

The meeting was called to order at 7:00 P.M. by Council President Martin S. Horwitz

ROLL CALL:

Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
Abstain:	None.
No:	None.
Not Voting:	None.

MOTION ADOPTED

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON MAY 16, 2016

Moved by J. Berns, seconded by M.M. Jacobs, that the minutes of the Regular Council Meeting held on May 16, 2016 be approved.

ROLL CALL:	Yes:	J. Berns, M.S. Horwitz, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	A. Isaacson.
MOTION ADOPTED		

APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON MAY 16, 2016

Moved by J. Pasch, seconded by J. Berns, that the minutes of the Committee of the Whole Meeting held on May 16, 2016 be approved.

ROLL CALL:	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED		

APPROVAL OF THE MINUTES OF THE LEGAL AND PERSONNEL COMMITTEE EXECUTIVE SESSION HELD ON MAY 12, 2016

Moved by M.S. Horwitz, seconded by M.M. Jacobs, that the minutes of the Legal and Personnel Committee Executive Session held on May 12, 2016 be approved.

ROLL CALL:	Yes:	M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	J. Berns.
MOTION ADOPTED		

APPROVAL OF THE MINUTES OF THE LEGAL AND PERSONNEL COMMITTEE EXECUTIVE SESSION HELD ON MAY 24, 2016

Moved by M.S. Horwitz, seconded by M.M. Jacobs, that the minutes of the Legal and Personnel Committee Executive Session held on May 24, 2016 be approved.

ROLL CALL:	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED		

APPROVAL OF THE MINUTES OF THE LEGAL AND PERSONNEL COMMITTEE
EXECUTIVE SESSION HELD ON MAY 26, 2016

Moved by M.S. Horwitz, seconded by M.M. Jacobs, that the minutes of the Legal and Personnel Committee Executive Session held on May 26, 2016 be approved.

ROLL CALL:	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED

MAYOR'S REPORT

None.

COUNCIL MEMBERS (NON-AGENDA ITEMS)

Mr. Jacobs stated that approximately one month ago Cuyahoga County Council District 11 representative Sunny Simon had a meeting at the Beachwood Community Center and she brought in the new Chief Economic Development Officer Ted Carter for Cuyahoga County. Mr. Jacobs stated that he was present that evening along with the Mayor and Mr. Doult. Mr. Jacobs stated that Mr. Carter was from Jacksonville, Florida and is representing 59 communities throughout Cuyahoga County. Mr. Jacobs stated that the City of Euclid, City of Richmond Heights, City of South Euclid, City of Lyndhurst had representatives there that evening. Mr. Jacobs stated that they had 100 million dollars to spend and certain cities have greater needs than other cities and he is looking for a partnership between the County and the cities.

Mr. Doult stated that the fund is called Build Cuyahoga County Fund which the previous County Executive Ed Fitzgerald started.

Mr. Doult stated that this is the first development program within the County which is unique to the County and also serves the needs of current employers within the County.

Mr. Jacobs stated that last week residents received a notice from the Northeast Ohio Regional Sewer District discussing the rising sewer rates depending on your property. Mr. Jacobs stated that the cost is based on the impervious surface such as the roof and water running off of your roof, concrete and parking lots. Mr. Jacobs stated that many years ago, the City of Beachwood and other cities hired counsel to fight this increase to save money for the residents, schools and businesses. Mr. Jacobs stated that from what he was told approximately 1 million dollars was saved within the community.

COUNCIL MEMBERS (NON-AGENDA ITEMS)

Mr. Horwitz stated the County has created a Department of Sustainability and Ms. Sunny Simon hosted a meeting in the Beachwood Community Center for all the city representatives from cities her district. Mr. Horwitz stated that Mr. Mile Foley and Ms. Shanelle Smith from the Department of Sustainability spoke about a tool kit they put together on their website and is about 36 pages of ideas for individuals, communities and businesses that deal with air quality, food, land use, solid waste, transportation, trees, land management and various other subjects. Mr. Horwitz stated that it is very interesting and well worth visiting the website. Mr. Horwitz also stated that there is a company that is trying to organize a solar co-op and Lake County currently has approximately 100 homes and Cuyahoga County is trying to organize homes to work with one agency and the agency will formulate the RFP for the solar panel companies that provide the solar panels for those that are interested in that kind of system.

Mr. Linick asked if there is anything that the City has or could publish regarding educating the residents and businesses on how they can mitigate the additional charges such as rain barrels or anything that could be done to mitigate the impact of the sewer charge.

Mr. Jacobs stated that you could appeal the charges if you have rain barrels or a rain garden.

Mr. Pasch stated that if the City publishes any information they could publish it in the Beachwood Buzz and on the website.

DEPARTMENT DIRECTORS

Mr. Doult stated that he distributed to Council a copy of the 2016-2017 Visitor's Guide which was a collaborative effort with the Beachwood Convention and Visitor's Bureau and the Beachwood Internal Communications Committee. Mr. Doult stated that they are actively distributing the Visitor's Guide to all the hotels and other places as well.

Mrs. Carmen stated that the Summer Music Concert Series is in full swing and they have already held four concerts and three of the four had to be held inside due to inclement weather. Mrs. Carmen stated that on Sunday, June 26, 2016 will be the re-scheduled Shred Day from 9:00 A.M. until Noon. Mrs. Carmen stated that the first night time movie will be Kung Fu Panda 3 and will be shown beginning at 7:00 P.M. in the Community Center parking lot.

CITIZEN'S REMARKS

1. Marsha Alperin
2741 Shakercrest
Beachwood, Ohio 44122

Mrs. Alperin stated that she has lived in her home for 39 years and a few years ago a driveway was built around her home during the construction at Beachwood High School. Mrs. Alperin stated that they were initially told that it was only a temporary driveway during construction and then they were told it was going to be for emergency vehicles only driveway and over the weekend it was a road. Mrs. Alperin stated that people were cutting through from

CITIZEN'S REMARKS(continued)

Fairmount Boulevard driving 25-30 mph on that driveway behind her home. Mrs. Alperin stated that after she and her husband counted the 10th car, she called the Beachwood Police Department who dispatched a policeman who saw people driving through. Mrs. Alperin stated that this is unsafe for the seven people who have that driveway behind their homes and they ask that City Council do something to block the traffic. Mrs. Alperin stated that it is usually the cars that are leaving the pool and they do not have to travel down to Sulgrave and cut through on this driveway and exit onto Shakercrest and drive to Shaker Boulevard or Sulgrave. Mrs. Alperin asked City Council to do something to prohibit people from being able to use that driveway as a road.

Mr. Horwitz stated that he believes that is school property and ask if that was a dedicated road.

Mrs. Alperin stated that she will be at the School Board meeting next week and she has contacted Mr. Hardis because for a while they were parking a red truck behind her home which was moved as soon as she contacted the schools. Mrs. Alperin stated that she did not know if the entrance was City property or school property and that is why she is present this evening in order to see if something could be placed at the cut-through from Fairmount to both sides of Shaker Boulevard.

Mr. Horwitz stated that he will have Chief Winebrenner and Mr. Hardis determine the best way to block that driveway. Mr. Horwitz stated that the driveway is not a dedicated road.

PLANNING AND ZONING COMMITTEE

1. P&Z No. 2015-9 Theodore A. Sahley, representing CBHV LLC, is requesting site plan approval for a revised lot split plat for air rights of Home 2 Suites parcel located at 3589 Park East Drive.

Mr. Smerigan stated that the City previously approved an air rights plat for this parcel that created air rights parcels above the existing hotel and the office building and this will be adding a third air rights parcel for the new hotel, Home 2 Suites, it would be 17,811 square feet and it would go up 50-1/2 feet from the slab. Mr. Smerigan stated that the purpose of Home 2 Suites requesting the air rights parcel is for financing reasons but this will be recorded just like any other plat.

Mr. Jacobs stated that there are usually representatives present and Council does not vote unless a representative is present to represent them.

Mr. Smerigan stated that this is an amendment to the plat and was approved by the Planning and Zoning Commission unanimously and there are no issues associated with it.

PLANNING AND ZONING COMMISSION (continued)

Mr. Pasch stated he was Council's representative when this was in front of the Planning and Zoning Commission on Thursday, May 26, 2016 and at that time Mr. Theodore Sahley was present to request the site plan approval for the revised lot split and was available if anyone had any questions and at the conclusion of his presentation, after they became aware that the Police, Fire and Building Departments had no concerns, it was unanimously recommended from the Planning and Zoning Commission.

Mr. Jacobs stated that he understood but in the past a representative always needed to be present.

Mr. Linick asked if this Ordinance was in the packet.

Mr. Smerigan stated that there is no Ordinance and that this is a simple motion to confirm the Planning and Zoning Commission's action.

Moved by J. Pasch, seconded by B.H. Linick, that P&Z No. 2015-9 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED		

2. P&Z 2016-7 Jeffrey A. Halpert, owner, is requesting preliminary and final approval a lot split and consolidation of property located at 3150 Willow Lane.

Mr. Smerigan stated that this was a small sliver of land triangular in shape that is being transferred from one lot to the next lot to correct the driveway encroachment and it is 188 square feet.

Moved by B.H. Linick, seconded by B.B. Janovitz, that P&Z No. 2016-7 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED		

3. P&Z 2016-8(A) Lene C. Hill, CT Consultants, on behalf of the Select Medical Corporation and Cleveland Clinic, is requesting final site plan approval for the proposed lot split for Permanent Parcel No. 742-19-007 and the proposed lot consolidation for Permanent Parcel No. 742-19-002.

PLANNING AND ZONING COMMISSION (continued)

Mr. Linick recused himself because his wife works for Select Medical Corporation.

Mr. Smerigan stated that there are representatives present this evening representing the applicants. Mr. Dan Blykor representing Select Medical Corporation and Ms. Lene C. Hill of CT Consultants on behalf of the Select Medical Corporation were present. Mr. Smerigan stated that this is a rehabilitation hospital that would be built at the intersection of Science Park Drive and South Woodland. Mr. Smerigan stated that there are two things happening; 1) the final site plan approval in order to accomplish the final site plan approval there is a necessity for a lot split and consolidation and Council would be officially approving the lot split and consolidation plat which has been recommended unanimously by the Planning and Zoning Commission. Mr. Smerigan stated that the lot split and consolidation is necessary in order to create enough land as part and parcel to meet all of the parking requirements. Mr. Smerigan stated that they are land banking parking but that is a variance that was previously granted.

Ms. Lene Hill stated that she is with CT Consultants and Mr. Dan Blykor who is representing Select Medical Corporation and the Cleveland Clinic displayed a diagram of the lot split and consolidation. Ms. Hill showed the original parcel which is 7.1 acres and in order to accommodate an area for land bank parking they are proposing to split 1.173 acres from the parcel and consolidate that with the 7.1 acres for a total of 8.286 acres.

Ms. Hill stated that there is also an access easement to provide access off of Science Park Drive.

Mr. Horwitz asked if this comes with the recommendation of the Planning and Zoning Committee.

Mr. Smerigan stated that the Planning and Zoning Commission recommended approval.

Moved by B.B. Janovitz, seconded by J. Pasch, that P&Z No. 2016-8(A) be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED

4. Planning and Zoning Committee
P&Z 2016-13 Lindsey Mayerfield, owner of the property located at 2428 Deborah Drive, is requesting a variance to Codified Ordinance Chapter 1155.05 Keeping of Domestic Farm Animals and Fowl (Section 1155.05(i) Keeping of Fowl).

Mr. Horwitz stated that he will recuse himself from Council Agenda Item 8 and 9 because he is related to the proponent. Mr. Horwitz turned the meeting over to Mr. Jacobs.

PLANNING AND ZONING COMMISSION (continued)

Mr. Pasch stated that this was before the Planning and Zoning Commission and there was a general consensus, Mr. Cohen voted yes for the variance, and everyone else voted no because under the current Ordinance there was a violation. Mr. Pasch stated that in order to grant the variance the conversation surrounding the discussion was there is something that needs to be unique at the property or the variance would have to be small. Mr. Pasch stated that according to the majority of members on the Planning and Zoning Committee this variance fell outside of the realm of a recommendation to City Council for a variance. Mr. Pasch stated that when this issue was originally before Council he voted yes on the actual chicken ordinance that was being discussed but when it comes to a variance on the actual ordinance, he voted no.

Ms. Lindsey Mayerfield, 2428 Deborah Drive, Beachwood, Ohio. Ms. Mayerfield stated that she believes this variance is something Council is not interested in granting so she would like to instead revise the Ordinance rather than grant a variance. Ms. Mayerfield stated that it is a slippery slope because if the variance is granted other people could also ask for a variance. Ms. Mayerfield stated that she thinks what is most important is that the ordinance is revised.

Moved by J. Pasch, seconded by B.H. Linick, that P&Z No. 2016-13 be adopted.

ROLL CALL	Yes:	None.
	Abstain:	None.
	No:	J. Berns, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Not Voting:	None.
		MOTION ADOPTED

5. Submitted to Council an Ordinance amending BCO Chapter 1155.05 Keeping of Domestic Farm Animals and Fowl.

ORDINANCE NO. 2016-76 – Introduced by James Pasch
 AN ORDINANCE AMENDING BCO CHAPTER 1155.05 KEEPING OF
 DOMESTIC FARM ANIMALS AND FOWL

Mr. Pasch stated that as far as the amended proposal that is in front of Council today it is not something that he is in favor of because it takes the distance requirement of how far the chickens need to be kept from other neighboring properties and it also takes the distance requirements and includes other farm animals that are not chickens. Mr. Pasch stated that if this is going to be before Council that it should be referred to the Planning and Zoning Commission first.

Mayor Gorden stated that Council needs to be clear when they pass this on to the Planning and Zoning Commission.

Moved by J. Pasch, seconded by B.H. Linick, that Ordinance No. 2016-76 be referred to the Planning and Zoning Commission.

PLANNING AND ZONING COMMISSION (continued)

Mr. Pasch stated that the changes reflect two goats and one sheep and the City use to be very different than it is today.

Mr. Jacobs stated that Council recently amended this Ordinance for Ms. Mayerfield.

Mr. Pasch stated that if Council is going to refer this matter to the Planning and Zoning Commission he is asking for direction from fellow Council Members as to what Council would like to see otherwise the Planning and Zoning Commission will spin their wheels, it will come back to Council and Council will just vote no. Mr. Pasch stated that if Council wants to ban all fowl in the City then to please let him know that or if Council is willing to work on different distance requirements.

Mr. Isaacson stated that the Ordinance needs to address issues that were discussed in the past such as noise, cleanliness, smell and other concerns that neighbors have about other things that impact their ability to quietly enjoy.

Mrs. Janovitz stated that the distance needs to be reviewed. Mrs. Janovitz stated that she can appreciate Ms. Mayerfield's concerns, almost everyone that she talked to stated that if it is within 20-30-40 feet, it is too close to the enjoyment of their own property.

Mr. Jacobs stated that a few years ago, Council changed this Ordinance and specified 1.1 acre of land and there were approximately six or seven homes that had that acreage. Mr. Jacobs stated that the Ordinance was geared for Ms. Mayerfield specifically and now a few years later Council is addressing the same issues. Mr. Jacobs stated that there is an Ordinance in place and he does not want to change it.

Mr. Linick stated that 1.1 acres is probably not the greatest standard since there are a limited number of lots in Beachwood that could satisfy that. Mr. Linick stated that other communities are doing this and he believes Council should find a way to accommodate within reason for the people who have these types of fowl. Mr. Linick stated that the City should be open to the change in the type of culture for even a suburb like Beachwood. Mr. Linick stated that his points would be looking at the requirement of the lot, required setbacks and the ability for the City to control it if it gets out of hand.

Mr. Pasch stated that there is a happy medium between 1.1 acres and 20-30 feet and there is a mechanism between those two where there would be lots in Beachwood where you could not have fowl and a lot such as his on Campus Road where he would never have the space to do it but there would be other lots in the City not just one acre lots on Community Drive where you would have enough space to do that.

Mayor Gorden stated that he agrees with Mr. Pasch's comments because it is not fair to the applicant to have to keep coming back and forth and to keep discussing it.

PLANNING AND ZONING COMMISSION (continued)

ROLL CALL	Yes:	J. Berns, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.

MOTION ADOPTED

6. Planning and Zoning Committee

P&Z No. 2016-14

A Motion to adopt the Beachwood Master Plan to act as the framework for the future development of the City and as a vehicle to allow the City to prioritize the action items detailed in the Plan.

Moved by B.B. Janovitz, seconded by J. Pash, tht P&Z No. 2016-14 be adopted.

Mr. Pasch stated that there was a Planning and Zoning meeting on May 26, 2016 and this was an issue brought up by Chairman Orry Jacobs that he wanted to make a recommendation to adopt the Master Plan and to discuss the process of moving forward. Mr. Pasch stated that his statement at the time because there were two separate items that were discussed; 1) the adoption of the Master Plan as a future framework from which this governing body and the administration would work off of to form the future goals for the City; and 2) dealing with implementation and that is when the Planning and Zoning Commission discussed the creation of a committee that had members from the Planning and Zoning Commission, City Council, the administration, business community, and other members of the community. Mr. Pasch stated that the specific discussion involved two members from each of those groups. Mr. Pasch stated that this committee would be formed and they would work off of the Master Plan setting short and long term priorities to recommend to Council and the administration for potential adoption. Mr. Pasch stated that they might meet quarterly and make recommendations or set bench marks and check in on progress. Mr. Pasch stated that Chairman Orry Jacobs stated at the meeting that his first step was to get the Master Plan adopted as a framework and then a proposal would be set for the Committee to help move concepts forward. Mr. Pasch stated there was unanimous approval from the Planning and Zoning Commission and himself.

Mr. Pasch stated that the view point of the Planning and Zoning Commission and himself, as Council's representative, is that the document itself is a living and breathing document and it is not set in stone the 79 things that needs to be done. Mr. Pasch stated that there are things he might think are not high priority to do or it might be decided not to do it at all but the framework provides a future path. Mr. Pasch stated that there was tons of feedback from the residents and business community in the surveys as well as in the town hall meeting.

Mrs. Janovitz stated that her concern is the prioritizing of 79 items in the Master Plan and she would like Council to prioritize a portion of those 79 items. Mrs. Janovitz stated that because of the large number of items she is afraid that some Council members might think some of those items should not be considered and some are a higher priority. Mrs. Janovitz stated that even though it is not finalized spending time on items that are not going anywhere.

PLANNING AND ZONING COMMISSION (continued)

Mr. Isaacson stated that there is no ordinance to vote on.

Mr. Isaacson stated that he doesn't feel comfortable moving forward without something that says what the adoption is.

Mr. Linick stated that this issue came up on Friday.

Mr. Linick stated that he knew there was a meeting in May and he feels that the City is getting ahead of itself.

Mr. Linick stated that he is unsure what City Council would need to approve.

Mr. Linick stated that he does believe that it is important to have a Master Plan but everyone should be clear and the Master Plan should be followed after it is implemented.

Mr. Linick stated that passing the Ordinance for the Master Plan and then discussing what is in it doesn't seem to make sense.

Mayor Gorden stated that the Master Plan is something that was created out of a study that took approximately a year.

Mayor Gorden stated that thousands of man hours were put into it from the Business community, the Resident community, and the Administrative staff.

Mayor Gorden stated that the Master Plan was also put together by professionals.

Mayor Gorden stated that what is being asked of Council is to approve the framework of the Master Plan.

Mayor Gorden stated that he doesn't have a problem accepting the framework.

Mrs. Janovitz stated that her concern was if approving this item meant that permission was being granted for City employees to move ahead with plans.

Mayor Gorden stated that was not the case and that moving forward, everything would be brought before Council for approval.

Mr. Linick stated that he wanted to know if the Master Plan provided in the packet was the most recent edition.

Mr. Doult stated that he was quite certain that City Council and members of the Planning and Zoning Commission were provided with electronic copies of the most current version.

Mr. Doult stated that the version provided in the packet is exactly the version that was provided to Council on April 25th.

Mr. Doutt stated that if the Master Plan is adopted then nothing changes. This is just Council's endorsement of the work done thus far.

Mr. Pasch stated that a Council work study needed to be done so that more people on Council can be more approving of.

Mr. Pasch stated that the adoption without legislation does not yield the perception that Council is only adopting the Master Plan and not all the seventy nine items.

Mr. Horwitz proposes a compromise to vote for item ten and eleven and then come back next month to establish an advisory committee.

Mrs. Janovitz stated that her concern is trying to understand the practical effect of people working on this.

Mrs. Janovitz asked if someone would be going through the seventy nine items and say that certain items are going to be focused on and prioritized.

Mr. Horwitz stated that Council can do that through representation on the proposed committee.

Mr. Linick stated that Council is being asked to vote without understanding what is in the Master Plan.

Mr. Horwitz stated that Council is not being asked to approve all seventy nine items.

Mr. Horwitz stated that Council is being asked to approve the framework.

Mr. Linick stated that passing this and then talking about it should not be the case.

Mr. Linick stated that this has not been a priority because of other issues.

Mr. Linick stated that if there is something that the City wants to work on then go ahead and then present it to Council.

Mayor Gorden stated that the final version was presented to Council.

Mayor Gorden stated he would just like Council to accept the study and move it forward.

Mr. Pasch stated that the legislation should be reworded to reflect the desires of City Council.

Mr. Pasch stated that the committee should be formed and then priorities should be made.

Mr. Linick stated that he didn't understand the urgency of passing this measure.

Mr. Pasch stated that he met with Planning and Zoning and what they wanted was for a Committee to be formed sooner rather than later so that a priority list could be created for Council.

Mr. Linick stated that a Master Plan did not need to be adopted to form the Committee.

Mr. Horwitz stated that Council and the Administration work together with everything that come before Council.

Mr. Pasch stated that there was a framework with seventy nine action items but input from a variety of avenues should be used to prioritize and form a shorter list of the action items.

Mr. Isaacson stated that he wanted to make it clear that he liked the Master Plan and that he is stuck on the ambiguity of the adoption of the plan.

Mr. Isaacson stated that if some different wording can be used in the legislation then he is willing to move forward.

Mr. Horwitz stated that different wording needed to be established on adopting the Master Plan.

Mr. Linick stated that he was unsure if everyone on Council is even talking about the same plan.

Mr. Pasch stated that nothing has changed and this is the same document that was on the website.

Mr. Doult asked Mr. Linick if he did indeed receive the plan electronically prior to the April 25 meeting.

Mr. Linick stated that Council relies on the most up to date documents when it comes to making decisions and he was unclear from the communications received from the Law Department.

Mr. Linick stated that again, he did not understand the urgency in passing this Ordinance.

Mr. Horwitz stated that there was no legal requirement to pass it.

Mr. Horwitz stated that the City has worked on this for a year and some of Council has heard several presentations and all of Council heard a presentation in April.

Mr. Horwitz stated that he did not believe that there were any major changes between what was heard this year and what was heard last year.

Mr. Doult stated that was correct and use of the word urgency is not an appropriate wording.

Mr. Doult stated that adopting the Master Plan is a step in moving forward.

Mr. Doult stated that a date needed to be set to go back and review the Master Plan each year.

CM 2016-201

Mr. Horwitz stated that Planning and Zoning would very much like to start looking at the Master Plan.

Mr. Horwitz stated that the plan is already a year old.

Mr. Horwitz stated that the Master Plan does not change any of the items that Council established at the beginning of the year.

Mr. Horwitz stated that this is not a commitment to spend money.

Mr. Horwitz stated this is a commitment to start a discussion.

Mr. Linick stated that there is no need for an act of Council to start this discussion.

Mayor Gorden stated that he believed the frame work was put together by professionals and that it would be made clear in the body that this is a document that will be used for discussion.

Mr. Linick stated was that the key word that is still in there is the adopt.

Mr. Horwitz stated that a second was needed for the item.

Mr. Horwitz moved to change the wording on item ten.

Mrs. Janovitz stated that the rewording does not tie Council to anything that it is just to show Council's support for the plan and a formation of a committee.

Mr. Horwitz stated this was a motion with no real "teeth."

Moved by M.S. Horwitz, seconded by M.M. Jacobs, that P&Z No. 2016-14 be adopted.

ROLL CALL	Yes:	J. Berns, A. Isaacson, M.M. Jacobs, B.B. Janovitz, J. Pasch
	Abstain:	None.
	No:	B.H. Linick.
	Not Voting:	None.
		MOTION ADOPTED

7. Planning and Zoning Committee
P&Z No. 2016-15 A Motion to create a Master Plan Advisory Committee.

Moved by M.S. Horwitz, seconded by A. Isaacson, that P&Z No. 2016-15 be adopted.

ROLL CALL	Yes:	J. Berns, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED

CM 2016-202

FINANCE AND INSURANCE COMMITTEE

1. Submitted to Council an Ordinance for the payment of Certain Claims (Bills).

ORDINANCE NO. 2016-75 – Introduced by Brian H. Linick
AN ORDINANCE FOR THE PAYMENT OF CERTAIN BILLS (BILLS)

Moved by B.H. Linick, seconded by J. Pasch, that Ordinance No. 2016-75 be placed on final reading.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED-RULES SUSPENDED		

Moved by B.H. Linick, seconded by J. Pascsh, that Ordinance No. 2016-75 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED		

2. Submitted to Council an Ordinance an Ordinance extending a Contract with Medical Mutual of Ohio (MMO) for renewal of health insurance coverage for City employees; waiving competitive bidding; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-77 – Introduced by Melvin M. Jacobs
AN ORDINANCE EXTENDING A CONTRACT WITH MEDICAL
MUTUAL OF OHIO (MMO) FOR RENEWAL OF HEALTH INSURANCE
COVERAGE FOR CITY EMPLOYEES; WAIVING COMPETITIVE
BIDDING; AND DECLARING THIS TO BE AN URGENT MEASURE

Moved by M.M. Jacobs, seconded by A. Isaacson, that Ordinance No. 2016-77 be placed on final reading.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED-RULES SUSPENDED		

CM 2016-203

Moved by M.M. Jacobs, seconded by A. Isaacson, that Ordinance No. 2016-77 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED		

3. Submitted to Council an Ordinance adopting the 2016 Alternative Tax Budget of the City of Beachwood for the Fiscal Year 2017; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-78 – Introduced by James Pasch
AN ORDINANCE ADOPTING THE 2016 ALTERNATIVE TAX
BUDGET OF THE CITY OF BEACHWOOD FOR THE FISCAL
YEAR 2017; AND DECLARING THIS TO BE AN URGENT MEASURE

Moved by J. Pasch, seconded by A. Isaacson, that Ordinance No. 2016-78 be placed on final reading.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED-RULES SUSPENDED		

Moved by J. Pasch, seconded by A. Isaacson, that Ordinance No. 2016-78 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
MOTION ADOPTED		

COMMITTEE OF THE WHOLE

1. Submitted to Council an Ordinance authorizing the Voluntary Resignation Agreement between the City of Beachwood and Brian A. Real; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-79 – Introduced by Martin S. Horwitz
AN ORDINANCE AUTHORIZING THE VOLUNTARY RESIGNATION
AGREEMENT BETWEEN THE CITY OF BEACHWOOD AND
BRIAN A. REALI; AND DECLARING THIS TO BE AN URGENT MEASURE

Mr. Horwitz stated that Beachwood City Council is voting to accept the voluntary resignation of Mr. Brian Real. Mr. Real was hired in April 2014 as the City's first time in house Law Director. He had previously served as Law Director at Stow. Although Mr. Real is no longer working at City Hall as the City's Law Director the terms of his resignation will have him on Administrative Leave until November 27, 2016 which is when his resignation will become official. He will continue to receive his salary and benefits during that period unless he finds another position in that time period. If that occurs his resignation would be accelerated and his payments would cease. We feel that this is fair to Brian and the City. We thank Brian for his service and wish him the best. Because the resignation is a personnel matter I will not be offering any further comments. Hope Jones the Assistant Law Director, is overseeing the Law Department until Mr. Real's replacement can be determined by City Council.

Moved by M.S. Horwitz, seconded by J. Pasch, that Ordinance No. 2016-79 be placed on final reading.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED-RULES SUSPENDED

Moved by M.S. Horwitz , seconded by J. Pasch, that Ordinance No. 2016-79 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED

CM 2016-205

2. Submitted to Council an Ordinance accepting a donation from Janice G. Wallach to the Beachwood Fire Department; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-80 – Introduced by Melvin M. Jacobs
AN ORDINANCE ACCEPTING A DONATION FROM JANICE G.
WALLACH TO THE BEACHWOOD FIRE DEPARTMENT; AND
DECLARING THIS TO BE AN URGENT MEASURE

Moved by M.M. Jacobs, seconded by J. Berns, that Ordinance No. 2016-80 be placed on final reading.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED-RULES SUSPENDED

Moved by M.M. Jacobs, seconded by J. Berns, that Ordinance No. 2016-80 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED

PUBLIC WORKS COMMITTEE

1. Submitted to Council an Ordinance accepting a certain bid from Cargill Inc., Salt Division through the Joint Municipal Improvement Consortium as supplier of crushed rock salt (sodium chloride) for snow and ice removal for a period of one year from November 1, 2016 to October 31, 2017; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-81 – Introduced by Brian H. Linick
AN ORDINANCE ACCEPTING A CERTAIN BID FROM CARGILL, INC.,
SALT DIVISION THROUGH THE JOINT MUNICIPAL IMPROVEMENT
CONSORTIUM AS SUPPLIER OF CRUSHED ROCK SALT (SODIUM
CHLORIDE) FOR SNOW AND ICE REMOVAL FOR A PERIOD OF ONE
YEAR FROM NOVEMBER 1, 2016 TO OCTOBER 31, 2017; AND DECLARING
THIS TO BE AN URGENT MEASURE

June 20, 2016

CM 2016-206

Moved by B.H. Linick, seconded by J. Pasch, that Ordinance No. 2016-81 be placed on final reading.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.

MOTION ADOPTED-RULES SUSPENDED

Moved by B.H. Linick, seconded by J. Pasch, that Ordinance No. 2016-81 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.

MOTION ADOPTED

SAFETY AND PUBLIC HEALTH COMMITTEE

1. Submitted to Council an Ordinance authorizing the Mayor to purchase upgrade software and hardware for the Fire Department to become EMS compliant through the Ohio Department of Public Safety NEMSIS reporting system; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-80 – Introduced by Melvin M. Jacobs
AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE
UPGRADE SOFTWARE AND HARDWARE FOR THE FIRE
DEPARTMENT TO BECOME EMS COMPLIANT THROUGH THE
OHIO DEPARTMENT OF PUBLIC SAFETY NEMSIS REPORTING
SYSTEM; AND DECLARING THIS TO BE AN URGENT MEASURE

Moved by M.M. Jacobs, seconded by J. Berns, that Ordinance No. 2016-80 be placed on final reading.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.

MOTION ADOPTED-RULES SUSPENDED

Moved by M.M. Jacobs, seconded by J. Berns, that Ordinance No. 2016-80 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.

MOTION ADOPTED

SAFETY AND PUBLIC HEALTH COMMITTEE(continued)

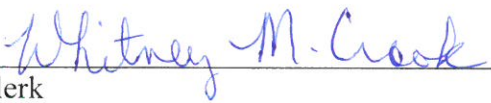
2. Notice to Legislative Authority for a new liquor permit for Hotel Five LLC d/b/a Fairfield Inn & Suites, 3750 Orange Place, Beachwood, Ohio 44122. **No Action Taken**

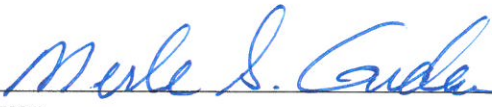
ADJOURNMENT

Moved by A. Isaacson, seconded by J. Berns, to adjourn the Regular Council Meeting at 8:40 P.M. to the next regularly scheduled Council Meeting.

ROLL CALL:	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.
		MOTION ADOPTED

Approved:


Clerk


Mayor