thanksgiving.	<b>COMMENTS</b>
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Motion by Redinger, seconded by Caruso, to adjourn the regular meeting at 8:38 P.M. **ADJOURN**

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

Nays: None.

**MOTION CARRIED 7-AYES, 0-NAYS.**

November 21, 2023

Page 7

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**PRESIDENT OF COUNCIL**

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**CLERK OF COUNCIL**