

Beachwood City Council Meeting Agenda
Monday, June 3, 2019, 7:00 PM
at Beachwood City Hall, Council Chambers,
25325 Fairmount Boulevard, Beachwood, Ohio 44122

-Pledge of Allegiance to the Flag of the United States of America-

Agenda Items

1. Roll Call
2. Reports
 - a. Mayor
 - b. Council Member (non-agenda items)
 - c. Department Directors
3. Citizen's Remarks (City Council limits Citizen's Remarks to five (5) minutes each)
4. Approval of Minutes
5. Committee of the Whole
Ordinance No. 2019-72 An Ordinance confirming the Appointment of Steven M. Holtzman as Chief of the Department of Fire and Rescue for the City of Beachwood, Ohio; and declaring this to be an urgent measure
6. **Adminstration of the Oath of Office**
7. Finance & Insurance Committee
Ordinance No. 2019-71 An Ordinance authorizing and directing the Payment of Certain Claims (Bills) for Professional and Other Services; and declaring this to be an urgent measure
8. Finance & Insurance Committee
Ordinance No. 2019-73 An Ordinance Adopting the 2019 Alternative Tax Budget of the City of Beachwood for the Fiscal Year 2020; and declaring this to be an urgent measure
9. Public Works Committee
Ordinance No. 2019-74 An Ordinance accepting a certain bid from Ronyak Paving, Inc. for the George Zeiger Drive Resurfacing Project; and declaring this to be an urgent measure

Correspondence

1. Correspondence Notice to Legislative Authority

Pending

1. Planning & Zoning Committee
Ordinance No. 2018-94
An Ordinance amending various sections of the City of Beachwood, Ohio Planning and Zoning Code and the City of Beachwood, Ohio Building Code to include the addition of Chapters 1108 and 1144. and the removal of Chapters 1115, 1149, 1301, 1315, 1319, 1321, 1323, 1325, 1331, and 1333
Placed on First Reading and referred to P&Z: May 7, 2018
Referred to Public Hearing that will be held on April 1, 2019: February 4, 2019
Public Hearing held on: April 1, 2019
2. Planning & Zoning Committee
Ordinance No. 2019-21
An Ordinance amending BCO Chapter 1111, Section 1111.02, Subsection (l) Class U-7A Uses of the City of Beachwood, Ohio Planning and Zoning Code
Placed on First Reading and referred to P&Z: January 22, 2019
Recommended to Council as Amended by the Planning and Zoning Commission: April 25, 2019
Public Hearing to be held: July 1, 2019

CITY OF BEACHWOOD

INTER-OFFICE COMMUNICATION

TO: Brian Linick, Council President

FROM: Martin Horwitz, Mayor

DATE: 5/22/2019

SUBJECT: An Ordinance confirming the Appointment of Steven M. Holtzman as Chief of the Department of Fire and Rescue for the City of Beachwood, Ohio; and declaring this to be an urgent measure

It is my pleasure to recommend the appointment of Captain Steven Holtzman as Fire Chief of the City of Beachwood. He has worked for the City since October of 1992 and has served as Captain since August of 2002. Captain Holtzman's appointment as Fire Chief will be effective June 3, 2019.

Please prepare the necessary legislation for the Council to confirm this appointment.

INTRODUCED BY:

ORDINANCE NO. 2019-72

AN ORDINANCE CONFIRMING THE APPOINTMENT OF STEVEN M. HOLTZMAN AS CHIEF OF THE DEPARTMENT OF FIRE AND RESCUE FOR THE CITY OF BEACHWOOD, OHIO; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, pursuant to Article IV, Section 4, Paragraph 7 of the Charter, the Mayor has appointed Steven M. Holtzman as Chief of the Department of Fire and Rescue and has requested that Council confirm said appointment; and

WHEREAS, Council desires to confirm the Mayor's appointment of Steven M. Holtzman as Chief of the Department of Fire and Rescue beginning June 3, 2019.

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

Section 1: The appointment by the Mayor of Steven M. Holtzman as Chief of the Department of Fire and Rescue for the City of Beachwood beginning June 3, 2019 for a term not to extend beyond December 31, 2021 is hereby confirmed.

Section 2: Effective June 3, 2019, Steven M. Holtzman's employment shall continue to be subject to all of the provisions of the Administrative Salary Ordinance and Personnel Policy Manual, provided, however, that notwithstanding any other provision of the Ordinance and Policy, Steven M. Holtzman's employment shall continue to be subject to the authority of the Mayor to appoint Department Directors pursuant to Article IV, Section 4, Paragraph 7 of the Charter.

Section 3: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 4: This Ordinance is hereby declared to be an urgent measure necessary for the immediate preservation of the public peace, health or safety or the efficient operation of the City, and for the further reasons that the employment provided herein is needed to fill a vacancy and to continue the proper operation of an essential Department of the City's government; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 3rd day of June, 2019, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 4th day of June, 2019.

Clerk

Approval: I have approved this legislation this 4th day of June, 2019 and filed it with the Clerk.

Mayor

STATE OF OHIO)
)
COUNTY OF CUYAHOGA)

OATH OF OFFICE

I, **STEVEN M. HOLTZMAN**, do solemnly swear that I will support the Constitution and laws of the United States of America, the Constitution and laws of the State of Ohio, and the Charter and Ordinances of the City of Beachwood, and that I will faithfully, honestly, and impartially discharge the duties as the **CHIEF OF THE DEPARTMENT OF FIRE AND RESCUE** for the City of Beachwood, State of Ohio, during my continuance in said office, beginning June 3, 2019.

STEVEN M. HOLTZMAN

SWORN TO before me and subscribed in my presence this **3rd DAY OF JUNE, 2019.**

Martin S. Horwitz, Mayor

AN ORDINANCE AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN CLAIMS (BILLS) FOR PROFESSIONAL AND OTHER SERVICES; AND DECLARING THIS TO BE AN URGENT MEASURE

BE IT ORDAINED by the Council of the City of Beachwood, State of Ohio, that the Director of Finance is hereby authorized and directed to issue his respective warrants for the following claims, to wit:

Section 1:

For Supplies and Services	June 3, 2019	\$2,808.13
GPD Group	Engineering Services	\$2,118.13
Tactical Planning	Professional Services	\$690.00

Section 2: It is found and determined that all formal actions and deliberation of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 3: This Ordinance is hereby declared an urgent measure immediately necessary for the public peace, health or safety or the efficient operation of the City; and for the further reason that it is necessary to approve said item and/or services available for use at the earliest possible time, to serve the City of Beachwood and its citizens.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify that this legislation was duly adopted on the 3rd day of June, 2019 and presented to the Mayor.

Clerk

Approval: I have approved this legislation this 4th day of June, 2019 and filed it with the Clerk.

Mayor



GPD Group
Architects - Engineers - Planners
520 South Main Street Suite 2531
Akron, Ohio 44311-1010
(330) 572-2100

Invoice

City of Beachwood
 Attn: Dale Pekarek
 23355 Mercantile Road
 Beachwood, OH 44122

May 10, 2019

Invoice No: 2018042.01 - 16

APPROVED FOR PAYMENT
[Signature]
 DATE 5-20-19
 P/O: 2018-03473

Invoice Total	\$6,808.82
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Project 2018042.01 Beachwood - CUY-271/422-7.80/10.77 Part 1

Agreement #30858
 Agreement PID 102011
 P.O. #2018-01043 - \$59,111.11
 Max Not to Exceed \$502,337.00

City Portion 10% - City Portion this Invoice \$680.88

Professional Services from March 30, 2019 to April 26, 2019

Task 151 Safety Study

Professional Personnel

	Hours	Rate	Amount
Deibel, Curtis	6.00	33.70	202.20
Totals	6.00		202.20
Total Labor			202.20

Additional Fees

Overhead 1.9113	386.46
Cost of Money .82%	1.66
Net Fee (11% Based on 152.83% OH)	56.23
Total Additional Fees	444.35
Total this Task	\$646.55

Task 203 AER

Professional Personnel

	Hours	Rate	Amount
Hobbs, Michael	3.00	65.10	195.30
Totals	3.00		195.30
Total Labor			195.30

Additional Fees

Overhead 1.9113	373.28
Cost of Money .82%	1.60
Net Fee (11% Based on 152.83% OH)	54.32
Total Additional Fees	429.20
Total this Task	429.20

Net 30 days.

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Project	2018042.01	Beachwood - CUY-271/422-7.80/10.77	Invoice	16
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Total this Task \$624.50

Task 252 Meetings & Oversight

Professional Personnel

	Hours	Rate	Amount	
Ciuni, Joseph	7.00	60.50	423.50	
Gillespie, Ryan	3.00	41.80	125.40	
Hobbs, Michael	9.00	65.10	585.90	
Westbrooks, Kevin	11.00	52.50	577.50	
Totals	30.00		1,712.30	
Total Labor				1,712.30

Reimbursable Expenses

Travel & Lodging				
4/1/2019	Hobbs, Michael	Travel	37.50	
4/10/2019	Hobbs, Michael	Travel	25.00	
Total Reimbursables			62.50	62.50

Additional Fees

Overhead 1.9113	3,272.72	
Cost of Money .82%	14.04	
Net Fee (11% Based on 152.83% OH)	476.21	
Total Additional Fees	3,762.97	3,762.97

Total this Task \$5,537.77

Billing Limits

	Current	Prior	To-Date
Total Billings	6,808.82	394,140.28	400,949.10
Limit			502,337.00
Remaining			101,387.90

Total this Invoice \$6,808.82

Outstanding Invoices

Number	Date	Balance
14	3/8/2019	12,382.52
15	4/12/2019	25,654.52
Total		38,037.04

Net 30 days.

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Project	2018042.01	Beachwood - CUY-271/422-7.80/10.77	Invoice	16
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Billing Backup

Friday, May 17, 2019

GPD Group Invoice 16 Dated 5/10/2019 8:28:14 AM

Project	2018042.01	Beachwood - CUY-271/422-7.80/10.77 Part 1
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Task	151	Safety Study
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Professional Personnel

			Hours	Rate	Amount
01121	Deibel, Curtis	4/2/2019	2.00	33.70	67.40
01121	Deibel, Curtis	4/3/2019	2.00	33.70	67.40
01121	Deibel, Curtis	4/5/2019	2.00	33.70	67.40
	Totals		6.00		202.20
	Total Labor				202.20

Total this Task \$202.20

Task	203	AER
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Professional Personnel

			Hours	Rate	Amount
00537	Hobbs, Michael	4/2/2019	3.00	65.10	195.30
	Totals		3.00		195.30
	Total Labor				195.30

Total this Task \$195.30

Task	252	Meetings & Oversight
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Professional Personnel

			Hours	Rate	Amount
00788	Ciuni, Joseph	4/1/2019	5.00	60.50	302.50
00788	Ciuni, Joseph	4/2/2019	2.00	60.50	121.00
00982	Gillespie, Ryan	4/10/2019	3.00	41.80	125.40
00537	Hobbs, Michael	4/1/2019	6.00	65.10	390.60
00537	Hobbs, Michael	4/10/2019	3.00	65.10	195.30
01647	Westbrooks, Kevin	4/2/2019	2.00	52.50	105.00
01647	Westbrooks, Kevin	4/3/2019	1.00	52.50	52.50
01647	Westbrooks, Kevin	4/8/2019	4.00	52.50	210.00
01647	Westbrooks, Kevin	4/10/2019	4.00	52.50	210.00
	Totals		30.00		1,712.30
	Total Labor				1,712.30

Reimbursable Expenses

Travel & Lodging					
EX 0077443	4/1/2019	Hobbs, Michael / Travel		37.50	
EX 0077604	4/10/2019	Hobbs, Michael / Travel		25.00	
	Total Reimbursables			62.50	62.50

Net 30 days.

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Project	2018042.01	Beachwood - CUY-271/422-7.80/10.77	Invoice	16
			Total this Task	\$1,774.80
			Total this Project	\$2,172.30
			Total this Report	\$2,172.30

Net 30 days.

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GPD Group
Architects - Engineers - Planners
520 South Main Street Suite 2531
Akron, Ohio 44311-1010
(330) 572-2100

Invoice

City of Beachwood
 Attn: Chief Gary Haba
 Police Department
 2700 Richmond Road
 Beachwood, OH 44122

APPROVED FOR PAYMENT
 BY: [Signature] May 10, 2019
 DATE: 5-14-19 Invoice No: 2019119.90 - 4
 P/O: 2019-00094

Invoice Total \$1,437.25

Project 2019119.90 Beachwood - 2019 Traffic Engineering Services

P.O. #2019-00094

Max Not to Exceed \$45,000.00

Professional Services from March 30, 2019 to April 26, 2019

Task 053 March Signal Management
Professional Personnel

	Hours	Rate	Amount
Project Manager			
Gillespie, Ryan	4.00	107.00	428.00
Totals	4.00		428.00
Total Labor			428.00
Total this Task			\$428.00

Task 054 April Signal Management
Professional Personnel

	Hours	Rate	Amount
Project Manager			
Gillespie, Ryan	8.00	107.00	856.00
Hobbs, Michael	1.00	107.00	107.00
Design Engineer			
Ferrell, Brett	.50	92.50	46.25
Totals	9.50		1,009.25
Total Labor			1,009.25
Total this Task			\$1,009.25

Billing Limits	Current	Prior	To-Date
Total Billings	1,437.25	4,418.50	5,855.75
Limit			45,000.00
Remaining			39,144.25

Total this Invoice \$1,437.25

Outstanding Invoices

Number	Date	Balance
2	3/8/2019	1,070.00

Net 30 days.

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Project	2019119.90	Beachwood - 2019 Traffic Eng Services	Invoice	4
	3	4/12/2019	2,813.50	
	Total		3,883.50	

Net 30 days.

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Tactical Planning, LLC

P.O. Box 3163
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

INVOICE

City of Beachwood
Accounts Payable
P.O. Box 22659
Beachwood, Ohio 44122

May 8, 2019

FED ID # 46-3453684

P.O. # 2018-03082

INV # BW-1926

For professional services rendered with regard to **Updating the Planning and Zoning and Building Codes** pursuant to the above referenced Purchase Order:

Code Review with B. Linick and D. Calta (4/29/19 & 5/6/19)

G. Smerigan

6.0 Hours

@

\$115.00 / hour

\$690.00

✓ m

TOTAL DUE THIS INVOICE

\$690.00

AK

Thank you,



George Smerigan
Member

APPROVED FOR PAYMENT
BY: Willie Brinson
DATE: 5/9/19
P/O: _____

INTRODUCED BY:

ORDINANCE NO. 2019-73

AN ORDINANCE ADOPTING THE 2019 ALTERNATIVE TAX BUDGET OF THE CITY OF BEACHWOOD, OHIO FOR THE FISCAL YEAR 2020; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, the proposed alternative tax budget was recommended by the Finance Director to Council; and

WHEREAS, pursuant to Section 5705.30 of the Ohio Revised Code, the City of Beachwood is not required to hold a public hearing on this document; and

WHEREAS, the Finance Director has recommended the approval of this document by City Council.

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

Section 1: The 2019 Alternative Tax Budget (Fiscal Year 2020) prepared by the Finance Director of the City of Beachwood and recommended to City Council, a copy of which is in a form substantially similar to that attached hereto and incorporated herein as Exhibit "A", is hereby approved.

Section 2: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 3: This Ordinance is hereby declared an urgent measure necessary for the immediate preservation of the public peace, health or safety or the efficient operation of the City, and for the reason that it is immediately required to be passed in accordance with statutory requirements; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 3rd day of June, 2019, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 4th day of June, 2019.

Clerk

Approval: I have approved this legislation this 4th day of June, 2019 and filed it with the Clerk.

Mayor

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit____CITY OF BEACHWOOD_____

For the Fiscal Year Commencing____JANUARY 1, 2019_____

Fiscal Officer Signature_____Date_____

COUNTY OF CUYAHOGA

Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Under the law in effect prior to June 3, 2002, the budget commission could only waive the tax budget for a subdivision or other taxing unit that was receiving a share of the county undivided local government fund or the county undivided local government revenue assistance fund under an alternative method or formula pursuant to ORC Sections 5747.53 and 5747.63. Thus, tax budgets could be waived only for counties, municipalities, townships, and park districts. This restriction is now removed.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION

SCHEDULE 1

The general purpose of schedule 1 is to meet the requirement of Ohio Revised Code (ORC) Section 5705.04 which requires the taxing authority of each subdivision to divide the taxes levied into separate levies. For help use the schedule B issued by the budget commission for the current year and add any new levies. This will help to ensure that no levies are missed.

In column 1 list only those individual funds which are requesting general property tax revenue. In column 2 purpose refers to the following terms, inside, current expenses, and special levy for example. In column 4 levy type refers to renewal, additional, and replacement for example. In column 9 identify the amount of general property tax you wish to request.

NOTE:

The general purpose of column 9 is to demonstrate the need to produce property tax revenues to cover the estimated expenditures for the budget year. ORC Section 5705.341 states in part;

"Nothing in this section or any section of the ORC shall permit or require the levying of any rate of taxation, whether within the 10 mill limitation or whether the levy has been approved by the electors, the political subdivision or the charter of a municipal corporation in excess of such 10 mill limitation, unless such rate of taxation for the ensuing fiscal year is clearly required by a budget properly and lawfully, adopted under this chapter or by other information required per ORC 5705.281."

Property tax revenue includes real estate taxes, personal property taxes, homestead and rollback, and the personal property 10,000 exempt monies.

SCHEDULE 2

The general purpose of schedule 2 is to produce an Official Certificate of Estimated Resources for all funds.

In column 3, total estimated receipts should include all revenues plus transfers in excluding property taxes and local government revenue. All taxing authorities, except must submit a list of all tax transfers.

SCHEDULE 3

The general purpose of schedule 3 is to provide inside/chapter millage for debt service. The basic security for payment of general obligation debt is the requirement of the levy of ad valorem property taxes within the 10 mill limitation imposed by Ohio law. Ohio law requires a levy and collection of ad valorem property tax to pay debt service on general obligation debt as it becomes due, unless that debt service is paid from other sources.

SCHEDULE 4

The general purpose of schedule 4 is to provide for the proper amount of millage to cover debt service requirements on voted bond issues. Major capital improvement projects are sometimes financed through the use of voted bonds. The taxing authority seeks voter approval of general obligation bonds and of the levy of property taxes outside the indirect debt limitation in whatever amount is necessary to pay debt service on those bonds.

SCHEDULE 5

The general purpose of schedule 5 is to properly account for tax anticipation notes. See schedule 5 for more details.

DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)
(List All Levies Of The Taxing Authority)

SCHEDULE 1

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number Of Years Levy To Run	Tax Year Begins/ Ends	Collection Year Begins/ Ends	Maximum Rate Authorized	\$ AMOUNT Requested Of Budget Commission
General Fund		-	Charter/Inside Millage				9.2 Mills	\$3,142,500.00
Police Pension Fund		-	Ohio Revised Code				.3 Mills	\$277,500.00
Totals								\$3,420,000.00

STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

Exhibit A

SCHEDULE 2

I Fund BY Type	II Beginning Estimated Unencumbered Fund Balance	III Property Taxes and Local Government Revenue	IV Other Sources Receipts	V Total Resources Available for Expenditures	VI Total Estimated Expenditures & Encumbrances	VII Ending Estimated Unencumbered Balance
General Fund	23,500,000.00	3,142,500.00	42,500,000.00	69,142,500.00	52,000,000.00	17,142,500.00
General Bond Retirement Fund	450,000.00	0.00	5,000,000.00	5,450,000.00	5,123,990.02	326,009.98
Police Pension Fund	40,000.00	277,500.00	0.00	317,500.00	275,000.00	42,500.00
Street Const. Maint. & Repair	100,000.00	0.00	550,000.00	650,000.00	500,000.00	150,000.00
State Highway	175,000.00	0.00	40,000.00	215,000.00	200,000.00	15,000.00
Mayor's Court Improvement	60,000.00	0.00	6,000.00	66,000.00	50,000.00	16,000.00
Federal Equitable Sharing	225,000.00	0.00	10,000.00	235,000.00	400,000.00	-165,000.00
Law Enforcement Trust	125,000.00	0.00	15,000.00	140,000.00	150,000.00	-10,000.00
Blossom Road Street Lights	800.00	0.00	1,600.00	2,400.00	1,700.00	700.00
Zeiger Drive Street Lights	95,700.00	0.00	16,000.00	111,700.00	18,000.00	93,700.00
Paramedic Trust Fund	0.00	0.00	0.00	0.00	0.00	0.00
FEMA	0.00	0.00	0.00	0.00	0.00	0.00
NOPEC Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00
MEP Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00
Eaton TIF Fund	5,200,000.00	0.00	4,400,000.00	9,600,000.00	4,000,000.00	5,600,000.00
OMNOVA TIF Fund	0.00		370,000.00	370,000.00	370,000.00	0.00
WC Self Insurance Fund	1,500,000.00	0.00	250,000.00	1,750,000.00	250,000.00	1,500,000.00
Capital Improvement Fund	8,500,000.00	0.00	2,000,000.00	10,500,000.00	10,000,000.00	500,000.00
Other Trust & Agency Funds	250,000.00	0.00	8,000,000.00	8,250,000.00	8,000,000.00	250,000.00
Estimated expenditures for the General Fund include a transfer of \$4,500,000 to the Debt Service Fund for general obligation debt, and \$2,000,000 Transfer to Capital Improvement Fund						

UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)
 (Do Not Include General Obligation Debt Being Paid By Other Sources)
 (Do Not Include Special Obligation Bonds & Revenue Bonds)

SCHEDULE 3

I Purpose Of Bonds Or Notes	II Date Of Issue	III Final Maturity Date	IV Principal Amount Outstanding At The Beginning Of The Calendar Year	V Amount Required To Meet Calendar Year Principal & Interest Payments	VI Amount Receivable From Other Sources To Meet Debt Payments
2017 Fire Station #2	10/12/17	12/01/42	\$8,520,000.00	\$533,762.50	
2015 Various Purpose	07/23/15	12/01/35	\$4,530,000.00	\$378,310.00	
2012 Municipal Building Refunding	05/01/12	12/01/24	\$3,195,000.00	\$685,350.00	
2010 Service Center and Refunding	08/01/10	12/01/22	\$3,355,000.00	\$3,479,137.52	
Green Road Improvements	09/01/00	12/01/20	\$45,000.00	\$47,430.00	
Totals			\$19,645,000.00	\$5,123,990.02	

VOTED DEBT OUTSIDE 10 MILL LIMIT

(Bonds Or Notes Must Actually Be Issued In Order To Commence Collection Of Property Taxes For Debt Service)

SCHEDULE 4

I Purpose Of Notes Or Bonds	II Authorized By Voters On MM/DD/YY	III Date Of Issue	IV Final Maturity Date	V Principal Amount Outstanding At The Beginning Of The Calendar Year	VI Amount Required To Meet Calendar Year Principal & Interest Payments	VII Amount Receivable From Other Sources To Meet Debt Payments

TAX ANTICIPATION NOTES

(Schools Only)

SCHEDULE 5

Tax anticipation notes are issued in anticipation of the collection of the proceeds of a property tax levy. The amount of money required to cover debt service must be deposited into a bond retirement fund, from collections and distribution of the tax levy, in the amounts and at the times required to pay those debt charges as provided in the legislation authorizing the tax anticipation notes. (ORC Section 133.24)

The appropriation to the fund which normally receives the tax levy proceeds is limited to the balance available after deducting the amounts to be applied to debt service.

After the issuance of general obligation securities or of securities to which section 133.24 of the ORC applies, the taxing authority of the subdivision shall include in its annual tax budget, and levy a property tax in a sufficient amount, with any other monies available for the purpose, to pay the debt charges on the securities payable from property tax. (ORC Section 133.25)

	Name Of Tax Anticipation Note Issue	Name Of Tax Anticipation Note Issue
Amount Required To Meet Budget Year Principal & Interest Payments:		
Principal Due		
Principal Due Date		
Interest Due		
Interest Due Date		
Interest Due		
Interest Due Date		
Total		
Name Of The Special Debt Service Fund		

Amount Of Debt Service To Be Apportioned To The Following Settlements:		
February Real		
August Real		
June Tangible		
October Tangible		
Total		
Name Of Fund To Be Charged		

CITY OF BEACHWOOD
FINANCE DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Mayor Martin Horwitz
FROM: Larry A. Heiser, Finance Director *LAH*
RE: 2019 Alternative Tax Budget (Fiscal Year 2020)
DATE: May 17, 2019

Mayor –

I have submitted the 2020 Tax Budget for the June 3, 2019 City Council meeting. This yearly filing is used by the County to set the City's property tax for 2020, and prepare our initial "Certificate of Estimated Resources". We will then have a follow-up resolution accepting the rates from Cuyahoga County.

In the General Fund, with the exception of Property Taxes, this document is based on the most recent cash flow projections. The 2019 Debt payments are listed under the debt tab. Fund balances are estimates as the focus of the Tax Budget are the property tax collection needs for 2020.

I wanted to point out that the increase in the transfer to the Debt Service Fund and expenditures in the debt service fund are both increased as The City of Beachwood has a call option which The City can exercise on December 1, 2020 on the 2010 Bonds which were issued. The 2010 Bond series principal balances of \$1,170,000 (2021) and \$1,050,000 (2022) have respective interest rates of 3.65% and 4.00%. Unless rates change over the next 18 months I would recommend that the City take advantage of the call feature and exercise the option in December 2020, the total of the option call is \$2,220,000.

Please let me know if you have any questions or would like further explanations.

Thank You.

APPROVED

SIGNATURE

DATE

Martin Horwitz
5/17/19

CITY OF BEACHWOOD

INTER-OFFICE COMMUNICATION

TO: Martin Horwitz, Mayor
FROM: Chris Arrietta, Public Works Director
DATE: 5/30/2019
SUBJECT: An Ordinance accepting a certain bid from Ronyak Paving, Inc. for the George Zeiger Drive Resurfacing Project; and declaring this to be an urgent measure

Mayor,

With your approval, I would like to place the George Zeiger Resurfacing Project on the agenda for June 3rd. Ronyak Paving Inc. was the low bidder at \$897,350.00.

AN ORDINANCE ACCEPTING A CERTAIN BID FROM RONYAK PAVING, INC. FOR THE GEORGE ZEIGER DRIVE RESURFACING PROJECT; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, four (4) bids were received by the Clerk on May 22, 2019, for the George Zeiger Drive Resurfacing Project, pursuant to an advertisement for competitive bidding as required by law; and

WHEREAS, the bid of Ronyak Paving, Inc., in an amount not to exceed Eight Hundred Ninety-Seven Thousand, Three Hundred Fifty Dollars and No/Cents (\$897,350.00), was the lowest and best bid received; and

WHEREAS, the Public Works Director and City Engineer recommend that Council accept the bid of Ronyak Paving, Inc.

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

Section 1: Based upon the recommendation of the Public Works Director and the City Engineer, the bid of Ronyak Paving, Inc. is found to be the lowest and best bid received for the George Zeiger Drive Resurfacing Project, in an amount not to exceed Eight Hundred Ninety-Seven Thousand, Three Hundred Fifty Dollars and No/Cents (\$897,350.00).

Section 2: The Mayor is authorized to enter into a contract on behalf of the City of Beachwood, Ohio with said Company.

Section 3: It is found and determined that all formal actions and deliberations of Council and its committees, relating to the passage of this legislation that resulted in formal action, were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 4: This Ordinance is hereby declared an urgent measure which is immediately necessary for the preservation of the public peace, health, safety or efficient operation of the City, and for the further reason that the work may begin as soon as possible; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 3rd day of June, 2019, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 4th day of June, 2019.

Clerk

Approval: I have approved this legislation this 4th day of June, 2019 and filed it with the Clerk.

Mayor

CONTRACT WITH RONYAK PAVING, INC. FOR THE GEORGE ZEIGER DRIVE RESURFACING PROJECT

This Contract is entered into by and between RONYAK PAVING, INC., p.o. BOX 567, Burton, Ohio 44021 ("Contractor") and the CITY OF BEACHWOOD, OHIO, 25325 Fairmount Boulevard, Beachwood, Ohio 44122 ("City");

WHEREAS, the Clerk of Council, pursuant to a Motion passed by Council on **April 1, 2019**, advertised for bids for the work and/or services, hereinafter described, on **May 2, 2019, May 9, 2019, and May 16, 2019**, which bids were due on or before **1:00 o'clock P.M. on Wednesday, May 22, 2019**, at which time all bids were publicly opened and immediately tabulated and filed for public inspection with the Clerk of Council; and

WHEREAS, Council received the tabulation of the bids at a Public meeting held on **June 3, 2019**, at which time Council adopted **Ordinance No. 2019-** approving the bid of the Contractor to be the lowest and best bid ("Bid") and awarding this contract ("Contract").

WITNESSETH, that in consideration of the Contractor being recommended by the Public Works Director and chosen by the City, and for the money considerations provided herein, the parties covenant and agree as follows:

1. Based upon the recommendation of the Public Works Director, and as approved by City Council, the Mayor is authorized to enter into this Contract for the George Zeiger Drive Resurfacing Project with the Contractor, in an amount not to exceed, Eight Hundred Ninety Seven Thousand, Three Hundred Fifty Dollars and No/Cents (\$897,350.00).

2. The Contractor shall provide labor and materials for the George Zeiger Drive Resurfacing Project as submitted in its bid proposal and in accordance with the City's specifications. Before commencing any work, Contractor shall submit an action plan for approval by the Beachwood Police Department showing the means the Contractor will use to comply with the Supervision and Safety requirements contained in the specifications. All work shall be completed in accordance with a time schedule approved by the Public Works Director.

3. The Contractor shall furnish the Public Works Director and City Finance Director with a record of services rendered monthly, not later than five (5) days following the end of each month of the activity on forms approved by the Finance Director.

4. The Contractor is an independent contractor, having discretion over the means, methods and details of the services to be performed consistent with the overall goals and policies of the Public Works Department of the City of Beachwood, and shall provide all equipment, materials and labor necessary to perform the services. Contractor shall provide any necessary training of its employees. Contractor shall be responsible for arranging for Workers' Compensation coverage or equivalent for its employees, and shall deliver to the City a copy of a certificate showing compliance with such laws and shall comply with all laws applicable in the City of Beachwood or the State of Ohio. Contractor shall be responsible for verifying that the most current wage rates are utilized and for any changes in the prevailing wage rates or classifications throughout its performance of this Contract.

5. The City shall be entitled to cancel this Contract upon giving a five (5) days written notice to the Contractor for failure of the Contractor to comply with any of the provisions of this Contract or to furnish satisfactory work in connection with the required services. The City shall be entitled to terminate this Contract immediately upon a determination by the Public Works Director or Safety Director of the City that any act or omission arising from the work jeopardizes the safety or health of any person. The Contractor shall perform all work in accordance with all Federal, State and local laws and regulations governing such services. The Contractor shall operate during times approved and specified by the City.

6. Contractor shall provide labor and materials for the George Zeiger Drive Resurfacing Project without any sub-contractors and will provide proper supervision and supervisory personnel in connection therewith.

7. Contractor shall furnish the City with evidence of general liability insurance from a company licensed by the State of Ohio in the amount of One Million Dollars (\$1,000,000.00) for any accidental occurrence arising out of any act or omission by the Contractor which causes bodily harm or property damage, and shall cause the City to be named as an additional insured on the policy. Contractor agrees to fully defend, indemnify and hold the City harmless from any and all claims, demands or causes of action for personal injury, property damage or otherwise arising from the services provided under this Contract, and whether involving employee claims or third party claims.

8. Ohio law prohibits any state agency or political subdivision from awarding a Contract, in excess of Twenty-Five Thousand Dollars (\$25,000.00), for goods, services, or construction to any person against whom a finding of recovery has been issued by the Auditor of State, if that finding is unresolved. Contractor certifies that an unresolved finding for recovery has not been issued against Contractor and attached is a completed Findings For Recovery Certification.

9. This Contract consists of this instrument and the component parts all of which are incorporated herein by reference as if fully rewritten, numbered and signed by the parties. Such documents, unless waived in writing by the Law Director, shall include, but are not limited to, plans and drawings, specifications, warranties, the performance bond approved by the City Law Director, proof of satisfactory liability insurance, proof of workers' compensation coverage in accordance with the laws of Ohio, the laws of the City of Beachwood, copies of advertisement, bid tabulations and purchase orders.

10. It shall be the responsibility of Contractor to obtain a copy of the purchase order issued by the City for the approved amount of this Contract. Furthermore, it shall be the responsibility of the Contractor to track remaining funds available and to not invoice the City for any amounts not approved by the terms of this Contract. Any alterations to this Contract shall conform to BCO 121.09(a). Invoices that exceed the approved amount of this Contract will not be paid by the City.

11. In the event of dispute, the Contractor first shall be required to and shall have the right to appeal directly to the Council of the City of Beachwood, and a decision by Council shall be a condition precedent to the institution of any litigation in a court of competent jurisdiction. Any legal action arising out of this Contract shall be brought only in a court of competent jurisdiction sitting in Cuyahoga County, Ohio.

12. This Contract may be executed by electronic mail, facsimile and in counterparts, each of which shall be deemed an original and all of which shall be deemed to be one and the same instrument.

13. Contractor acknowledges that no modifications can be made to this Contract without prior written action and approval by the Mayor and City Council.

14. This Contract represents the entire agreement between the parties, will be governed by the laws of the State of Ohio, and shall be binding upon both parties. This Contract cannot be assigned by the Contractor without the prior written permission of the City.

IN WITNESS WHEREOF, the parties have set their hand to this Contract on the dates next to their respective signatures.

RONYAK PAVING, INC.

CITY OF BEACHWOOD

By: _____

By: _____

Martin S. Horwitz, Mayor

Title: _____

Date: _____

Date: _____

Approved as to form:

Diane A. Calta
Director of Law
Nathalie E. Supler
Assistant Law Director
25325 Fairmount Boulevard
Beachwood, Ohio 44122
216-595-5462
Date: _____

FINDINGS FOR RECOVERY CERTIFICATION

I am aware that Ohio law, under certain circumstances, prohibits a political subdivision from awarding a Contract for goods, services or construction to any person against whom a finding of recovery has been issued by the Auditor of State, if that finding is unresolved. I hereby certify that an unresolved finding for recovery has not been issued against Ronyak Paving, Inc.

SIGNATURE

PRINTED NAME

TITLE

DATE

CERTIFICATE OF THE DIRECTOR OF FINANCE

To the Mayor/Director of Public Safety:

I hereby certify that the amount required to meet the City's obligations under this Contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

Larry Heiser

Director of Finance

Date: _____



5595 Transportation Boulevard, Suite 100
Cleveland, Ohio 44125

Phone 216.518.5544
www.gpdgroup.com

Honorable Martin S. Horwitz
Mayor
City of Beachwood
25325 Fairmount Boulevard
Beachwood, Ohio 44122

May 23, 2019
2019119.05

RE: George Zeiger Drive Resurfacing

Dear Mayor Horwitz:

Bids were opened on May 22, 2019 for the above referenced project. Four (4) bids were received and they are listed below:

<u>Bidder Name</u>	<u>Bid Amount</u>
Ronyak Paving Inc.	\$897,350.00
Carron Asphalt Paving Inc.	\$922,356.90
Barbicas Construction Co. Inc.	\$950,660.36
Crossroads Asphalt Recycling Inc.	\$985,839.00

The engineer's original estimate for this project was \$700,000 based upon a scope of repair and resurfacing only, with minor base pavement repairs. That scope was modified to include the removal and replacement of the majority of the concrete median islands at the north end of the project from Cedar Road going South. We have also included irrigation into the median islands for future landscaping by Mall owner. In addition, the amount of base pavement repairs was increased upon recommendation from the Service Dept. The revised Engineer's Estimate, prior to bidding was \$850,000.

The project is specified to be completed within 45 working days of notice to proceed.

The work embraced by this contract generally consists of, but is not limited to the following:

1. Repair and resurfacing of George Zeiger Drive from Richmond Road to Cedar Road.
2. Removal and replacement of the existing concrete median island on George Zeiger Drive at the south side of the intersection with Cedar Road. The median island size is being reduced (and therefore full depth

pavement must be installed) and a provision is being made for box-outs within the center of the island for future plantings.

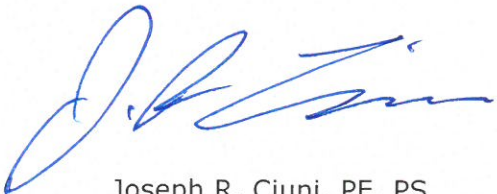
3. Installation of irrigation sleeves at the reconfigured concrete median islands.

The low bid was submitted by Ronyak Paving, Inc. ids 5.5% over the Engineer's estimate. We believe the asphalt prices are higher than expected. Ronyak is a reputable contractor who has successfully completed many similar projects for the City of Beachwood in the past. We are very familiar and comfortable with the quality of their work. As such, we recommend awarding the project to Ronyak Paving, Inc. as the lowest and best bid received.

We hereby recommend the City enter into a contract with Ronyak Paving, Inc.

Returned herewith is a tabulation of all bids received and the actual bidding documents.

Sincerely,
GPD Group

A handwritten signature in blue ink, appearing to read 'J. Ciuni', with a stylized flourish at the end.

Joseph R. Ciuni, PE, PS
City Engineer

Cc: Chris Arrietta, Service Director
File 2019119.05

**City of Beachwood
BID OPENING**

DAY / DATE: May 22, 2019 **TIME:** 1:00 P.M. **LOCATION HELD:** Beachwood Law Dept. Conference Room

BIDDERS FOR (ITEM OR PROJECT): George Zeiger Drive Resurfacing Project 2019

PERSON OPENING BIDS: Whitney M. Crook, Clerk of Council

<u>BIDDER NAME</u>	<u>BID BOND</u> <i>(Properly Executed & Signed)</i>	<u>NON-COLLUSION AFFIDAVIT</u> <i>(Properly Executed)</i>	<u>BID AMOUNT</u>
Rangak Paving, Inc	✓	✓	\$ 900 897,350.00
Casson Asphalt Paving, Inc.	✓	✓	\$ 922,356.90
Crossroad Asphalt Paving, Inc.	✓	✓	\$ 985,839.00
Barbicus Const.	✓	✓	\$ 950,660.36
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

0536240		STCK		BEACHWOOD CONCESSIONS LLC	
PERMIT NUMBER		TYPE		DBA ALOFT BEACHWOOD	
ISSUE DATE				1010 EATON BLVD & PATIO	
10 30 2018				BEACHWOOD OH 44122	
FILING DATE					
D5A D6		PERMIT CLASSES			
18	022	C	F22409		
TAX DISTRICT			RECEIPT NO.		

FROM 05/22/2019

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 05/22/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/24/2019

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C STCK 0536240

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BEACHWOOD CITY COUNCIL
2700 RICHMOND ROAD
BEACHWOOD OHIO 44122

3 checks 1 app

Office Hours
8:00 a.m. - 5:00 p.m.
For Questions call
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>

APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS
PROCESSING FEE \$100.00

CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

#2373/ \$22
#2374/ \$22
#2371/ \$100



PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name: Beachwood Concessions LLC		Permit Premises Address: 1010 Eaton Blvd. Beachwood OH 44122
Liquor Permit Number(s): 0536240	Federal Tax ID Number:	F022409

Email Address:	
----------------	--

Attorney's Name, Address and Telephone Number (If represented):

Marc E. Myers, 300 W. Wilson Bridge Rd., Suite 100, Worthington OH 43085; 614-764-0681

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW

Section A - PREVIOUS List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Mark Zettl			☒ Managing Member ☒ Voting interest 100 % ☒ Membership interest 100 %	10/16/71
2)			☐ Managing Member ☐ Voting interest % ☐ Membership interest %	3:02
3)			☐ Managing Member ☐ Voting interest % ☐ Membership interest %	
4)			☐ Managing Member ☐ Voting interest % ☐ Membership interest %	

Section B - REVISED List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Michael J. Heaton			☒ Managing Member ☒ Voting interest 50 % ☒ Membership interest 50 %	
2) Raj Dansinghani			☒ Managing Member ☒ Voting interest 50 % ☒ Membership interest 50 %	
3)			☐ Managing Member ☐ Voting interest % ☐ Membership interest %	
4)			☐ Managing Member ☐ Voting interest % ☐ Membership interest %	

***AMEND SECTION 1111.02 CLASSIFICATION OF USES SUBSECTION (L)
CLASS U-7A USES, BY ADDING ITEMS (10) AND (11) TO READ AS
FOLLOWS:***

- (10) For property on Park East Drive, Restaurants with a Conditional Use Permit approved by the Planning Commission.**
- (11) For property on Park East Drive, Multi-family dwellings with a Conditional Use Permit approved by the Planning Commission.**