



**REGULAR CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 3, 2025, 7:00 PM
AT BEACHWOOD CITY HALL, COUNCIL CHAMBERS,
25325 FAIRMOUNT BOULEYARD,
BEACHWOOD, OHIO 44122**

Called to order at 7:00 PM by Council President Alec Isaacson

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

1. Roll Call
Present - Ms. DeLong, Mr. Isaacson, Mr. Mintz, Ms. Shoykhet, Mr. Smith, Ms. Stern,
Absent – Ms. Taylor
Others Present - Mayor Berns, Mr. Arrietta, Ms. Bieterman, Police Chief Grispino, Mr. Heiser, Fire Chief Holtzman, Mr. Hunt, Mr. Lombardi, Mr. Rose, Ms. Turick
2. Citizen's Remarks (**City Council limits Citizen's Remarks to three (3) minutes each for a maximum of thirty (30) minutes unless so extended at the discretion of the President or a majority of Council per Council Rules of Procedure, Section 7, Rule 7.2)**

(Please see Video Recording for full remarks:

<https://www.beachwoodohio.com/528/Live-Stream-Recorded-Meetings>)

Kyle Fishman

Mr. Fishman made remarks.

Matthew Hildebrand

Mr. Hildebrand made remarks.

3. Remarks from State Representative Eric Synenberg
4. Reports
 - a. **Mayor**
Mayor Berns discussed the Breakfast Bites and Insights event he attended last week. He also spoke about his participation in the monthly Northeast Ohio Fire Prevention meeting and provided updates on the Chagrin Highlands.
 - b. **Council Members (non-agenda items)**
Ms. Shoykhet thanked the Police Department and Chief Grispino for hosting the Coffee with a Cop event, which she attended at Beachwood Place.

c. Department Directors

Police Chief Grispino discussed the ongoing Civil Service process, including the promotion process and the lateral transfer hiring process. He then stated that the Beachwood Police Department is currently participating in a voluntary State of Ohio accreditation program. Additionally, he highlighted a recent call for service in which Police Patrol Officer Majewski provided life-saving support to a resident in need.

Fire Chief Holtzman thanked Mayor Berns for attending the Northeast Ohio Fire Prevention monthly meeting and recognized the dispatcher and police officer who assisted in the call for service mentioned by Chief Grispino. He then provided an update on service calls, stating that the Fire Department responded to 483 calls for service in February.

5. Approval of Minutes:

Committee of the Whole Meeting held on February 18, 2025

Regular Council Meeting held on February 18, 2025

Moved by: A. Isaacson, Seconded by: J. Mintz

Voice Vote

On the Approval:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

Consent Agenda

Ordinances

1. 2025-7

An Ordinance authorizing and directing the payment of certain claims (Bills) for professional and other services; and declaring this to be an urgent measure

Resolutions

1. 2025-19

A Resolution authorizing the Mayor to accept a Quotation from E Technologies, Inc. for the Maintenance of the Uninterruptible Power Supply (UPS) Systems for the City of Beachwood, Ohio; and declaring this to be an urgent measure

Moved by: D. Shoykhet, Seconded by: A. Stern

Voice Vote

On the Suspension:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Voice Vote

On the Adoption:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Old Business

Ordinances

1. 2025-4

An Ordinance amending Ordinance No. 2017-23 to adjust the Compensation of the Mayor/Director of Public Safety

Placed on First Reading: February 3, 2025

Placed on Second Reading: February 18, 2025

Placed on Third & Final Reading and Adopted: March 3, 2025

Moved by: J. DeLong, Seconded by: D. Shoykhet

Voice Vote

On the Adoption:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

**MOTION ADOPTED-THIRD &
FINAL READING**

New Business

Resolutions

1. 2025-20

A Resolution authorizing the Mayor to enter into a Real Estate Purchase Agreement for the Acquisition by the City of Beachwood of 42.9+ Acres of Vacant Real Property off of Harvard Road in the Chagrin Highlands Area; and declaring this to be an urgent measure

Councilman Mintz made the following remarks regarding this item:

“Good evening,

At this time I can’t support this purchase. Although it has been part of our City vision for over 20 years, there is currently too much uncertainty in our country and from a national standpoint over the past 6 weeks.

Thanks to the Councils before us that paved the way for our City we have been able to do the following things very comfortably such as; forgo tax millage so that our schools could collect an extra \$2,000,000 a year without raising property taxes to our residents and businesses, we spent money on the Fairmount Temple property so that we can bring new residential development to our City, we also spent money on the new park that opened last year.

None of these initiatives were planned expenditures but because of our City’s strong position, we were able to take advantage and approve them. However, that doesn’t mean we have endless funds because, we don’t. We simply can’t do everything and if we try to do everything, we are going to be in a very serious situation down the road.

Being fiscally responsible is essential. What we are doing with our taxpayer money and making sure that we are accountable to our residents determines the future of our City.

So, at this time, given all the purchases that have been made prior to this request, I must decline this request. “

Moved by: A. Stern, Seconded by: A. Isaacson

Voice Vote

On the Suspension:

Yes: 5

No: 1

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Voice Vote

On the Adoption:

Yes: 5

No: 1

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Motion

1. A Motion to appoint a member to the Planning and Zoning Commission as the appointment of City Council - Eric Silver

Moved by: P. Smith, Seconded by: J. Mintz

Voice Vote

On the Adoption:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

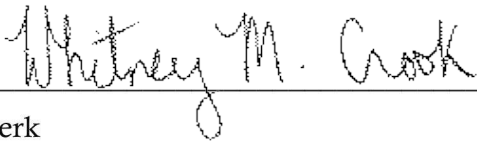
MOTION ADOPTED

Any other matters coming before City Council

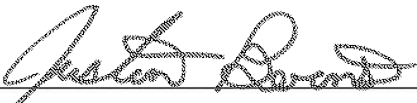
Adjournment

Adjourn to the next Regular City Council Meeting at 7:31 PM

Approved:



Clerk



Mayor

Next Regular Council Meeting will be held on: Monday, March 17, 2025 at 7 PM in Council Chambers. For all updates regarding Council Meetings, please [visit:](http://www.BeachwoodOhio.com)
www.BeachwoodOhio.com

Council Members: Alec Isaacson- Council President

Danielle Shoykhet- Council Vice-President

Jillian DeLong, Joshua Mintz, P. Smith

Ali B. Stern, June E. Taylor

Clerk of Council: Whitney M. Crook, MMC

Pursuant to Ordinance Number 2020-78 Council has determined that the Video Recording of the meetings shall stand as the official Minutes of its Body, its Committees, and those of the Planning and Zoning Commission.

A written synopsis of all agenda items and votes shall also be promptly prepared and kept.

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:

<u>For Supplies and Services</u>	<u>March 3rd, 2025</u>	<u>\$</u>	<u>47,256.90</u>
Michael Wildermuth	Professional Services	\$	687.50
Robert Stein	Professional Services	\$	3,125.00
Roetzel	Legal Services	\$	41,431.90
Sixmo	Professional Services	\$	812.50
Tactical Planning	Professional Services	\$	1,200.00

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 March 2025 and presented to the Mayor.


Clerk

Approval: I have approved this legislation this 4th day of March 2025 and filed it with the Clerk.


Mayor

MHW
MICHAEL H. WILDERMUTH, AIA, ARCHITECT

RECEIVED
FEB 14 2025
FINANCE DEPT

February 10, 2025

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

Re: **Building Department**
INVOICE
Plan Review Services for January 2025

Invoice for professional services rendered for the review of plans for compliance with the Ohio Building Code.

Plan Review for the month of January 2025..... \$687.50
Cost Breakdown Sheet Attached

Total amount due.....\$687.50

Respectfully,

Michael H. Wildermuth

Michael H. Wildermuth, AIA
Master Plans Examiner

APPROVED FOR PAYMENT
BY: 
DATE: 2-10-25
P/O: _____

38255 RIDGE ROAD WILLOUGHBY, OHIO 44094 440-946-1061/ C 440-749-1877
mhwildermuth@oh.rr.com



MICHAEL H. WILDERMUTH, AIA, ARCHITECT
Beachwood Plan Review

		January 2025		
MHW	Beachwood	Job Name	Time	
Job No	Receipt No.			
CB2501-01 1-11-2025	2024-09140	Aloft Hotel 1010 Eaton Elev Recall	2.0H	\$250.00
CB2502-FA 1-14-2025	2025-00308	RH Myers FA	2.0H	\$250.00
CB2504-FP 1-29-2025	2025-06559	Pandora BWP FP	1.5H	\$187.50
		Total	5.5 H	\$687.50

RECEIVED

FEB 18 2025

FINANCE DEPT

Robert G. Stein, NAA
Arbitrator and Mediator
102 College Station St
Suite 3, PMB 204
Brevard, N.C. 28712
E-mail rgsteinarb@gmail.com

INVOICE

DATE: 2/13/25

**Re: GRIEVANCE ARBITRATION ARBITRATION, PANEL
APPOINTMENT. Jamey Appell GRIEVANCES Pay, Compensation.**

PROFESSIONAL SERVICES:

1 day of hearing, 3 days of study, research, writing,
editing (s) x \$1,500 \$6,000.00

EXPENSES:

MILEAGE .60 per mi x ----- mi. (1 r-trip)	n/a
TURNPIKE FEES	n/a
AIR FARE	n/a
TAXI (TRANSP)	n/a
HOTEL (1)	n/a
MEALS	n/a
PARKING	n/a
SECRETARIAL, RESEARCH, etc.	250.00

APPROVED FOR PAYMENT

BY: [Signature]
DATE: 2/19/25
NO: 2025-00611

TOTAL EXPENSES 250.00

TOTAL 6,250.00

*Unless the controlling legislation or the parties' agreement provides otherwise, all fees and expenses charged according to this schedule will be split equally between the parties. For example, the employer may pay or the loser may pay. However, if any party fails or refuses to pay their share as per the provision(s), both parties will be held jointly and severally liable for all fees and expenses.

EMPLOYER SHARE: \$3,125.00

UNION SHARE: \$3,125.00

Net: 15 days (Please note an interest charge of 2% per month may be added to invoices that are not paid in 15 days) Thank you for the opportunity to serve.

Invoice #Beachwood 2 13 25

Robert G. Stein, SS # see W-9



RECEIVED

FEB 14 2025

FINANCE DEPT

REMIT TO ADDRESS:

P.O. Box 5404
Akron, Ohio 44334
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM

FEDERAL TAX ID 

REMITTANCE PAGE

For Professional Services Rendered

Larry.Heiser@beachwoodohio.com
whitney.crook@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1485128
Client/Matter: 144096.0003
Billing Atty: RTH
January 30, 2025

Re: ROUTINE LEGAL SERVICES

Invoice Total

\$ 10,532.70

GO GREEN!

TO RECEIVE INVOICES BY EMAIL ONLY,
EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
P.O. Box 5404
Akron, OH 44334



APPROVED FOR PAYMENT
BY: 
DATE: 2-10-25
2025-01-16 99

You can process payments online at www.ralaw.com/about#online_payment_center. Beginning November 1, 2024, credit card payments will be subject to a 2.95% surcharge however this surcharge does not apply to other online payment forms such as debit cards or e-checks. For any future payment inquiries, please reach out via e-mail to 'Collections@RALaw.com' or by phone at 330-376-2700.

RECEIVED

FEB 14 2025

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P.O. Box 5404
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PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM

FEDERAL TAX ID 

REMITTANCE PAGE

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Larry.Heiser@beachwoodohio.com
whitney.crook@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1485132

Client/Matter: 144096.0005

Billing Atty: RTH

January 30, 2025

Re: SPECIAL LEGAL SERVICES

Invoice Total

\$ 16,139.70

GO GREEN!

TO RECEIVE INVOICES BY EMAIL ONLY,
EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
P.O. Box 5404
Akron, OH 44334

P/O. DATE: BY: 
2024-01-15 01699
APPROVED FOR PAYMENT

You can process payments online at www.ralaw.com/about#online_payment_center. Beginning November 1, 2024, credit card payments will be subject to a 2.95% surcharge however this surcharge does not apply to other online payment forms such as debit cards or e-checks. For any future payment inquiries, please reach out via e-mail to 'Collections@RALaw.com' or by phone at 330-376-2700.



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FEB 14 2025

FINANCE DEPT

REMIT TO ADDRESS:

P.O. Box 5404
Akron, Ohio 44334
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM

FEDERAL TAX ID [REDACTED]

REMITTANCE PAGE

For Professional Services Rendered

Larry.Heiser@beachwoodohio.com
whitney.crook@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1485133

Client/Matter: 144096.0006

Billing Atty: RTH

January 30, 2025

Re: [REDACTED]

Invoice Total

\$ 402.00

GO GREEN!

TO RECEIVE INVOICES BY EMAIL ONLY

EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
P.O. Box 5404
Akron, OH 44334

BY: [Signature]
DATE: 2-11-25
2025-01-29
APPROVED FOR PAYMENT

You can process payments online at www.ralaw.com/about#online_payment_center. Beginning November 1, 2024, credit card payments will be subject to a 2.95% surcharge however this surcharge does not apply to other online payment forms such as debit cards or e-checks. For any future payment inquiries, please reach out via e-mail to 'Collections@RALaw.com' or by phone at 330-376-2700.

RECEIVED

FEB 14 2025

FINANCE DEPT

FEDERAL TAX ID 

REMIT TO ADDRESS:

P.O. Box 5404
Akron, Ohio 44334
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM

REMITTANCE PAGE

For Professional Services Rendered

Larry.Heiser@beachwoodohio.com
whitney.crook@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1485134
Client/Matter: 144096.0007
Billing Atty: RTH
January 30, 2025

Re: 

Invoice Total

\$ 10,720.00

GO GREEN!

TO RECEIVE INVOICES BY EMAIL ONLY,
EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
P.O. Box 5404
Akron, OH 44334



APPROVED FOR PAYMENT
BY: 
DATE: 1/16/25
P.O. 6694-01699

You can process payments online at www.ralaw.com/about#online_payment_center. Beginning November 1, 2024, credit card payments will be subject to a 2.95% surcharge however this surcharge does not apply to other online payment forms such as debit cards or e-checks. For any future payment inquiries, please reach out via e-mail to 'Collections@RALaw.com' or by phone at 330-376-2700.



RECEIVED

FEB 14 2025

FINANCE DEPT

REMIT TO ADDRESS:

P.O. Box 5404
Akron, Ohio 44334
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM

FEDERAL TAX ID [REDACTED]

REMITTANCE PAGE

For Professional Services Rendered

Larry.Heiser@beachwoodohio.com
whitney.crook@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1485135
Client/Matter: 144096.0008
Billing Atty: RTH
January 30, 2025

Re: [REDACTED]

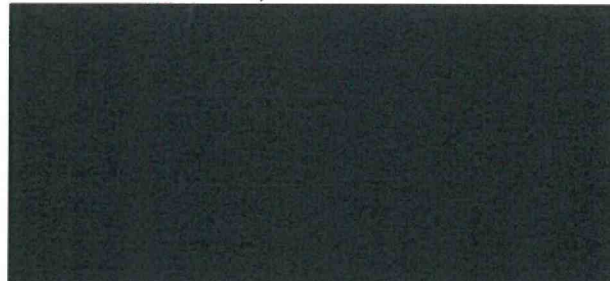
Invoice Total

\$ 1,326.00

GO GREEN!

TO RECEIVE INVOICES BY EMAIL ONLY,
EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
P.O. Box 5404
Akron, OH 44334



APPROVED FOR PAYMENT
DATE: 2/10/25
P.O. 2024-01699

You can process payments online at www.ralaw.com/about#online_payment_center. Beginning November 1, 2024, credit card payments will be subject to a 2.95% surcharge however this surcharge does not apply to other online payment forms such as debit cards or e-checks. For any future payment inquiries, please reach out via e-mail to 'Collections@RALaw.com' or by phone at 330-376-2700.



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FEB 14 2025

FINANCE DEPT

REMIT TO ADDRESS:

P.O. Box 5404
Akron, Ohio 44334
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM

FEDERAL TAX ID [REDACTED]

REMITTANCE PAGE

For Professional Services Rendered

Larry.Heiser@beachwoodohio.com
whitney.crook@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1485136
Client/Matter: 144096.0009
Billing Atty: RTH
January 30, 2025

Re: [REDACTED]

Invoice Total

\$ 2,311.50

GO GREEN!

TO RECEIVE INVOICES BY EMAIL ONLY,
EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
P.O. Box 5404
Akron, OH 44334



APPROVED FOR PAYMENT
DATE: 2/12/25
P/O: 3004-01699
BY: [Signature]

You can process payments online at www.ralaw.com/about#online_payment_center. Beginning November 1, 2024, credit card payments will be subject to a 2.95% surcharge however this surcharge does not apply to other online payment forms such as debit cards or e-checks. For any future payment inquiries, please reach out via e-mail to 'Collections@RALaw.com' or by phone at 330-376-2700.



ARCHITECTURE

RECEIVED
FEB 14 2025
FINANCE DEPT

Invoice

Date 1/31/2025
Invoice # PE1052

Remit Payment to :

Sixmo Architecture
204 Front Street
Marietta, OH 45750

Bill To

City of Beachwood
25325 Fairmount Blvd
Beachwood, OH 44122

Project

Beachwood Plan Exams 2025

For questions regarding this invoice :

Contact Sheree Wilson at 740-809-2400 ext. 118

P.O. Number

Payment Terms

Net 30

Description	Prior Billed	Current Billing
2024-08546 - Austin Powder resub		125.00
2024-07895 - Dimitry Mercantile resub		93.75
2024-09321 - NEO Podiatry Group		218.75
v112280 - Bryden ES Hood		125.00
v112280 - Hilltop ES Hood		125.00
v112280 - Bryden ES Hood FS		125.00

Total Due : **\$812.50**

APPROVED FOR PAYMENT
BY: [Signature]
DATE: 2-4-25
P/O: 2025-00054



PLAN EXAMINATION FEE CALCULATION

City of Beachwood

25325 Fairmount Blvd

Brian Roenigk, Building Commissioner

Plan Review / Invoice No.: 2024-07895

Plans Examiner: April Skurka, Plan Examiner, ID # 4713
Remit Payment to: **SIXMO Architecture 204 Front Street, Marietta, Ohio 45750**

Date of Initial Review: November 8, 2024
Date of 2nd Review: January 7, 2025

Project Name: New Tenants_23533 Mercantile
Project Address: 23533 Mercantile Road
Project Description: Alterations
Area of Work: 29,900 sf

Initial Submittal:

Initial Review Date: November 8, 2024

 hours @ \$125.00 \$

Estimated Reimbursables: \$

Sub-Total \$ 0.00

Subsequent Review:

Review Date: January 7, 2025

 0.75 hours @ \$125.00 \$ 93.75

Estimated Reimbursables: \$

Sub-Total \$ 93.75

Current Grand Total \$ 93.75



PLAN EXAMINATION FEE CALCULATION

*City of Beachwood
25325 Fairmount Blvd
Brian Roenigk, Building Commissioner*

Plan Review / Invoice No.: 2024-08546

Plans Examiner: Teila C. Lovell, Master Plans Examiner, ID # 871
Remit Payment to: **SIXMO Architecture 204 Front Street, Marietta, Ohio 45750**

Date of Initial Review: December 12, 2024
Date of 2nd Review: January 3, 2025

Project Name: Austin Powder
Project Address: 25800 Science Park Dr
Project Description: Alterations
Area of Work: 24,500 sf

Initial Submittal:

Initial Review Date: December 12, 2024

 hours @ \$125.00 \$

Estimated Reimbursables: \$

Sub-Total \$ 0.00

Subsequent Review:

Review Date: January 3, 2025

 1 hours @ \$125.00 \$ 125.00

Estimated Reimbursables: \$

Sub-Total \$ 125.00

Current Grand Total \$ 125.00



Brian Roenigk, Building Commissioner

Project Name: NEO Podiatry Group
Project Address: 25101 Chagrin Blvd.
Project Description: Alterations
Area of Work: 1465 sq. ft.

Sub-Total	\$	218.75
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Sub-Total	\$	0.00
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Page 24 of 41



City of Beachwood

Brian Roenigk, Building Commissioner

Project Name: Bryden Elementary School
Project Address: 25501 Bryden Rd.
Project Description: Hood
Area of Work: n/a

Sub-Total \$ 125.00

Sub-Total \$ 0.00



Brian Roenigk, Building Commissioner

Project Name:	Bryden Elementary School
Project Address:	25501 Bryden Rd.
Project Description:	Hood Suppression
Area of Work:	n/a

Sub-Total	\$	125.00
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Sub-Total	\$	0.00
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Current Grand Total	\$ 125.00
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City of Beachwood
25325 Fairmount Blvd

Brian Roenigk, Building Commissioner

Project Name:	Hilltop Elementary School
Project Address:	24524 Hilltop Drive
Project Description:	Hood
Area of Work:	n/a

Sub-Total	\$	125.00
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Sub-Total \$ 0.00

RECEIVED

FEB 10 2025

FINANCE DEPT

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

February 10, 2025

P.O. 2024-02559

INV # BW-2502

For professional planning services rendered with regard to **preparation of RFQ/RFP** for development of the former Fairmount Temple property in accordance with P.O. 2024-02559 as follows:

Meetings (1/14/25 & 1/27/25)

G. Smerigan	4.0 Hours	@	\$120.00 / hours	\$480.00
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Coordination with Staff re: Rating Sheets and Distribution

G. Smerigan	4.5 Hours	@	\$120.00 / hour	\$540.00
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City Council Executive Session (1/21/25)

G. Smerigan	1.5 Hours	@	\$120.00 / hour	\$180.00
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TOTAL DUE THIS INVOICE

\$1,200.00

Thank you,

Approved
2/10/25
Director

2024-02559

Approved: 2/10/25

Justin Brown



George Smerigan
Managing Member

INTRODUCED BY: D. Shoykhet

RESOLUTION NO. 2025-19

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A QUOTATION FROM E TECHNOLOGIES, INC FOR THE MAINTENANCE OF THE UNINTERRUPTIBLE POWER SUPPLY SYSTEMS FOR THE CITY OF BEACHWOOD, OHIO; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, the City utilizes Uninterruptible Power Supply (UPS) systems at Fire Station 2 and the Computer Room in City Hall to ensure continuous power and operational reliability;

WHEREAS, the current maintenance contract for these UPS systems is set to expire, necessitating renewal to maintain system functionality and prevent disruptions;

WHEREAS, the IT Manager has requested approval to enter into the maintenance agreement with E Technologies, Inc. for a three-year term in the total amount of Twenty-Five Thousand Six Hundred Ninety-Three Dollars and No/Cents (\$25,693.00);

WHEREAS, two quotations were received for the maintenance contract, and E Technologies, Inc. provided the lowest and best price quoted.

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

Section 1: The Mayor is hereby authorized and directed to accept the quotation from E Technologies, Inc., in an amount not to exceed Twenty-Five Thousand Six Hundred Ninety Three Dollars and No/Cents (\$25,693.00), for the period of August 1, 2025 through July 31, 2028. A copy of the quotation is attached hereto and incorporated herein as "Exhibit "A"".

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 Resolution is declared to be an urgent measure necessary for the public peace, health, safety, or efficient operation of the City; and for the further reason that renewing this maintenance Contract will ensure continued maintenance and support for these critical systems; wherefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Attest: I hereby certify this Resolution was duly adopted on the 3rd day of March, 2025, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 4th day of March, 2025.


Clerk

Approval: I have approved this Resolution this 4th day of March, 2025, and filed it with the Clerk.


Mayor

Memorandum

To: Larry Heiser *LHH*
From: Craig Kaufman, IT Manager
Subject: UPS Maintenance
Date: February 19, 2025

I would like to request approval to renew the maintenance contract for the Uninterruptible Power Supply (UPS) systems at Fire Station 2 and the Computer Room in City Hall. The proposed contract is for a three-year term at a total cost of \$25,693.00.

Two quotations were received—one from our current provider, Eaton, and one from E Technologies. Of the two, E Technologies provided the lowest and best quoted price.

Please add this item to the agenda for the next council meeting for approval. Let me know if you have any questions.



Quotation

Date	Quote #
2/3/2025	QET25-4334

Rep	Terms
AKF	NET 30

CITY OF BEACHWOOD

Job Description	2025 UPS SERVICE
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Item	Qty	Description	Unit \$	Total \$
SERVICE	1	EATON 3-YEAR PRE-PAID ONSITE SERVICE CONTRACT > TERM: 8/1/25 - 7/31/28 > SITE: CITY OF BEACHWOOD CITY HALL 25325 FAIRMOUNT BLVD > UPS1: 9355-15 S/N: BN205JBA15 > 7X24 ONSITE COVERAGE INCLUDING PARTS & LABOR > 8 HOUR RESPONSE > ANNUAL PREVENTATIVE MAINTENANCE (1X/YEAR FOR TOTAL OF 3)	8,507.00	8,507.00
SERVICE	1	EATON 3-YEAR PRE-PAID ONSITE SERVICE CONTRACT > TERM: 8/1/25 - 7/31/28 > SITE: CITY OF BEACHWOOD FIRE DEPT 3777 RICHMOND ROAD > UPS2: BLADEUPS-24 S/N: BM171P0008 and BM171P0009 > CONTRACT WILL SHIFT TO BEST EFFORT STATUS ON JAN 1, 2028 > 7X24 ONSITE SERVICE INCLUDING PARTS & LABOR > 8 HOUR RESPONSE > ANNUAL UPS AND BATTERY PREVENTATIVE MAINTENANCE (1X/YEAR FOR TOTAL OF 3)	17,186.00	17,186.00
Total				\$25,693.00

E Technologies' terms and conditions are an integral part of this proposal and may be reviewed at www.etechnologies.com/terms.asp Late payment penalty of 1.5% per month applies to all past due amounts. Your order is subject to all applicable taxes unless a current exemption certificate is on file with E Technologies accounting office. Federal Tax ID# 34-1912325

Unless specified in the descriptions above, freight, sale tax, and installation are NOT included.

QUOTATON IS VALID FOR 30DAYS FROM ISSUE DATE.

Eaton UPS Service Cart: 392948-1
Cart Date: 02/05/2025
 (Effective until 03/07/2025)
3-Year Renewal Quote 2025

Dragos Botez - 900020222,
Eaton Corporation
8609 Six Forks Rd
Raleigh, NC 27615
919-971-3343

Email: DragosCBotez@eaton.com

Prepared For:

Billing Contact: Craig Kaufman,
 Billing Company: City of Beachwood - City Hall
 25325 FAIRMOUNT BLVD.
 BEACHWOOD, OH 44122
 216-595-3711
 Email: craig.kaufman@beachwoodohio.com

For Covered Equipment at Site:

Site Contact: Craig Kaufman,
 Site Company: City of Beachwood - City Hall
 25325 FAIRMOUNT BLVD.
 BEACHWOOD, OH 44122
 216-595-3711
 Email: craig.kaufman@beachwoodohio.com

We are pleased to provide the following services proposal for your power quality equipment. Please refer to the Scopes of Work (SOW) for descriptions of service coverage and exclusions. Eaton Corporation terms and conditions (Eaton Corp. Service Agreement T-0 attachment) govern this proposal, and any purchase order submitted to Eaton pursuant thereto. Additional or different terms proposed by Buyer, whether in its purchase order or otherwise, shall not be binding upon Eaton Corporation and are hereby rejected unless expressly agreed to in writing by Eaton Corporation. Eaton Corporation cannot be held liable, and Buyer shall not be entitled to any damages and/or indemnifications, in case Eaton Corporation is prevented, hindered or delayed from or in performing any of its obligations resulting from the impact of the outbreak of COVID-19 for reasons not attributable to Eaton Corporation.

Serial Number	New/Renewal	Model Description	Battery Type, Quantity	Coverage Type
BN205JBA15	R	9355-10-15_32Batt	VRLA Sealed, 2	Flexible
BM171P0008,	R	BLADEUPS-24	VRLA Sealed, 5 to 8 EBM's	Flexible
BM171P0009				

Quantity 1, Eaton 9355-10-15_32Batt, VRLA Sealed, 2

Coverage Start Date: 8/1/2025 **Coverage End Date:** 7/31/2028 **Term:** 3 Years

	Unit List Price	Unit Net Price	Extended Net Price
Flex: 8 Hr Rsp, 7x24 Cvg Only (FL87NXXX-0015)	\$6,093.00	\$5,605.56	\$5,605.56
• After Hours (7x24) w/ Parts&Labor			
• 8 HR Response Time			
• 3x UPS PM, Bus Hrs, 5x8, includes internal battery PM, 1 PM per year (0006NXXX-0015-1)	\$4,281.00	\$3,938.52	\$3,938.52
• EOSL Status Active			

Supporting Documents: T-0, X-1, R-2, R-30, R-10

9355-10-15_32Batt Total Price: \$10,374.00 \$9,544.08 \$9,544.08

Site Location	Model	Serial Number	Quantity	
City of Beachwood - City Hall	9355-10-15_32Batt	BN205JBA15	1	\$9,544.08
Subtotal:			1	\$9,544.08

Did you know? Eaton has PredictPulse remote monitoring and a suite of professional assessment and testing services (Load Bank, IR Scan, PQ Meter) that take traditional preventive maintenance to the next level by proactively identifying issues for greater peace of mind. Learn more at [Eaton.com/UPSservices](https://www.eaton.com/UPSservices)



Quantity 1, Eaton BLADEUPS-24, VRLA Sealed, 5 to 8 EBMs

Coverage Start Date: 8/1/2025 Coverage End Date: 7/31/2028 Term: 3 Years

	Unit List Price	Unit Net Price	Extended Net Price
Flex: 8 Hr Rsp, 7x24 Cvg Only (FL87NXXX-0030)	\$8,109.00	\$7,460.28	\$7,460.28
• After Hours (7x24) w/ Parts&Labor			
• 8 HR Response Time			
• 3x UPS PM, Bus Hrs, 5x8, 1 PM per year (0006NXXX-0030-1)	\$5,229.00	\$4,810.68	\$4,810.68
• 3x VRLA Batt PM, Any Time, 1 PM per year (0005N2EBM-1)	\$7,620.00	\$7,010.40	\$7,010.40
• EOSL Status Active			
Supporting Documents: T-0, X-1, R-2, R-5, R-30, R-10			

		BLADEUPS-24 Total Price:		\$20,958.00	\$19,281.36	\$19,281.36
Site Location	Model	Serial Number	Quantity			
City of Beachwood - Fire Station	BLADEUPS-24	BM171P0008, BM171P0009	1			\$19,281.36
		Subtotal:	1			\$19,281.36

	List Price	Discounted Price
Grand Total Price:	\$31,332.00	\$28,825.44
Dollars Saved¹:	\$2,506.56	

¹ Applicable Discounts: Multi year prepaid

- Contract Payment Terms: Net 30 days, Billing Cycle: Payment Upfront
- Important Tax Notice: Tax is not included in the above purchase price. All orders will be subject to all applicable sales tax unless a current tax exemption certificate is on file covering the state shown in the ship-to address or service equipment location.
- Purchase order information:
 - To complete the purchase of services, please sign and date this quote.
 - Return purchase order with all attachments to your sales contact.
 - Purchase orders should be made out and paid to Eaton's remit address: Eaton Corporation, 29085 Network Place, Chicago, IL 60673-1290

Accepted By:	Name	Title	Date	Purchase Order Number
Print Name:				

Did you know? Eaton has PredictPulse remote monitoring and a suite of professional assessment and testing services (Load Bank, IR Scan, PQ Meter) that take traditional preventive maintenance to the next level by proactively identifying issues for greater peace of mind. Learn more at Eaton.com/UPSservices

AN ORDINANCE AMENDING ORDINANCE NO. 2017-23 TO ADJUST THE COMPENSATION OF THE MAYOR/DIRECTOR OF PUBLIC SAFETY.

WHEREAS, Article VIII, Section 3 (1)(A) of the Charter of the City of Beachwood provides that Council shall establish, by Ordinance, or amend as necessary, the salary and compensation of the Mayor;

WHEREAS, the Mayor as an elected official is compensated for services rendered rather than hours worked on a prescribed work schedule;

WHEREAS, pursuant to Beachwood City Charter, Article IV Section 4(4), the Mayor shall also act as the head of the Department of Public Safety.

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

Section 1: Pursuant to Beachwood City Charter Article IV, Section 4(4), the Mayor shall also act as the Director of the Department of Public Safety.

Section 2: Council hereby amends compensation for the Mayor/Director of Public Safety as set forth in Ordinance No. 2017-23 of this Council and any other provisions of ordinances in conflict with this Ordinance, to be effective January 1, 2026, as follows:

Elected Officials.

- (A) Effective January 1, 2026, the salary for the Mayor shall be set at \$165,000. Beginning January 1, 2027, and annually thereafter, the salary shall be adjusted by the lesser of three percent (3%) or the Social Security Cost of Living Adjustment (COLA) for that year. City Council shall review the Mayor's salary every four years to assess its adequacy and make any necessary adjustments
- (B) Annual Benefits for the Mayor/Director of Public Safety:

The Mayor/Director of Public Safety shall receive medical and other benefits generally provided for full-time administrative employees of the City, with the exception of vacation leave, longevity compensation, and sick leave. Such benefits will include but are not limited to: medical insurance, life insurance with an option of accidental death and dismemberment coverage, and short-term disability benefits provided for administrative employees of the City; cellular phone allowance at the maximum allowed per Section 2.8.3 of the Administrative Salary Ordinance; and the use of an automobile provided by the City.

The Mayor conducts City business during regular business hours, including nights and weekends and, therefore, the Mayor's compensation is not based on a set number of hours worked on a weekly, monthly or annual basis.

ORDINANCE NO. 2025-4

There shall be no adjustment to the Mayor's pay based on variations in the Mayor's work schedule.

The City shall establish a "fringe benefit" pension "pickup plan" and pay fifty percent (50%) of the Mayor/Director of Public Safety's mandatory pension contribution. This is in addition to the Mayor/Director of Public Safety's ability to participate in the City's "salary reduction" pension "pickup plan".

Travel expenses for official business of the City or the reimbursement of out-of-pocket expenses in excess of Five Hundred Dollars (\$500.00) must be approved by Council. All expenses of any amount shall be related to official City business, shall be reasonable, and shall be substantiated by receipts submitted to the Finance Department. Expenses of an out-of-town workshop, seminar, or convention will require advance approval by Council if such event involves more than Five Hundred Dollars (\$500.00) in total expenditures. Travel expenses to attend Mayor's Court Training, each year, is approved for a total not to exceed Five Hundred Dollars (\$500.00).

No other benefits are provided for the Mayor, unless approved by Council.

Section 3: Council further directs that this compensation schedule for the Mayor/Director of Public Safety shall remain in effect unless and until amended by Council pursuant to the Charter and ordinances of the City of Beachwood. Further, all currently existing salary ordinances of the City shall be amended to insert the above salary and benefits for the Mayor/Director of Public Safety of the City, and any part of such ordinances inconsistent herewith are repealed in applicable part, except that the existing salary ordinance for the Mayor shall remain in effect until this Ordinance becomes effective on January 1, 2026.

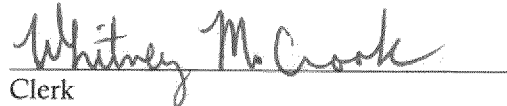
Section 4: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 5: Consistent with Article VIII, Section 1 of the Charter, this Ordinance providing for compensation of the Mayor/Director of Public Safety shall be read three times at three separate Council meetings, and not be passed as an emergency or urgent legislative measure.

ORDINANCE NO. 2025-4

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 March, 2025, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 4th day of March, 2025.

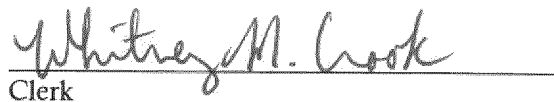

Clerk

Acknowledgment:

Although this Ordinance provides benefits to the Office of Mayor after my current term of office has expired, I have neither approved nor disapproved this legislation when presented to me due to what someone may assert could be a potential conflict of interest and, therefore, the same shall become law in the manner provided in the Charter for such matters.

Mayor

The Clerk of Council notes that Mayor Justin Berns did not participate in the passage or approval of this legislation, nor did he preside over any meetings during consideration of this Ordinance.


Clerk

Pursuant to the provisions of the City Charter:

Placed on First Reading: February 3, 2025

Placed on Second Reading: February 18, 2025

Placed on Third Reading and Adopted: March 3, 2025

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION BY THE CITY OF BEACHWOOD OF 42.9+ ACRES OF VACANT REAL PROPERTY OFF OF HARVARD ROAD IN THE CHAGRIN HIGHLANDS AREA; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, the Mayor and this Council have determined that it is in the best interest of the City of Beachwood to acquire the real property consisting of 42.9471 acres north of Harvard Road in the Chagrin Highlands area as set forth in the legal description attached hereto as (the "Property") from the current owner, Chagrin Highlands, Ltd., for a public purpose involving economic development opportunities for the City;

WHEREAS, this Council finds that the purchase price of the Property of Three Million Fourteen Thousand Five Hundred and 00/100 Dollars (\$3,014,500.00) is consistent with the range of its fair market value without the Property being placed on the open market.

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

Section 1: The Mayor is hereby authorized to execute and enter into a real estate purchase agreement with Chagrin Highlands, Ltd. for the acquisition in fee simple by the City of Beachwood of the real property described in "Exhibit A" hereto, which is fully incorporated by reference herein, for the purchase price of Three Million Fourteen Thousand Five Hundred and 00/100 Dollars (\$3,014,500.00) , which real estate purchase agreement is on file with the Clerk of Council.

Section 2: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this Resolution that resulted in formal action were in meetings open to the public and that discussions with no action took place in validly authorized executive sessions of this Council as required by Chapter 105 of the Codified Ordinances of the City and by Ohio Revised Code Section 121.22 (G)(2).

Section 3: This Resolution is hereby declared an urgent measure necessary for the immediate preservation of the public peace, health, safety, general welfare and/or the efficient operation of the City, and for the further reason that the opportunity for this acquisition is time sensitive and authorization of this acquisition should be effective at the earliest time in order to further the economic development and welfare of the City; wherefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Attest: I hereby certify this Resolution was duly adopted on the 3rd day of March, 2025, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 4th day of March, 2025.


Clerk

Approval: I have approved this Resolution this 4th day of March, 2025, and filed it with the Clerk.


Mayor

TO: MAYOR JUSTIN BERNES AND BEACHWOOD CITY COUNCIL

DATE: 2/26/2025

SUBJECT: A RESOLUTION AUTHORIZING A PURCHASE AGREEMENT FOR THE ACQUISITION OF 42.9+ ACRES OF VACANT LAND OFF HARVARD ROAD IN CHAGRIN HIGHLANDS AREA.

This Resolution will authorize the purchase agreement for the acquisition of 42.9471 acres in the Chagrin Highlands area recognizing the importance of this land for economic development fostering new job creation, business attraction, business expansion and overall community growth.

History: The Chagrin Highlands consists of 670 acres of multi-use property at Harvard Road and Richmond Road. In 1989, by Ordinance No. 1989-18, a multi-jurisdictional Joint Economic Development Agreement established a Joint Economic Development District, approving and accepting annexation of the property from Warrensville Township to the City of Beachwood. By Ordinance No. 1989-139 an amendment to the Planning and Zoning Code provided for a Planned Unit Development District, classified as U-10. In 1990, by Ordinance 1990-50, Beachwood annexed the property and subsequently approved an adjustment to the municipal boundary.

Project Details: This legislation authorizes the purchase of 42.9471 acres of land within the City of Beachwood. This acquisition meets the objectives of the City's Economic Development Department by further enhancing Beachwood's competitive position in the Cleveland market area, securing future land for development opportunities and providing the City the opportunity to maximize the potential for future tax revenues within our municipal borders.

The site is highly positioned with access to a strong workforce, distinct visibility, strong geographic and regional advantages - all of which are providing an ideal site for national and global operations aligning with the City's emerging industries and the State of Ohio's targeted industries. Development of this site aligns with the desires of Jobs Ohio, Team NEO and the Cuyahoga County Department of Development, positioning us competitively for the attraction, retention and expansion of high-quality companies, top employers and key industry leaders. This will be the City's newest site development opportunity opening desirable land for new commercial development. Such sites have been deemed to be necessary within Northeast Ohio. My Office has continued discussions and alignment with these entities related to site development and infrastructure.

Strong interest in the region has emerged as a result of Intel, Agmen, Google, Meta, and future considerations that are emerging with Microsoft. We have seen key headquarter expansions in our region with Sherwin Williams and CBIZ. Northeast Ohio's biotech and biomedical sectors are experiencing strong momentum, driven by innovation from the region's world-class hospital systems (such as Cleveland Clinic, University Hospitals, and MetroHealth), research institutions, and a thriving network of emerging and growing companies. This ecosystem presents several key opportunities for further growth and investment. These emerging clusters and the State of Ohio's targeted industries including financial services, technology, healthcare, bioscience,

research and development are all positioned well for new development opportunities and sites within the City of Beachwood.

Additional Project Considerations: The City's objective is two-fold: open-site development opportunities and to begin master planning necessary for revitalization within Commerce Park, the City's oldest industrial commercial district. The Commerce Park Area Revitalization Study establishes this 43-acre project's alignment as key to re-envisioning the future of this important commercial tax base area and economic development district. This project will further encourage economic investment both within the district and neighboring sites along Chagrin Boulevard. This project is sequential to the City's revitalization efforts and continued growth of the City's municipal income tax base, of which a full 2% of income tax is captured within Commerce Park.

Infrastructure: The City's Planning & Zoning Commission has approved the lot splits identifying a connector roadway between Harvard Road and Mercantile Road. Additionally, the City purchased an adjacent property at 23456 Mercantile Road, allowing for a direct connection to Mercantile Road.

Purchasing/Financing: The price for the purchase of land is \$3,014,500. The ability exists to offset the necessary planned infrastructure costs through Tax Increment Financing proceeds and grants that are sought from state, regional and local entities.

Future Land Development: The City's Economic Development Department will form a strategic review committee through the Beachwood Community Improvement Corporation to evaluate the optimal development opportunities and to support a proactive direction for the City's future sustainable and high-impact site development. The objective for land development is to attract innovative, high-wage and high-impact site users and top corporations in emerging and high growth industries and to retain our largest, most vital employers and as they continue growth and expansion within the City of Beachwood.

Ongoing Project Communication: The City is committed to maintaining an open, transparent and proactive approach throughout this development project. We will hold regular meetings with the established review committee and provide regular updates. Progress will be shared in regular correspondence with the City Council. There will be a web-based platform, offering insights into the progression of development opportunities. The City's approach to this project is to provide a strategic, long-term investment aimed at securing future tax revenues and fostering economic growth. While development and infrastructure projects take time, we are dedicated to exemplary, on-going dialogue, keeping stakeholders informed throughout.

Recommendations: My recommendation is to proceed with this legislation through the City Council's normal legislative process and approve the purchase of 42.9471 acres for the purposes of economic development, fostering new job creation, business attraction/expansion and supporting future commercial growth. The recommendation is further supported as it meets key objectives within the City's Economic Development Action Plan, the Commerce Park Revitalization Study and action items defined for economic development within the City's Master Plan.

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY
LOT 1, 42.9471 Acres
CITY OF BEACHWOOD, CUYAHOGA COUNTY, OHIO

Situated in the City of Beachwood, County of Cuyahoga and State of Ohio, and known as being part of Original Warrensville Township Lot No. 68, bounded and described as follows:

Beginning at an iron pin monument found at the intersection of the centerline of the right of way of Green Road (80 feet wide) and the centerline of right of way of Harvard Road (80 feet wide); THENCE, South 87°04'29" East, along the centerline of said Harvard Road, a distance of 606.02 feet to point of curvature; THENCE, along a curve deflecting to the left and having a central angle of 11°53'05", an arc length of 396.16 feet, a radius of 1909.86 feet, a tangent of 198.79 feet and a chord which bears North 86°58'58" East a distance of 395.45 feet to a point of tangency; THENCE, continuing along said Harvard Road centerline, North 81°01'42" East, a distance of 441.80 feet to a point; THENCE, leaving said centerline, North 08°58'18" West, a distance of 40.00 feet to the southerly sideline of Harvard Road, said point also being the southeasterly corner of PPN: 742-39-002, land conveyed to Beachwood Care Group, LLC., as recorded in AFN: 201306140397 of Cuyahoga County Records, a 5/8" capped iron pin set and the principal place of beginning of the premises herein described;

THENCE, along the easterly line of Beachwood Care Group along a curve deflecting to the left and having a central angle of 90°00'00", an arc length of 47.12 feet, a radius of 30.00 feet, a tangent of 30.00 feet, and a chord which bears North 36°01'42" East a distance of 42.43 feet to a point a point of tangency and a 5/8" capped iron pin set;

THENCE, North 08°58'18" West, along the easterly line of Beachwood Care Group, a distance of 310.00 feet to a 5/8" capped iron pin set at the northeast corner of the same;

THENCE, creating a new line, the following six courses:

Course 1.) Thence, North 81°01'42" East, a distance of 10.00 feet to a 5/8" capped iron pin set;

Course 2.) Thence, North 08°57'35" West, a distance of 14.98 feet to a 5/8" capped iron pin set;

Course 3.) Thence, along a curve deflecting to the left and having a central angle of 33°10'36", an arc length of 167.92 feet, a radius of 290.00 feet, a tangent of 86.39 feet, and a chord which bears North 25°32'26" West a distance of 165.59 feet to a 5/8" capped iron pin set;

Course 4.) Thence, North 42°08'25" West, a distance of 143.75 feet to a 5/8" capped iron pin set;

Course 5.) Thence, South 81°02'30" West, a distance of 534.82 feet to a 5/8" capped iron pin set;

Course 6.) Thence, North 08°56'25" West, a distance of 183.66 feet to the southeasterly corner of PPN: 742-39-004, land conveyed to Nellekbw, LLC., as recorded in AFN:202104300237 of C.C.R., and a 5/8" iron pin found therein;

THENCE, North 00°43'40" West, along the easterly line of said Nellekbw, LLC., a distance of 200.00 feet to a 5/8" iron pin found at the northeasterly corner of the same;

THENCE, North 00°43'40" West, along a new line, a distance of 96.13 feet to a 5/8" capped iron pin set;

THENCE, continuing along said new line, North 89°36'22" East, a distance of 435.01 feet to a 5/8" capped iron pin set;

THENCE, North 00°43'40" West, along said new line, a distance of 1180.02 feet to the southerly line of The Commerce Park Development subdivision, as recorded in Vol. 185, Pgs. 73-75 of C.C.M.R., and a 5/8" capped iron pin set;

THENCE, North 89°36'22" East, along the southerly line of Commerce Park Development, a distance of 640.18 feet to point and a 5/8" capped iron pin set;

THENCE, along a new line, the following six courses:

Course 7.) Thence, South 00°23'36" East, a distance of 83.40 feet to a 5/8" capped iron pin set at a point of curvature;

Course 8.) Thence, along a curve deflecting to the right and having a central angle of 59°39'59", an arc length of 385.31 feet, a radius of 370.00 feet, a tangent of 212.19 feet, and a chord which bears South 29°26'24" West a distance of 368.13 feet to a 5/8" capped iron pin set at a point of tangency;

Course 9.) Thence, South 59°16'23" West, a distance of 253.84 feet to a 5/8" capped iron pin set at a point of curvature;

Course 10.) Thence, along a curve deflecting to the left and having a central angle of 48°04'20", an arc length of 243.32 feet, a radius of 290.00 feet, a tangent of 129.34 feet, and a chord which bears South 35°14'13" West a distance of 236.24 feet to a 5/8" capped iron pin set at a point of tangency;

Course 11.) Thence, North 81°02'30" East, a distance of 522.77 feet to a 5/8" capped iron pin set;

Course 12.) Thence, North 89°18'07" East, a distance of 885.53 feet to the westerly line of PPN: 742-37-001, land conveyed to Chagrin Highland, Ltd., as recorded in AFN: 201505120383 of C.C.R., and a 5/8" capped iron pin set;

THENCE, South 00°35'59" East, along the westerly line of Chagrin Highland, Ltd., a distance of 632.51 feet to a 5/8" capped iron pin set;

THENCE, leaving the westerly line of Chagrin Highland, Ltd., along a new line, the following four courses:

Course 13.) Thence, South 40°22'39" West, a distance of 256.26 feet to a 5/8" capped iron pin set;

Course 14.) Thence, South 81°02'30" West, a distance of 1069.68 feet to a 5/8" capped iron pin set;

Course 15.) Thence, along a curve deflecting to the right and having a central angle of 34°18'25", an arc length of 222.07 feet, a radius of 370.88 feet, a tangent of 114.48 feet, and a chord which bears South 26°07'58" East a distance of 218.77 feet to a 5/8" capped iron pin set at a point;

Course 16.) Thence, North 80°57'32" East, a distance of 10.04 feet to the northwesterly corner of PPN: 742-38-001, land conveyed to Cogdell Cleveland Rehab, LP., as recorded in AFN: 201203060421 of C.C.R., and a 5/8" capped iron pin set;

THENCE, South 08°57'38" East, along the westerly line of Cogdell Cleveland Rehab, LP., a distance of 325.00 feet to point and a 5/8" capped iron pin set;

THENCE, along a curve deflecting to the left and having a central angle of $90^{\circ}00'00''$, an arc length of 47.12 feet, a radius of 30.00 feet, a tangent of 30.00 feet, and a chord which bears South $53^{\circ}57'38''$ East a distance of 42.43 feet to a $5/8''$ capped iron pin set at the northerly line of Harvard Road (80 feet);

THENCE, South $81^{\circ}02'22''$ West, along said northerly line of Harvard Road, a distance of 160.01 feet to the principal place of beginning and containing 42.9471 acres of land based on a survey conducted in March of 2023 by John R. Alban, Professional Surveyor 7651.

Bearings are based upon the O.D.O.T. Ohio State Plane, NAD83 (CORS96).

All pins set are $5/8''$ X 30" rebar with yellow cap marked "J. Alban 7651."