



Beachwood City Council Meeting Agenda - AMENDED
Monday, May 5, 2025, 7:00 PM
at Beachwood City Hall, Council Chambers,
25325 Fairmount Boulevard, Beachwood, Ohio 44122

Agenda

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

1. Roll Call
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**)
3. Reports
 - a. Mayor
 - b. Council Member (non-agenda items)
 - c. Department Directors

Consent Agenda

1. Approval of Minutes
Regular City Council Meeting held on April 21, 2025

Ordinance

1. 2025-16

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

Resolution

1. 2025-25

A Resolution excusing the absence of Councilwoman Ali B. Stern from the April 21, 2025 Meeting; and declaring this to be an urgent measure

Motion

1. A Motion authorizing the Clerk of Council to advertise for bids for the 2025 Concrete Patch Program per BCO 121.09 and ORC 7.16
2. A Motion authorizing the Clerk of Council to advertise for Requests for Qualifications for the I-271 Bridge Project per BCO 121.09 and ORC 7.16

Old Business (Regular Agenda)

Ordinances

1. 2024-81

An Ordinance rezoning of 2509 and 2515 South Green Road, Beachwood, Ohio (P. P. NOS. 741-09-002 and 741-09-001), from U-1 Single Family Residential District to U-5 Public and Institutional District

Placed on First Reading and Referred to the Planning and Zoning Commission: December 2, 2024

Referred back to City Council from Planning and Zoning Commission: January 30, 2025

Placed on Second Reading and Referred to a Public Hearing: February 18, 2025

Public Hearing held on: April 21, 2025

Place on Third and Final Reading and Adopt:

2. 2025-15

An Ordinance enacting New Chapter 901, "Use of Public Ways by Service Providers"

Placed on First Reading: April 21, 2025

Place on Second Reading:

New Business (Regular Agenda)

Ordinances

1. 2025-17

An Ordinance Amending City of Beachwood Codified Ordinance Chapter 927 titled "Use of City Hall Facilities"; and declaring this to be an urgent measure

2. 2025-18

An Ordinance Amending the City of Beachwood Planning and Zoning Code by Amending Beachwood Codified Ordinance Section 1107.01 titled "Amendment Procedures"

Place on First Reading and refer to Planning and Zoning Commission:

Correspondence

1. Notice to Legislative Authority – Ohio Division of Liquor Control

Any other matters coming before City Council

Adjournment

Next Regular Council Meeting will be held on: Monday, May 19, 2025 at 7:00 PM in Council Chambers. For all updates regarding Council Meetings, please visit: www.BeachwoodOhio.com

Council Members: Alec Isaacson – Council President

Danielle Shoykhet – Council Vice-President

Jillian DeLong, Joshua Mintz, Peter L. Smith

Ali B. Stern, June E. Taylor

Clerk of Council: Whitney M. Crook, MMC, CPM



**REGULAR CITY COUNCIL MEETING MINUTES
MONDAY, APRIL 21, 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. Taylor
Absent – Ms. Stern

Others Present - Mayor Berns, Mr. Arrietta, Ms. Bieterman, Mr. Heiser, Mr. Hunt,
Ms. Rutkowski, Mr. Schroeder, Mr. Smerigan

2. **Public Hearing**

Ordinance No 2024-81 An Ordinance rezoning 2509 and 2515 South Green Road,
Beachwood, Ohio (PPN# 741-09-002 and 741-09-001), from U-1 Single Family Residential
District to U-5 Public and Institutional District

Placed on First Reading and Referred to Planning & Zoning: December 2, 2024

Referred back to City Council from Planning & Zoning Commission: January 30, 2025

Placed on Second Reading and Referred to a Public Hearing: February 18, 2025

Public Hearing held on: April 21, 2025

Public Hearing Opened at 7:02 PM

Public Hearing Closed at 7:10 PM

Howard Klein

Mr. Klein spoke about rezoning.

3. 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>)

None

4. Reports

a. Mayor

Mayor Berns announced that the installation of solar streetlights is set to begin on Monday and is expected to take approximately one week. He also reminded everyone about Arbor Day, which will be celebrated on Friday, April 25th.

b. Council Members (non-agenda items)

None.

c. Department Directors

Mr. Schroeder reminded everyone that pool passes are now on sale.

Ms. Bierterman provided an Economic Development update.

Mr. Arrietta gave an update on the Enbridge main gas line replacements and noted that Cleveland Water continues its infrastructure improvements.

Consent Agenda

Approval of Minutes:

Regular Council Meeting held on April 7, 2025

Ordinances

1. 2025-14

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

Motions

1. A Motion authorizing the Clerk of Council to advertise for Request for Qualifications for Design Services for the Chagrin Boulevard Resurfacing Project per BCO 121.09 and ORC 7.16

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

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 (Regular Agenda)

Ordinances

1. 2024-82

An Ordinance rezoning 23250 Chagrin Boulevard, Beachwood, Ohio (PPN#742-23-002), from U-7A General Office Building District to U-3C Planned Multi Family Residential District

Placed on First Reading and Referred to the Planning and Zoning Commission: December 16, 2024

Referred back to City Council from Planning and Zoning Commission: January 30, 2025

Placed on Second Reading and Referred to a Public Hearing: February 18, 2025

Public Hearing held on: April 7, 2025

Placed on Third and Final Reading and Adopt: April 21, 2025

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

Voice Vote

On the Adoption:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

PLACED ON THIRD

AND FINAL

READING AND

MOTION ADOPTED

2. 2025-12

An Ordinance Rezoning 3663 Park East Drive, Beachwood, Ohio 44122 (PPN# 742-29-017) from U-4C Integrated Mixed Use, Multi-Family Residential, Office Retail, Recreation Business District to U-9 Motor Service District

Placed on First Reading and Referred to the Planning & Zoning Commission: April 7, 2025

Referred back to City Council from Planning and Zoning Commission: April 10, 2025

Placed on Second Reading and Referred to a Public Hearing: April 21, 2025

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

Voice Vote

On the Adoption:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

– PLACED ON

SECOND READING

AND REFERRED TO

PUBLIC HEARING

3. 2025-13

An Ordinance Amending the City of Beachwood, Ohio Planning and Zoning Code by Amending Beachwood Codified Ordinance Section 1111.02(M)(2) Titled ‘Classified of Uses’

Place on First Reading and Referred to the Planning and Zoning Commission: April 7, 2025

Referred back to City Council from Planning and Zoning Commission: April 10, 2025

Placed on Second Reading and Referred to a Public Hearing: April 21, 2025

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

Voice Vote

On the Adoption:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED–

PLACED ON

SECOND READING

AND REFERRED TO

PUBLIC HEARING

New Business (Regular Agenda)

Ordinances

1. 2025-15

An Ordinance enacting New Chapter 901, “Use of Public Ways by Service Providers’

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

Voice Vote

On the Adoption:

Yes: 6

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED–

PLACED ON FIRST

READING

Any other matters coming before City Council

None

Adjournment

Adjourn to the next Regular City Council Meeting at 7:33 PM

Approved:

Clerk

Mayor

Next Regular Council Meeting will be held on: Monday, May 7, 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:

For Supplies and Services	May 5th, 2025	\$	37,613.26
GPD	Engineering Services	\$	28,184.01
Michael Wildermuth	Plan Review Service	\$	1,250.00
Perspectus Architecture	Professional Services	\$	1,281.25
Reimbursement to Whitney Crook	Continuing Education	\$	3,200.00
Cuyahoga Co. Treasurer	Professional Services	\$	3,698.00

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 5th of May 2025 and presented to the Mayor.

Clerk

Approval: I have approved this legislation this 6th day of May 2025 and filed it with the Clerk.

Mayor

Summary of Engineering Invoices

May 5, 2025 Professional Service Ordinance

Invoice #	Invoice Date	Original Amount	Adjustment	Payment Amount	Fund	Billed	Out	2025	2024	2023
								ENCUMBRANCES		
2025119.90-3	4/3/2025	\$1,875.38	\$0.00	\$1,875.38	General			X		
2021119.91-43	4/3/2025	\$1,775.00	\$0.00	\$1,775.00	Capital					X
2024119.04-14	4/10/2025	\$2,131.50	\$0.00	\$2,131.50	Capital				X	
2025119.01-3	4/10/2025	\$2,880.50	\$0.00	\$2,880.50	General			X		
2025119.02-4	4/10/2025	\$13,339.25	\$0.00	\$13,339.25	Capital			X		
2025119.04-1	4/10/2025	\$2,031.50	\$0.00	\$2,031.50	Capital			X		
2025119.03-2	4/10/2025	\$3,639.00	\$0.00	\$3,639.00	General			X		
2025120.02-2	4/10/2025	\$511.88	\$0.00	\$511.88	Deposits	Fuchs Mizrahi School		X		

Total To Pay		\$28,184.01
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Total Capital Fund		\$19,277.25
Total General Fund		\$8,394.88
Total Deposits		\$511.88
Total Street Const. Mant.		\$0.00
Less: Billable Charges		(\$511.88)
Net Paid by City:		\$27,672.13



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice
RECEIVED

APR 16 2025

FINANCE DEPT

City of Beachwood
 Attn: Chief Daniel Grispio
 2700 Richmond Road
 Beachwood, OH 44122

April 03, 2025

Invoice No: 2025119.90 - 3

Invoice **\$1,875.38**
Total

Project 2025119.90 Beachwood - Traffic Services 2025

Letter Proposal

Max Not to Exceed \$36,000.00

Professional Services from March 01, 2025 to March 28, 2025

Task 052 March Traffic Services

Professional Personnel

	Hours	Rate	Amount
Sr. Project Manager			
Ferrell, Brett	6.50	123.00	799.50
Westbrooks, Kevin	3.00	123.00	369.00
Staff Engineer/Architect			
Tondra, Brandon	7.50	94.25	706.88
Totals	17.00		1,875.38
Total Labor			1,875.38
Total this Task			\$1,875.38

Billing Limits

	Current	Prior	To-Date
Total Billings	1,875.38	3,347.38	5,222.76
Limit			36,000.00
Remaining			30,777.24
Total this Invoice			\$1,875.38

Outstanding Invoices

Number	Date	Balance
2	3/14/2025	1,309.88
Total		1,309.88

Pol
 APPROVED FOR PAYMENT
 BY: D.C. Jesch
 DATE: 04-07-2025
 NO: 2025-00307

GPD Associates Invoices

BILLING SUMMARY INPUT WORKSHEET

INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	TOTAL COST
02/14/25	2025119.90-1R	2025119.90	01/31/25	POLICE	\$2,037.50
03/14/25	2025119.90-2	2025119.90	02/28/25	POLICE	\$1,309.88
04/03/25	2025119.90-3	2025119.90	03/28/25	POLICE	\$1,875.38

\$5,222.76



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice

RECEIVED

APR 16 2025

FINANCE DEPT

City of Beachwood
 Attn: Accounts Payable-accounts@beachwoodohio.com
 P.O. Box 22659
 Beachwood, OH 44122

April 03, 2025

Invoice No: 2021119.91 - 43

Invoice Total \$1,775.00

Project 2021119.91 Beachwood - Richmond Road Signals

P.O. # ~~2021-00640~~

Max Not to Exceed \$279,193.00

Professional Services from March 01, 2025 to March 28, 2025

Task 056 Plan Development Additional

Professional Personnel

	Hours	Rate	Amount	
Sr. Project Manager				
Goetz, Kristy	11.00	123.00	1,353.00	
Design Engineer				
Hobrath, Julia	4.00	105.50	422.00	
Totals	15.00		1,775.00	
Total Labor				1,775.00
Total this Task				\$1,775.00

Billing Limits	Current	Prior	To-Date
Total Billings	1,775.00	234,898.04	236,673.04 -
Limit			279,193.00
Remaining			42,519.96

Total this Invoice \$1,775.00

Outstanding Invoices

Number	Date	Balance
42	3/14/2025	2,953.00
Total		2,953.00

APPROVED FOR PAYMENT
 BY: DC RESEK
 DATE: 04-02-2025
 P/O: 2023-01448

GPD Associates Invoices

BILLING SUMMARY INPUT WORKSHEET

INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	TOTAL COST
04/02/21	2021119.91-1	2021119.91	03/26/21	POLICE	\$598.50
05/07/21	2021119.91-2	2021119.91	04/30/21	POLICE	\$467.50
06/04/21	2021119.91-3	2021119.91	05/28/21	POLICE	\$4,718.50
07/01/21	2021119.91-4	2021119.91	06/25/21	POLICE	\$12,051.00
08/10/21	2021119.91-5	2021119.91	07/30/21	POLICE	\$9,089.50
09/03/21	2021119.91-6	2021119.91	08/27/21	POLICE	\$1,410.50
10/06/21	2021119.91-7	2021119.91	09/24/21	POLICE	\$17,038.00
11/05/21	2021119.91-8	2021119.91	10/29/21	POLICE	\$961.14
12/02/21	2021119.91-9	2021119.91	11/26/21	POLICE	\$5,049.50
01/14/22	2021119.91-10	2021119.91	12/31/21	POLICE	\$834.50
02/03/22	2021119.91-11	2021119.91	01/28/22	POLICE	\$957.00
03/04/22	2021119.91-12	2021119.91	02/25/22	POLICE	\$561.00
03/31/22	2021119.91-13	2021119.91	03/25/22	POLICE	\$2,267.00
05/06/22	2021119.91-14	2021119.91	04/29/22	POLICE	\$1,278.50
06/07/22	2021119.91-15	2021119.91	05/27/22	POLICE	\$670.00
07/06/22	2021119.91-16	2021119.91	06/24/22	POLICE	\$846.00
08/12/22	2021119.91-17	2021119.91	07/29/22	POLICE	\$14,696.75
09/02/22	2021119.91-18	2021119.91	08/26/22	POLICE	\$11,670.00
10/14/22	2021119.91-19	2021119.91	09/30/22	POLICE	\$3,349.00
11/11/22	2021119.91-20	2021119.91	10/28/22	POLICE	\$444.00
02/10/23	2021119.91-21	2021119.91	01/27/23	POLICE	\$1,320.00
03/10/23	2021119.91-22	2021119.91	02/24/23	POLICE	\$1,342.88
05/12/23	2021119.91-23	2021119.91	04/28/23	POLICE	\$240.00
06/08/23	2021119.91-24	2021119.91	05/26/23	POLICE	\$862.88
07/14/23	2021119.91-25	2021119.91	06/30/23	POLICE	\$2,229.00
08/11/23	2021119.91-26	2021119.91	07/28/23	POLICE	\$201.50
08/30/23	2021119.91-27	2021119.91	08/25/23	POLICE	\$10,355.00
10/13/23	2021119.91-28	2021119.91	09/29/23	POLICE	\$1,060.00
11/10/23	2021119.91-29	2021119.91	10/27/23	POLICE	\$1,500.00
12/08/23	2021119.91-30	2021119.91	11/24/23	POLICE	\$1,603.00
12/31/23	2021119.91-31	2021119.91	12/31/23	POLICE	\$14,894.50
02/09/24	2021119.91-32	2021119.91	01/26/24	POLICE	\$19,921.00
03/08/24	2021119.91-33	2021119.91	02/23/24	POLICE	\$35,822.88
04/12/24	2021119.91-34	2021119.91	03/29/24	POLICE	\$11,131.00
05/10/24	2021119.91-35	2021119.91	04/26/24	POLICE	\$1,906.50
06/09/24	2021119.91-36	2021119.91	05/31/24	POLICE	\$8,361.13
07/12/24	2021119.91-37	2021119.91	06/28/24	POLICE	\$9,093.50
09/13/24	2021119.91-38	2021119.91	08/30/24	POLICE	\$922.50
12/13/24	2022119.91-39	2021119.91	11/29/24	POLICE	\$8,386.25
01/10/25	2022119.91-40	2021119.91	12/21/24	POLICE	\$4,652.13
02/14/25	2021119.91-41	2021119.91	01/31/25	POLICE	\$7,181.50
03/14/25	2021119.91-42	2021119.91	02/28/25	POLICE	\$2,953.00
04/03/25	2021119.91-43	2021119.91	03/28/25	POLICE	\$1,775.00
					<u>\$236,673.04</u>



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice

RECEIVED

APR 16 2025

City of Beachwood
Attn: Larry Heiser, Finance Director
accounts@beachwoodohio.com
25325 Fairmount Blvd.
Beachwood, OH 44122

April 10, 2025

Invoice No:

2024119.04 - 14

FINANCE DEPT

Invoice Total \$2,131.50

Project 2024119.04 Beachwood - Bryden Sewer Pre-Design

P.O. #2024-00448

Max Not to Exceed \$175,404.00

Professional Services from March 01, 2025 to March 28, 2025

Task 100 Pre-Design

Professional Personnel

	Hours	Rate	Amount
Project Principal			
Ciuni, Joseph	3.00	148.50	445.50
Hewitt, James	1.00	148.50	148.50
Sr. Project Manager			
Rufener, Jesse	6.50	123.00	799.50
Wojciechowski, Kevin	6.00	123.00	738.00
Totals	16.50		2,131.50
Total Labor			2,131.50

Total this Task \$2,131.50

Billing Limits

	Current	Prior	To-Date
Total Billings	2,131.50	155,812.01	157,943.51 ✓
Limit			175,404.00
Remaining			17,460.49

Total this Invoice \$2,131.50

Outstanding Invoices

Number	Date	Balance
13	3/14/2025	717.00
Total		717.00

APPROVED FOR PAYMENT
BY: [Signature]
DATE: 4-14-25
P/O: 2024-00448

GPD Associates Invoices

BILLING SUMMARY INPUT WORKSHEET

INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	TOTAL COST
03/08/24	2024119.04-1R	2024119.04	02/23/24	SERVICE	\$478.50
04/12/24	2024119.04-2R	2024119.04	03/29/24	SERVICE	\$3,568.50
05/10/24	2024119.04-3R	2024119.04	04/26/24	SERVICE	\$22,128.25
06/14/24	2024119.04-4	2024119.04	05/31/24	SERVICE	\$24,902.38
07/10/24	2024119.04-5	2024119.04	06/28/24	SERVICE	\$39,463.25
08/09/24	2024119.04-6	2024119.04	07/26/24	SERVICE	\$3,864.75
09/13/24	2024119.04-7	2024119.04	08/30/24	SERVICE	\$13,931.75
10/11/24	2024119.04-8	2024119.04	09/27/24	SERVICE	\$4,618.00
11/08/24	2024119.04-9	2024119.04	10/25/24	SERVICE	\$9,180.00
12/13/24	2024119.04-10	2024119.04	11/29/24	SERVICE	\$10,331.25
01/10/25	2024119.04-11	2024119.04	12/21/24	SERVICE	\$10,598.50
02/14/25	2024119.04-12	2024119.04	01/31/25	SERVICE	\$12,029.88
03/14/25	2024119.04-13	2024119.04	02/28/25	SERVICE	\$717.00
04/10/25	2024119.04-14	2024119.04	03/28/25	SERVICE	\$2,131.50

\$157,943.51



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice
RECEIVED

APR 16 2025

City of Beachwood
 Attn: Larry Heiser, Finance Director
 accounts@beachwoodohio.com
 25325 Fairmount Blvd.
 Beachwood, OH 44122

April 10, 2025
 Invoice No:

FINANCE DEPT
 2025119.01 - 3

Invoice Total	\$2,880.50
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Project 2025119.01 Beachwood - General Engineering
Professional Services from March 01, 2025 to March 28, 2025

Task 200 General Engineering(Under \$2,500.00 Fee)
Professional Personnel

	Hours	Rate	Amount
Project Principal			
Ciuni, Joseph	2.00	148.50	297.00
Final Inspection - ODOT Culvert under Chagrin.			
Ciuni, Joseph	1.00	148.50	148.50
Meeting with Cathy Bieterman.			
Ciuni, Joseph	3.00	148.50	445.50
Traffic and Engineering meeting.			
Sr. Project Manager			
Fini, Nicholas	2.00	123.00	246.00
GASB 34 reporting.			
Fini, Nicholas	1.50	123.00	184.50
GASB 34 revisions.			
Design Engineer			
Bartlett, Margaret	1.00	105.50	105.50
Community Compliance plan.			
Libert, Alicia	2.00	105.50	211.00
2024 Preventative Maintenance.			
Sr. Designer			
Woycitzky, Robert	7.00	88.75	621.25
Woycitzky, Robert	7.00	88.75	621.25
2024 GASY.			
Totals	26.50		2,880.50
Total Labor			2,880.50

Total this Task \$2,880.50

Total this Invoice \$2,880.50

APPROVED FOR PAYMENT
 BY: [Signature]
 DATE: 4-14-25
 P/O: 2025-00117

Project	2025119.01	Beachwood - General Engineering	Invoice	3
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Outstanding Invoices

Number	Date	Balance
2	3/14/2025	1,749.50
Total		1,749.50

Billings to Date

	Current	Prior	Total
Labor	2,880.50	2,738.00	5,618.50
Totals	2,880.50	2,738.00	5,618.50



GPD Associates Invoices

BILLING SUMMARY INPUT WORKSHEET

INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	TOTAL COST
02/14/25	2025119.01-1	2025119.01	01/31/25	BUILDING	\$988.50
03/14/25	2025119.01-2	2025119.01	02/28/25	BUILDING	\$1,749.50
04/10/25	2025119.01-3	2025119.01	03/28/25	BUILDING	\$2,880.50

\$5,618.50



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice
RECEIVED

APR 16 2025

FINANCE DEPT

City of Beachwood
Attn: Larry Heiser, Finance Director
accounts@beachwoodohio.com
25325 Fairmount Blvd.
Beachwood, OH 44122

April 10, 2025

Invoice No: 2025119.02 - 4

Invoice **\$13,339.25**
Total

Project 2025119.02 Beachwood - 2025 Road Program
Professional Services from March 01, 2025 to March 28, 2025

Task 100 Design

Professional Personnel

	Hours	Rate	Amount
Project Principal			
Ciuni, Joseph	18.00	148.50	2,673.00
Sr. Project Manager			
Fini, Nicholas	21.00	123.00	2,583.00
Design Engineer			
Bartlett, Margaret	18.50	105.50	1,951.75
Libert, Alicia	1.50	105.50	158.25
Sr. Designer			
Woycitzky, Robert	20.00	88.75	1,775.00
Totals	79.00		9,141.00
Total Labor			9,141.00
Total this Task			\$9,141.00

Task 300 Concrete Repair Project - TIF

Professional Personnel

	Hours	Rate	Amount
Project Principal			
Ciuni, Joseph	4.00	148.50	594.00
Sr. Project Manager			
Fini, Nicholas	4.00	123.00	492.00
Design Engineer			
Bartlett, Margaret	29.50	105.50	3,112.25
Totals	37.50		4,198.25
Total Labor			4,198.25
Total this Task			\$4,198.25

APPROVED FOR PAYMENT

AKRON / ATLANTA / CLEVELAND / COLUMBUS / DALLAS / HOUSTON
INDIANAPOLIS / LOUISVILLE / PHOENIX / PITTSBURGH / SEATTLE / YOUNGSTOWN
Net 30 days.

P/O: 2025-00287

Project	2025119.02	Beachwood - 2025 Road Program	Invoice	4
---------	------------	-------------------------------	---------	---

Billing Limits	Current	Prior	To-Date
Total Billings	13,339.25	44,949.89	58,289.14
Limit			105,000.00
Remaining			46,710.86
Total this Invoice			<u>\$13,339.25</u>

Outstanding Invoices

Number	Date	Balance
3	3/14/2025	5,623.25
Total		5,623.25

GPD Associates Invoices
BILLING SUMMARY INPUT WORKSHEET

					TOTAL
INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	COST
01/10/25	2025119.02-1	2025119.02	12/21/24	SERVICE	\$24,456.89
02/14/25	2025119.02-2	2025119.02	01/31/25	SERVICE	\$14,869.75
03/14/25	2025119.02-3	2025119.02	02/28/25	SERVICE	\$5,623.25
04/10/25	2025119.02-4	2025119.02	03/28/25	SERVICE	\$13,339.25

\$58,289.14



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice
RECEIVED

APR 16 2025

FINANCE DEPT

City of Beachwood
Attn: Larry Heiser, Finance Director
accounts@beachwoodohio.com
25325 Fairmount Blvd.
Beachwood, OH 44122

April 10, 2025

Invoice No: 2025119.04 - 1

Invoice **\$2,031.50**
Total

Project 2025119.04 Beachwood - Chagrin Highlands 43 Acres - ALTA

P.O.#2025-00742

Professional Services from March 01, 2025 to March 28, 2025

Task 100 ALTA Survey

Professional Personnel

	Hours	Rate	Amount
Field Survey Technician 3			
Quincel, Donald	8.00	115.00	920.00
Tribuzi, Ryan	4.00	115.00	460.00
Office Survey Technician 3			
Bachman, Christian	1.50	95.00	142.50
Field Survey Technician 1			
Kachline, Dylan	5.00	85.00	425.00
Project Aid/Clerical			
DuBose, Amanda	1.50	56.00	84.00
Totals	20.00		2,031.50
Total Labor			2,031.50

Total this Task \$2,031.50

Billing Limits

	Current	Prior	To-Date
Total Billings	2,031.50	0.00	2,031.50
Limit			18,500.00
Remaining			16,468.50

Total this Invoice \$2,031.50 ✓

Billings to Date

	Current	Prior	Total
Labor	2,031.50	0.00	2,031.50
Totals	2,031.50	0.00	2,031.50

APPROVED FOR PAYMENT

BY:

DATE: 4/10/25

P/O: 2025-00742

AKRON / ATLANTA / CLEVELAND / COLUMBUS / DALLAS / HOUSTON
INDIANAPOLIS / LOUISVILLE / PHOENIX / PITTSBURGH / SEATTLE / YOUNGSTOWN
Net 30 days.

GPD Associates Invoices

BILLING SUMMARY INPUT WORKSHEET

INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	TOTAL COST
04/10/25	2025119.04-1	2025119.04	03/28/25	ECONOMIC DEV	\$2,031.50

\$2,031.50



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice
RECEIVED

APR 16 2025

FINANCE DEPT

City of Beachwood
 Attn: Larry Heiser, Finance Director
 accounts@beachwoodohio.com
 25325 Fairmount Blvd.
 Beachwood, OH 44122

April 10, 2025
 Invoice No: 2025119.03 - 2

Invoice **\$3,639.00**
Total

Project 2025119.03 Beachwood - NEORS D Compliance Plan
Professional Services from March 01, 2025 to March 28, 2025

Task 100 Prepare Compliance Plan

Professional Personnel

	Hours	Rate	Amount	
Project Principal				
Ciuni, Joseph	5.00	148.50	742.50	
Sr. Project Manager				
Hefner, Ashley	23.00	123.00	2,829.00	
Jensen, Keith	1.00	123.00	123.00	
Totals	29.00		3,694.50	
Total Labor				3,694.50
		Total this Task		\$3,694.50

Billing Limits	Current	Prior	To-Date	
Total Billings	3,694.50	861.00	4,555.50	
Limit			4,500.00	
Adjustment				-55.50
		Total this Invoice		\$3,639.00

Outstanding Invoices

Number	Date	Balance
1	3/14/2025	861.00
Total		861.00

SVC
 APPROVED FOR PAYMENT
 BY: C. Ciuni
 DATE: 4-14-25
 P/O: 2025-00117

GPD Associates Invoices

BILLING SUMMARY INPUT WORKSHEET

INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	TOTAL COST
03/14/25	2025119.03-1	2025119.03	02/28/25	BUILDING	\$861.00
04/10/25	2025119.03-2	2025119.03	03/28/25	BUILDING	\$3,639.00

\$4,500.00



Mail Payment To:
PNC Bank C/O Glaus Pyle Schomer Burns & DeHaven
Lockbox Number 952032
4100 W 150th St
Cleveland, OH 44135

Invoice

RECEIVED

APR 16 2025

FINANCE DEPT

City of Beachwood
Attn: Larry Heiser, Finance Director
accounts@beachwoodohio.com
25325 Fairmount Blvd.
Beachwood, OH 44122

April 10, 2025

Invoice No:

2025120.02 - 2

25120.02-2
Hazel School

Invoice Total \$511.88

Project 2025120.02 Beachwood - Fuchs Mizrachi School

Professional Services from March 01, 2025 to March 28, 2025

Task 100 Plan Review and Inspection as requested

Professional Personnel

	Hours	Rate	Amount
Sr. Engineer			
Gorman, Jacqueline	4.50	113.75	511.88
Totals	4.50		511.88
Total Labor			511.88

Total this Task \$511.88

Billing Limits

	Current	Prior	To-Date
Total Billings	511.88	1,652.50	2,164.38
Limit			10,000.00
Remaining			7,835.62

Total this Invoice \$511.88

Outstanding Invoices

Number	Date	Balance
1	3/14/2025	1,652.50
Total		1,652.50

Bldg
APPROVED FOR PAYMENT
BY: [Signature]
DATE: 4-11-25
P/O: NO PO- 783.000, 53130

GPD Associates Invoices

BILLING SUMMARY INPUT WORKSHEET

INV DATE	INV #	PROJ NO.	ServiceThru Date	DEPT CHGD	TOTAL COST
03/14/25	2025120.02-1	2025120.02	02/28/25	BUILDING	\$1,652.50
04/10/25	2025120.02-2	2025120.02	03/28/25	BUILDING	\$511.88

\$2,164.38



RECEIVED
APR 16 2025
FINANCE DEPT

April 9, 2025

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

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

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

Plan Review for the month of March 2025..... \$1250.00
Cost Breakdown Sheet Attached

Total amount due.....\$1250.00

Respectfully,

Michael H. Wildermuth

Michael H. Wildermuth, AIA
Master Plans Examiner

APPROVED FOR PAYMENT
BY: 
DATE: 4-10-25
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

		March 2025		
MHW Job No	Beachwood Receipt No.	Job Name	Time	
CB2507-01 3-20-2025	2025-01433	Signature Health	3.0 H	\$375.00
CB2508-01 3-20-2025	2025-01492	CCF BW NI FP	2.0H	\$250.00
CB2509-01 3-20-2025	2025-01645	Cleveland Fencing Floor	2.0H	\$250.00
CB2510-01 3-20-2025	2025-01740	23293 Comm. Pk. Berk Tenant	3.0 H	\$375.00
		Total	10.0 H	\$,1250.00

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APR 17 2025

FINANCE DEPT

Perspectus Architecture
1300 East 9th Street, Suite 910
Cleveland, OH 44114
(216) 752-1800

City of Beachwood
Accounts Payable
25325 Fairmount Boulevard
Beachwood, OH 44122

Invoice number 22250
Date 04/16/2025

Project **24135 CITY OF BEACHWOOD - CITY
HALL GLAZING REPLACEMENT**

Professional Services through 03/31/2025

Description	Contract Amount	Percent Complete	Prior Billed	Total Billed	Remaining	Current Billed
Basic Services						
Schematic Design/Design Development	5,250.00	100.00	5,250.00	5,250.00	0.00	0.00
Construction Documents	5,125.00	75.00	2,562.50	3,843.75	1,281.25	1,281.25
Bidding/Construction Phase Services	5,125.00	0.00	0.00	0.00	5,125.00	0.00
Subtotal	15,500.00	58.67	7,812.50	9,093.75	6,406.25	1,281.25
Total	15,500.00	58.67	7,812.50	9,093.75	6,406.25	1,281.25

Invoice total **1,281.25**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
22250	04/16/2025	1,281.25	1,281.25				
	Total	1,281.25	1,281.25	0.00	0.00	0.00	0.00

RECEIVED

APR 21 2025

FINANCE DEPT



Center for Public and
Nonprofit Management

INVOICE

February 13, 2024

Company: City of Beachwood
Attention: Whitney Crook
Address: 25325 Fairmount Blvd
City, State, Zip: Beachwood OH 44122

The following charges are for services rendered in association with the following offering:

Course ID & Description	Total
-------------------------	-------

Leadership Academy 35 registration fee for the following participant:

Whitney Crook	\$3,200.00
---------------	------------

Total: \$3,200.00

Checks should be payable to "Cleveland State University" and sent to the Center for Nonprofit and Public Management, School of Urban Affairs, 2121 Euclid Avenue, Room UR 141, Cleveland OH 44115

APPROVED FOR PAYMENT

BY: _____

DATE: _____

P/O: 2025- 01037

Whitney Crook

From: Division of Continuing and Extended Education <contedcsuohio@learning-stream.com>
Sent: Friday, April 5, 2024 10:32 AM
To: Whitney Crook
Subject: Payment Received for Leadership Academy 25 Whitney Crook Payment #1

*****City of Beachwood Notice ***** This e-mail is from an external source. Think before you click links or open attachments.



CSU

Division of Continuing and Extended Education

Your payment has been received for Leadership Academy 25 Whitney Crook Payment #1.

Amount: \$800.00

Payment For: Whitney Crook

Thank you

Division of Continuing and Extended Education

Cleveland State University

2121 Euclid Avenue

Campus Location: Julka Hall

Cleveland, OH 44115

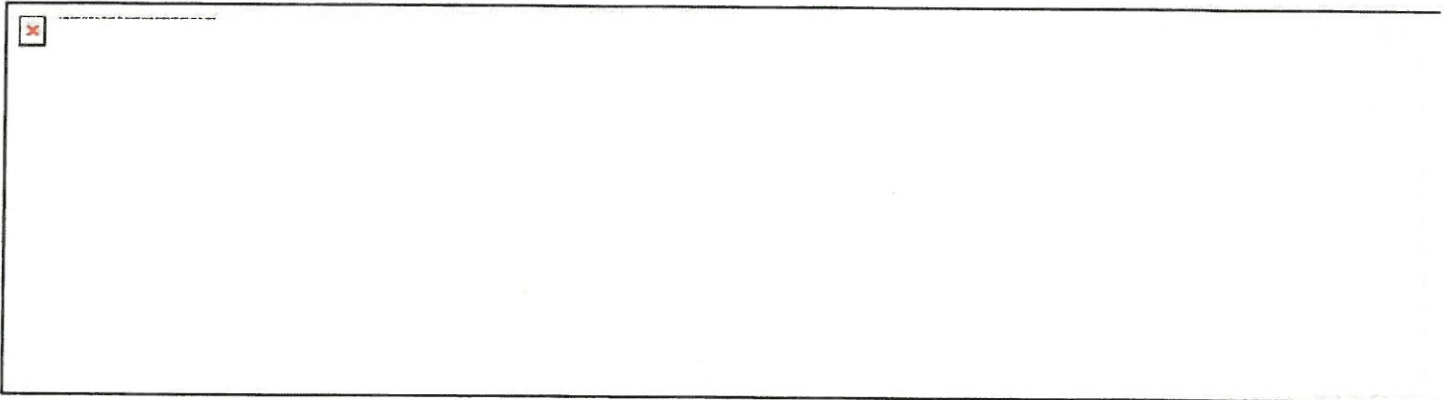
(216) 875-9731

wkfcedev@csuohio.edu

Whitney Crook

From: Division of Continuing and Extended Education <contedcsuohio@learning-stream.com>
Sent: Friday, November 29, 2024 7:41 PM
To: Whitney Crook
Subject: Payment Received for Leadership Academy 35 Whitney Crook Payment #3

***City of Beachwood Notice *** This e-mail is from an external source. Think before you click links or open attachments.



Your payment has been received for Leadership Academy 35 Whitney Crook Payment #3.

Amount: \$800.00

Payment For: Whitney Crook

Thank you

Division of Continuing and Extended Education

Cleveland State University

2121 Euclid Avenue

Campus Location: Julka Hall

Cleveland, OH 44115

(216) 875-9710

n.pratt@csuohio.edu



Center for Public and
Nonprofit Management
LEVIN COLLEGE OF PUBLIC
AFFAIRS AND EDUCATION

MEMORANDUM

TO: Whom it May Concern

FROM: Rob Ziol
Director, Center for Nonprofit & Public Management

DATE: April 11, 2025

RE: Verification of Courses Completed

By copy of this memo I attest that **Whitney Crook** has successfully completed all Professional Development Hours for the courses listed below, as part of the **Leadership Academy 35**. Please contact me at 216.687.3509 if you require further information.

Date	Module	Course	Program	Professional Development Hours	Instructor
5/3/24	1	Leadership Immersion Retreat - Day 1	LA	7	Patterson-Price
6/7/24	2	Leadership Immersion Retreat - Day 2	LA	7	Patterson-Price
7/12/24	3	Generations in the Workplace	LA	7	Howard
8/30/24	4	Leadership Styles	LA	7	Patterson-Price
9/27/24	5	Crisis Communication/ Shared Leadership	LA	7	Hennes/ Bloomberg
10/25/24	6	Data-Driven Decision Making	LA	7	Sylvester



PURCHASE ORDER

Deliver To CITY OF BEACHWOOD
SHIPPING AND RECEIVING
23355 MERCANTILE ROAD
BEACHWOOD, OH

Vendor 07307
Crook, Whitney

Bill To: Accounts Payable
25325 Fairmount Blvd.
Beachwood, OH 44122

Page: 1
P.O. Number: **2025-01037**
P.O. Date: 04/17/2025
Req. Number: 25-101-0010-A
Requested By: Whitney Crook
Blanket Type:
Ship Via:
Terms:

Line	Description	Account	Qty	Unit	Price/Unit	Amount
001	Reimbursement - CPM Certification	101.101.55310				\$3,200.00

Page Total: \$3,200.00

Purchase Order Total: \$3,200.00

Reimbursement to WMC - Leadership Academy (Part 2 of CPM Certification)

DIRECTOR OF FINANCE CERTIFICATE

It is hereby certified that the amount required to meet and/or satisfy the contract, agreement, obligation, payment or expenditure for the above has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or is in the process of collection and is free from any obligation or certification now outstanding.

4/17/2025

DIRECTOR OF FINANCE

Date



Cuyahoga County Office of
Procurement and Diversity
Cuyahoga County Administrative
Headquarters
2079 East 9th Street
Cleveland, OH 44115

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APR 14 2025

FINANCE DEPT

Page 1 of 1

P.O. #:
Cust #: 936
Inv. Date: 03/04/2025
Inv. #: BF 1867
Due Date: 04/03/2025
Amount Due: 3,698.00

BILL TO

City of Beachwood
25325 Fairmount Blvd
Beachwood OH 44122

SHIP TO

City of Beachwood
25325 Fairmount Blvd
Beachwood OH 44122

Line	Item Description	Quantity	Unit Price / UOP	Credit	Net Amount
1	WORK ORDER 3289548 24246 GREENLAWN AVE	1.00 EA	989.00 EA	0.00	989.00
2	WORK ORDER 3291123 24246 GREENLAWN AVE	1.00 EA	2709.00 EA	0.00	2,709.00
SVC APPROVED FOR PAYMENT BY: _____ DATE: _____ P/O: 2025-00987					
Total					3,698.00

PLEASE DETACH AND RETURN THIS PORTION WITH REMITTANCE

Amount Due: 3,698.00

Enclosed \$

REMIT TO: CUYAHOGA COUNTY TREASURER
PUBLIC WORKS - SANITARY
PO BOX 74179
CLEVELAND OH 44194-0002

Invoice number - BF 1867
Due Date - 04/03/2025
Invoice Date - 03/04/2025
Customer Number - 936

000000936008F186700003698000



CITY OF CLEVELAND
Mayor Justin M. Bibb

Claim Form

City of Cleveland

Department of Law

Claims Section 601
Lakeside Ave., Rm 106
Cleveland, Ohio 44114-1077

Phone: 216.664.2800 • Hours of Operation: 8 am to 5 pm Weekdays • Fax: 216.664.2663

If a portion does not apply to you, enter "not applicable" or N/A. Information can be computer-filled, or you can print out the form and hand-fill it. Send completed form with required documents to the address above. Completed claims package can also be faxed to 216.664.2663 or sent electronically to dpuclaims@clevelandohio.gov

CLAIMANT NAME City of Beachwood		CONTACT NAME Tim Tremaglio		HOME PHONE	WORK PHONE 216-292-1923
STREET ADDRESS 2700 Richmond Rd		CITY Beachwood	STATE Ohio		ZIP 44122
EMAIL ADDRESS Tim.tremaglio@beachwoodohio.com		EMPLOYER NAME City of Beachwood			
INCIDENT DATE 12/31/2024	INCIDENT TIME 4:30 PM	ADDRESS OF INCIDENT 24246 Greenlawn on Halcyon			
DETAILED DESCRIPTION OF INCIDENT While the Cleveland Water Dept. was repairing a broken water main, the crew damaged a 12" catch basin lateral. The Cuyahoga County Engineers repaired the sewer. I have attached all documentaion and costs in regards to the work done.					
Police Report Made? ☐ NO ☒ YES If yes, where? City of Beachwood Dispatch					
WITNESS NAME NA		WITNESS ADDRESS NA			
WITNESS NAME NA		WITNESS ADDRESS NA			
WITNESS NAME NA		WITNESS ADDRESS NA			

FOR CLAIMS CONCERNING VEHICLE DAMAGE OR AN AUTOMOBILE ACCIDENT

VEHICLE MAKE NA	YEAR NA	TYPE NA	LICENSE NO. NA
OWNER'S NAME NA		OWNER'S ADDRESS NA	
DRIVER'S NAME NA		DRIVER'S ADDRESS NA	
Were you or anyone else injured? ☐ NO ☐ YES If yes, complete Personal Injury section			# People in Car: NA
NAME OF INJURED PERSON 1 NA		ADDRESS NA	
NAME OF INJURED PERSON 2 NA		ADDRESS NA	
NAME OF OTHER VEHICLE OCCUPANT 1 NA		ADDRESS NA	
NAME OF OTHER VEHICLE OCCUPANT 2 NA		ADDRESS NA	
AUTO INSURANCE COMPANY NAME NA		MEDICAL INSURANCE COMPANY NAME NA	
ESTIMATED REPAIR COST NA	DEDUCTIBLE AMOUNT NA	DESCRIBE DAMAGE TO VEHICLE NA	

FOR CLAIMS CONCERNING PERSONAL INJURY

NEAREST ADDRESS OF INCIDENT OCCURANCE NA			
NATURE AND EXTENT OF YOUR INJURY NA			
ATTENDING PHYSICIAN NAME NA		ATTENDING PHYSICIAN ADDRESS NA	
TOTAL MEDICAL EXPENSES TO DATE NA			
TOTAL MEDICAL EXPENSES TO DATE \$NA	AMOUNT PAID BY INSURANCE \$ NA	AMOUNT PAID BY YOU \$ NA	AMOUNT OF WAGES LOST \$ NA
HEALTH INSURANCE COMPANY NAME NA		DEDUCTIBLE AMOUNT NA	NAME OF HOSPITAL TRANSPORTED TO NA
LIST AND EXPLAIN ANY PHYSICAL DISABILITY NA			
PROVIDE DATE AND NATURE OF ANY PRIOR INJURIES NA			

FOR CLAIMS CONCERNING PROPERTY DAMAGE OTHER THAN AUTOMOBILE

CAUSE OF DAMAGE NA	NAME OF CITY EMPLOYEE CONTACTED NA	DATE
NAME OF PROPERTY INSURANCE COMPANY NA		DEDUCTIBLE AMOUNT NA

I hereby attest that the above information is true to the best of my knowledge and belief:

Signature



Date

3-7-2025

ATTACHMENTS CHECKLIST**If claiming vehicle damage:**

Declaration Page of car insurance policy showing deductible; copy of title, registration or lease contract; two written estimates; police report, if applicable, and photographs of vehicle damage (helpful but not mandatory); and witness statements, which are optional. If you are claiming tire damage, the age of the tire and tire tread measurements are mandatory. Tire tread measurements can be obtained from most service stations.

If claiming personal injury:

Letter from employer outlining total amount of wage loss; copies of all medical reports including doctor bills, hospital bills and pharmacy receipts; and witness statements (optional)

If claiming other property Damage:

A copy of homeowner's or property insurance policy; including proof of the deductible amount; a separate itemized list(s) of property damages with description of each item on the list, including brand name, serial number, quantity lost, purchase date or age of the item and purchase price; bills, receipts, and estimates concerning the described property; photographs of either damaged property or what allegedly caused it; and witness statements (optional). If claim is for business property damage, submit proof of business ownership and/or lease rights and responsibilities.

Claim No.

ITEMIZED PROPERTY DAMAGE CLAIM FORM

All bills, receipts, and itemized estimates must be attached.

PROPERTY DESCRIPTION (Including brand name and serial #)	QUANTITY	DATE BOUGHT OR AGE	PURCHASE PRICE	REPLACEMENT, RESTORATION OR REPAIR COST
12" PVC pipe	8'			\$3698.00

CITY OF Beachwood

Work Order #: 20250479

Work Order Date: 02/06/25

Work Type:

Priority:

Title : MR

First Name: RICHARD

Last Name: FAN

Company:

Address: 24246 GREENLAWN

City, State, ZIP: BEACHWOOD, OH 44122

Home Phone: (216) 320-9556

Cell Phone: (803) 673-0039 -

Work Phone: (216) -

Location: 24246 GREENLAWN

CloseDate: 02/14/2025

Closed: Closed

Work Requested: Catch basin lateral repair needed due to CWD. Halcyon Side

Description: 02-B - CATCH BASINS - REPAIR & REPLACE

Codes:

Responsible Party: Tim Tremaglio

Comments:

- :

-:

-:

-:

-:

Sewer Status:

Notes

02/14/2025 The County repaired 8' of 12" pvc pipe. TREMAGLIO

Employee Cost: \$0.00
Equipment Cost: \$0.00
Material Cost: \$0.00
Inventory Cost: \$0.00
Purchase Order Cost: \$0.00

Total Cost: \$0.00



Work Order History

Parent WO	Work Order	Object Description	Work Order Description	Assigned To	Community	Department	Task Description	Total Hours	Status Description	Reported Date	Date Completed
	3289548	[stm] 24246 GREENLAWN AVENUE, Beachwood	CWD REPAIR	TRK_445	Beachwood	SAN_CONS	CONSTRUCTION/ REPAIR/LOCATE - STORM LATERAL, MH, CB	2.3	Completed	Feb 6, 2025	Feb 14, 2025
Work Order: Comment: Crew dug around 12 inch storm lateral prepped area to make repairs, crew need to return and continue repairs.											
Work Details											
Object of Work	-	-	Description	Finding Description	Yes	No	OK	Value	UOM	Notes	Followup Work Order - Act
[stm] 24246 GREENLAWN AVENUE, Beachwood			Storm Work	Storm Lateral Repair							
			LAWN RESTORATION NEEDED	NO							
			ASPHALT	NO							
			CONCRETE	NO							
			DAMAGED CAUSED BY CLEVELAND WATER OR OTHER UTILITY	N/A							
			BACK FLOW PREVENTER INSTALLED			No					
			FOLLOW UP ACTION	CONST HIGH Priority						continue repair of 12 inch storm lateral	3291123-10
Overall											
Overall - Count	1										



Work Order History

Parent WO	Work Order	Object Description	Work Order Description	Assigned To	Community	Department	Task Description	Total Hours	Status Description	Reported Date	Date Completed
	3291123	[stm] 24246 GREENLAWN AVENUE, Beachwood	F/U [CONST HIGH Priority] continue repair of 12 inch storm lateral	TRK_445	Beachwood	SAN_CONS	CONSTRUCTION/REPAIR/LOCATE - STORM LATERAL. MH, CB	6.3	Completed	Feb 13, 2025	Feb 26, 2025
Work Order: Comment: Crew installed catch basin lateral bedded and backfilled with 57s stone topped with 304 stone. City stated that they will repair asphalt street may need to confirm.											
Work Details											
Object of Work	-	-	Description	Finding Description	Yes	No	OK	Value	UOM	Notes	Followup Work Order - Act
[stm] 24246 GREENLAWN AVENUE, Beachwood			Storm Work	Storm Lateral Repair							
			LAWN RESTORATION NEEDED	NO							
			ASPHALT	NO							
			CONCRETE	NO							
			DAMAGED CAUSED BY CLEVELAND WATER OR OTHER UTILITY	N/A							
			BACK FLOW PREVENTER INSTALLED			No					
			CAMERA USED/PICTURE TAKEN		Yes						
Overall											
Overall - Count	1										



COMMUNITY DETAILED REPORT SUMMARY

Work Order Completed Date From: Feb 14, 2025 To Feb 14, 2025

City/Location	Department	Object of Work	Count	Cost_Summary
Beachwood	SAN_CONS		1	\$989.00
	SAN_CONS - Total			\$989.00
Beachwood - Total				\$989.00
Overall - Total				\$989.00



COMMUNITY DETAILED REPORT SUMMARY

Work Order Completed Date From: Feb 26, 2025 To Feb 26, 2025

Community	Department	Object of Work Count	Cost_Summary
Beachwood	SAN_CONS	1	\$2,709.00
SAN_CONS - Total			\$2,709.00
Beachwood - Total			\$2,709.00
Overall - Total			\$2,709.00

INTRODUCED BY:

RESOLUTION NO. 2025-25

A RESOLUTION EXCUSING THE ABSENCE OF COUNCILWOMAN ALI B. STERN FROM THE APRIL 21, 2025 MEETING; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, Article II, Section 4 of the Beachwood City Charter states that absence of a Council member from four (4) consecutive Regular Council meetings, or a total of eight (8) Regular Council meetings in a calendar year, without such absence being authorized or approved by an affirmative vote of Council, shall operate to vacate such office forthwith and without further proceedings; and

WHEREAS, Councilwoman Ali B. Stern was unable to attend the April 21, 2025 due to personal circumstances; and

WHEREAS, City Council recognizes the importance of ensuring that absences for legitimate medical or personal reasons are duly acknowledged and excused to maintain compliance with the Charter; and

WHEREAS, Council desires to excuse this absence in accordance with the provisions of the Beachwood City Charter.

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

Section 1: The absence of Councilwoman Ali B. Stern from the April 21, 2025 is hereby excused due to personal circumstances.

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 hereby declared an urgent measure necessary for the immediate preservation of the public peace, health or safety and/or the efficient operation of the City wherefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

RESOLUTION NO. 2025-25

Attest: I hereby certify this Resolution was duly adopted on the 5th day of May, 2025, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 6th day of May, 2025.

Clerk

Approval: I have approved this Resolution this 6th day of May, 2025, and filed it with the Clerk.

Mayor

Motion

BEACHWOOD PUBLIC WORKS DEPARTMENT INTER-OFFICE MEMORANDUM

TO: Mayor Justin Berns

FR: Chris Arrietta, Public Works Director

DT: April 23, 2025

RE: Council Agenda Item: Concrete Patch Program

As part of our 2025 Road Program, we are requesting to start the formal bidding process for the replacement of deteriorated concrete slabs on Richmond Road near the intersection of Eton Boulevard. We will be utilizing \$500,000 in Tax Increment Financing (TIF) funds for this program. With your permission, I would like to place this item on the next Council Agenda.

Motion

BEACHWOOD PUBLIC WORKS DEPARTMENT INTER-OFFICE MEMORANDUM

TO: Mayor Justin Berns

FR: Chris Arrietta, Public Works Director

DT: April 23, 2025

RE: Council Agenda Item: Request for Qualifications for the Richmond/Chagrin I-271 Project

We are required to hire an Ohio Department of Transportation Prequalified Engineering Firm to provide Third Party Review services for the Richmond/Chagrin I-271 Project. **(PID 114409)** The services provided will consist of design review for Stages 1, 2 and 3 and the Plans, Specifications and Estimate (PSE) to assure compliance with the project schedule and scope. The Third-Party Review Firm will be responsible for review of the probable cost estimates to ensure available funding for the project.

The first phase of the project includes the widening of the 271 Bridge at Chagrin Boulevard with the addition of dedicated lanes to the entrance and exit ramps for 271 northbound and southbound. The second phase will include the widening of the Chagrin Boulevard corridor from Richmond Road to the 271 Bridge. Turning lanes will added to the intersection of Richmond and Chagrin and on Chagrin east and westbound leading to the 271 Bridge.

Design, Right of Way Acquisition and Utility Relocation are scheduled for 2025 through 2027 with the bidding process occurring in 2027. Construction phases are currently scheduled for 2028 and 2029. The project schedule is subject to change based on funding for the project. The City will also have the option to place engineering services on hold based on the employment of a Staff Engineer.

INTRODUCED BY:

AMENDED ORDINANCE NO. 2024-81

AN ORDINANCE REZONING 2509 and 2515 SOUTH GREEN ROAD, BEACHWOOD, OHIO, (P.P. NOS. 741-09-002 and 741-09-001) FROM U-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO U-5 PUBLIC AND INSTITUTIONAL DISTRICT

WHEREAS, Ben Grinblatt, RA, representing BGAD LLC (the “Applicant”) has requested the rezoning of 2509 and 2515 South Green Road, Beachwood, Ohio (P.P. Nos. 741-09-002 and 741-09-001), from U-1 Single Family Residential District to U-5 Public and Institutional District;

WHEREAS, on December 16, 2024, Council placed the rezoning request on first reading and referred it to the Planning and Zoning Commission for study, report, and recommendation in accordance with BCO 1107.01;

WHEREAS, the Planning and Zoning Commission reviewed the request and recommended approval of the rezoning and approval of a 1,262 square foot variance to permit a lot area of 16,738 square feet in lieu of the required 18,000 square feet required under Zoning Code Section 1124.03 and approval of a ten-foot variance to permit parking spaces to be located ten feet from the right-of-way lines of South Green Road and Ranch Road in lieu of the required twenty feet as required under Zoning Code Section 1124.04(d)(1);

WHEREAS, following the Commission’s recommendation, Council placed the proposed rezoning on second reading and scheduled a public hearing to occur after the required thirty-day notice period;

WHEREAS, a duly advertised public hearing was held on April 7, 2025, at Beachwood City Hall, Council Chambers;

WHEREAS, this Ordinance shall be read by Council on three separate occasions, and Council now recommends approval of the rezoning request.

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

Section 1: The Council of the City of Beachwood hereby approves the rezoning of 2509 and 2515 South Green Road, Beachwood, Ohio (P.P. Nos. 741-09-002 and 741-09-001), from U-1 Single Family Residential District to U-5 Public and Institutional District.

Section 2: This Council hereby approves the Applicant’s 1,262-square foot variance to permit a lot area of 16,738 square feet in lieu of the required 18,000 square feet required under Zoning Code Section 1124.03 and approves a ten-foot variance to permit parking spaces to be located ten feet from the right-of-way lines of South Green Road and Ranch Road in lieu of the required twenty feet as required under Zoning Code Section 1124.04(d)(1).

Section 3: Upon this final approval of the rezoning and variances, the Applicant shall be required to submit an application for Preliminary Site Plan Approval to the Planning and Zoning Commission.

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.

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

Approval: I have approved this legislation this ____ day of _____, 2025 and filed it with the Clerk.

Clerk

Mayor

AN ORDINANCE ENACTING NEW CHAPTER 901, "USE OF PUBLIC WAYS BY SERVICE PROVIDERS".

WHEREAS, from time to time it becomes necessary to update and amend the Codified Ordinances of the City of Beachwood, Ohio to preserve the public health, safety and welfare, to protect public and private property, and promote the enjoyment and convenience of residents in the community; and

WHEREAS, to facilitate the orderly management of the public ways of the City and to provide for the use or occupation of all public ways by issuing permits for such use or occupancy, the Mayor and Council believe it is in the City's best interest to enact regulations for the use of its public ways by enacting new Chapter 901 of the Codified Ordinances of the City of Beachwood entitled "Use of Public Ways by Service Providers".

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

Section 1: That new Chapter 901 of the Codified Ordinances of Beachwood, Ohio entitled "Use of Public Ways by Service Providers" shall be enacted to provide as follows:

"901.01 SCOPE OF CHAPTER; DEFINITIONS.

(a) The purpose and intent of this Chapter is to:

(1) Manage reasonable access to the City's Public Ways by utility and other Service Providers and ensure their compliance with the ordinances, rules and regulations of the City.

(2) Conserve the limited physical capacity of the Public Ways held in trust by the City for the benefit of the public.

(3) Assure that the City fairly and responsibly protects the public health, safety and welfare.

(4) Enable the City to discharge its public trust consistent with rapidly evolving federal and State regulatory policies, industry competition and technological development.

(b) For the purpose of this Chapter, and the interpretation and enforcement thereof, the following words and phrases shall have the following meanings, unless the context of the sentence in which they are used shall indicate otherwise:

(1) "Affiliate" means a Person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with another Person.

(2) "Cable Operator" means a Person providing or offering to provide Cable Service within the City as that term is defined in the Cable Communications Policy Act of 1984, codified at 47 U.S.C. § 532, et seq., as amended by the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996, as each might be further amended.

(3) "Capital Improvement" means an addition made to enhance the value or extend the useful life of an existing System or Facilities, including Construction, Reconstruction,

installation, rehabilitation, renovation, improvement, enlargement and extension of Facilities, but not including ordinary or Routine Maintenance.

(4) “Construct, Constructing, Construction, etc.” means installing, repairing, replacing or removing any Facility, regardless of the methods employed, including Excavation.

(5) “Construction Permit or Permit” means a permit issued pursuant to Section 901.08 of this Chapter.

(6) “Emergency” means an unforeseen occurrence or condition calling for immediate action.

(7) “Excavate, Excavating or Excavation” means cutting, sawing, breaking, drilling into, boring under, or otherwise altering any Public Street or sidewalk pavement, and/or digging, drilling into or boring under any unpaved portion of the Public Way, including any other work or activity which disturbs the existing surface or subsurface structure, composition, or soil compaction.

(8) “Excess Capacity” means the volume or capacity in any existing or future Facility in the Public Ways that is or will be available for use for additional Facilities.

(9) “Facilities or Facility” means the plant, equipment and property, including but not limited to, cables, fibers, wires, lines, pipes, conduits, ducts, pedestals, antennae, electronics, poles, pipes, mains, plant, equipment and other appurtenances located under, on or above the surface of the ground in the Public Ways of the City and used or to be used to operate a System to transmit, receive, distribute, provide or offer a service, publicly or privately.

(10) “Lane Obstruction” means the blocking or diverting of vehicular and/or pedestrian traffic from a street or sidewalk for the purpose of Constructing, Excavating, maintaining or operating any Facility, including (A) the lifting or removing of manhole or handhole covers, and (B) the opening or accessing of at-grade or pole-mounted cabinets, pedestals, transformers, power supplies, amplifiers, splice enclosures, traps or other Facilities.

(11) “Mayor” means the Mayor or his or her designee.

(12) “New Service Orders” means the connection from the Service Provider's existing Facilities on private property for the purpose of providing a new Service to a customer in the City.

(13) “Occupancy, Occupy or Use” means, with respect to the Public Ways, to place a tangible thing in the Public Ways for any purpose, including, but not limited to, Constructing, repairing, positioning, maintaining or operating lines, poles, pipes, conduits, ducts, equipment or other structures, appurtenances or Facilities necessary to operate, or relating to, a System for the delivery of Services or private services over the Public Ways.

(14) “ODOT” means the Ohio Department of Transportation.

(15) “Other Ways” means the highways, streets, alleys, Utility Easements or other rights-of way within the City, but under the jurisdiction and control of a governmental entity other than the City.

(16) “Overhead Facilities” means utility poles and wires, cables and other such equipment running between and on such poles, including the underground supports and foundations for such Facilities.

(17) “Person” means and includes corporations, companies, associations, joint stock companies or associations, firms, partnerships, limited liability companies, trusts and individuals and includes their lessors, trustees and receivers.

(18) “Public Easement” means any easement under the jurisdiction and control of the City and acquired, established, dedicated or devoted for public purposes, including utility purposes.

(19) “Public Way or Right-of-Way” means the surface of, and the space within, through, on, across, above or below, any Public Street, public road, public highway, public freeway, public lane, public path, public alley, public court, public sidewalk, public boulevard, public parkway, public drive, Public Easement and any other land dedicated or otherwise designated for a compatible public use, which is owned or controlled by the City but excludes a private easement.

(20) “Public Street” means the paved and unpaved portion of any street, road, boulevard, drives, highway, freeway, parkway, lane court, alley or other Public Ways in which the City has an interest in law or equity and which has been acquired, established, dedicated or devoted to street purposes.

(21) “Public Way Fee” means a fee levied to recover the costs incurred by the City and associated with the occupancy or use of a Public Way.

(22) “PUCO or Public Utilities Commission of Ohio” means the State Administrative agency, or lawful successor, authorized to regulate and oversee certain Public Service Providers and Services in the State of Ohio.

(23) “Reconstruct, Reconstruction, etc.” means substantial physical change to or Capital Improvement of all or a portion of an existing System or Facilities including, but not limited to, the addition or alteration of Facilities to accommodate the provision of an additional Service or Services, and a change in location, or additional locations, of Facilities along the same Public Ways involving Construction in Public Streets, Utility Easements, or Public Ways.

(24) “Routine Maintenance” means repair, upkeep, replacement or restoration of existing Facilities located in the Public Ways that requires no more than three (3) working days to complete, is not an Emergency and does not include Excavation of the Public Ways.

(25) “Service” means the offering of water, sewer, electric, gas, telephone, telecommunications, cable television, video, information or other utility-like service for a fee directly to the public, or to such classes of users as to be effectively available to the public, regardless of the Facilities used.

(26) “Service Provider” means any Person who, pursuant to the consent to Occupy or Use the Public Ways pursuant to Section 901.02 of this Chapter, directly or indirectly owns, controls, operates or manages Facilities within the City's Public Ways, used or to be used for the purpose of operating a System to: (i) offer Service to the public within the City or outside of the City's boundaries or (ii) transmit, receive, distribute or provide telecommunications or other services between or among private buildings or facilities where there is no service offered to the public. For the purposes of this Chapter “Service Provider” shall also include their/its subcontractors.

(27) “State” means the State of Ohio.

(28) “Surplus Space” means that portion of the Usable Space on a utility pole that has the necessary clearance from the Facilities of other Public Service Providers using the pole, as required by the orders and regulations of PUCO and other applicable State and local orders and regulations, to allow its use by an additional Service Provider for a pole attachment.

(29) “System” means a network of Facilities for the transmission and/or distribution of a particular Service.

(30) “Trenchless Technology” means the use of directional boring, horizontal drilling and micro-tunneling and other techniques in the Construction of underground portions of Facilities that result in the least amount of disruption and damage to the Public Ways as possible.

(31) “Underground Facilities” means that portion of a System located under the surface of the ground, excluding the underground foundations or supports for Overhead Facilities.

(32) “Usable Space” means the total distance between the top of a utility pole and the lowest possible attachment point that provides the minimum allowable vertical clearance as specified in the orders and regulations of the PUCO.

(33) “Utility Easement” means any easement owned by a Service Provider and acquired, established, dedicated or devoted for the purpose of providing Service to the public.

(34) “Video Service Provider” means a person granted a video service authorization from the Ohio Department of Commerce under Sections 1332.21 through 1332.34 of the Ohio Revised Code.

(35) “City” means the City of Beachwood, Ohio.

(c) This Chapter does not apply to utility connections for properties or maintenance and repair work related thereto which are subject to Title Three, Utilities.

901.02 CONSENT TO OCCUPY OR USE THE PUBLIC WAYS.

(a) Consent Required to Occupy Public Ways. No Person shall Occupy or Use the Public Ways without obtaining prior consent from the City to do so.

(b) Persons Required to Apply for Consent to Occupy or Use Public Ways.

(1) The following Persons shall apply to the City for consent to Occupy or Use the Public Ways on a form provided by the Building Commissioner if such Person:

A. Does not currently have an existing System or Facilities in the City's Public Ways and desires to Construct a System or Facilities in the Public Ways;

B. Has an existing System or Facilities in the Public Ways on the effective date of this Chapter and does not have presumed initial consent under Section 901.02(c)(1) below; or

C. Has initial presumed consent or City consent to Occupy or Use the Public Ways for an existing System or Facilities, but is planning:

1. A Capital Improvement or Reconstruction of existing Facilities; or

2. To Construct additional Facilities or an additional System anywhere in the City.

(c) Initial Consent Presumed.

(1) A Person with existing Facilities in the Public Ways on the effective date of this Chapter shall be presumed to have initial consent for those Facilities to Occupy or Use the Public Ways if such Person:

A. Is subject to jurisdiction by the PUCO;

B. Has a valid franchise agreement with the City to provide Cable Services or other Services in the City, and/or

C. Is any other Person whose existing Facilities lawfully Occupy the Public Ways on the effective date of this Chapter.

(2) Initial presumed consent for Occupancy or Use of the Public Ways is limited to the Service Provider's existing Facilities.

(3) Any Service Provider with initial presumed consent to Occupy or Use the Public ways shall file an Initial Registration with the City within ninety (90) days of the effective date of this Chapter, on a form provided by the Building Commissioner, which shall include the information required by Section 901.02(d) of this Chapter.

(4) A Person with initial presumed consent must comply with the requirements of this Chapter with respect to the ongoing Occupancy or Use of the Public Ways including, but not limited to, the Insurance, Indemnity, Performance Bond and Registration requirements of Sections 901.04(a), (b) and (c) and 901.05 of this Chapter.

(d) Application for Consent to Occupy or Use the Public Ways and Initial Registration of Service Providers with Initial Presumed Consent. The application for Consent to Occupy or Use the Public Ways and/or initial registration pursuant to Section 901.02(c) for Service Providers with initial presumed consent to Occupy or Use the Public Ways shall include the following information with respect to the applicant's or Service Provider's planned or existing System and/or Facilities in the Public Ways as well as plans for any planned Capital Improvements or Reconstruction for the following twelve (12) months:

(1) The identity, legal status and federal tax identification number of the applicant, including all Affiliates of the applicant or Service Provider that will Use or Occupy the Public Ways or are in any way responsible for Facilities located in the Public Ways.

(2) The name, address and telephone number of the local officer, agent or employee responsible for the accuracy of the application or initial registration and available at all reasonable times to be notified in case of emergency.

(3) A general description of the Service provided or to be provided by the applicant or Service Provider over its System or Facilities. Where Services are or will be provided by a nonaffiliated provider, the applicant or Service Provider shall identify that provider.

(4) A description of the type of transmission medium used, or to be used, by the applicant or Service Provider to operate a System.

(5) A description of the existing or proposed Facilities in the City's Public Ways, all in sufficient detail to identify:

A. The location and route of the applicant's or Service Provider's Facilities or proposed Facilities.

B. The location of all known existing Overhead and/or Underground Facilities in the Public Ways along the route or proposed route of the applicant's or Service Provider's Facilities or proposed Facilities that is sufficient to show the impact of the applicant's Facilities on other existing Facilities.

C. The location of all known overhead and underground Utility Easements.

(6) Evidence that the applicant or Service Provider has complied, or will comply, with the Indemnification, Insurance, Performance Bond and Construction Bond requirements of this Chapter.

(7) Information sufficient to determine that the applicant or Service Provider has received any certificate of authority required by the PUCO, FCC or other applicable State or Federal Agency to operate a System and provide Services in the City.

(8) Written acknowledgement of receipt of a copy of this Chapter.

(9) Such other information as the Building Commissioner or the City Engineer may reasonably require relevant to the Provider's Use or intended Use of the Public Ways.

(e) City Consent or Denial for Occupancy or Use of the Public Ways.

(1) The City shall grant or deny, in writing, a Person's application for consent to Occupy or Use the Public Ways within sixty (60) days of the date on which the Person filed the application with the City.

A. The City may withhold, deny or delay its consent to a Person's application to Occupy or Use the Public Ways based on the Person's failure to possess the financial, technical and managerial resources necessary to protect the public health, safety and welfare, or for other reasons based on the health, safety and welfare of the City and in accordance with Ohio law.

B. If the City denies a Person's application to Occupy or Use the Public Ways, the City will provide its reasons in writing for denying the application, and will provide any information reasonably requested by that Person necessary to obtain the City's consent to Occupy or Use the Public Ways.

(2) The City's grant of consent for a Person to Occupy or Use the Public Ways shall be in the form of a Public Ways Occupancy Certificate which shall set forth the specific terms of the City's consent for such Person to Occupy or Use the Public Ways.

(f) Application to Existing Franchise. For purposes of this Chapter, a Franchise (ordinance or agreement) shall be deemed consent authorizing the Franchisee's Occupancy or Use of the Public Ways to the extent described in the Franchise. The Franchisee's use of the Public Ways beyond that authorized by the Franchise shall require additional consent for such additional Occupancy or Use. Franchisees shall comply with all other provisions of this Chapter except that if there is a direct conflict between a specific provision in the Franchise and the provisions of this Chapter, the Franchise shall control.

901.03 ANNUAL REGISTRATION OF SERVICE PROVIDERS.

(a) Annual Registration Required. All Service Providers with consent to Occupy or Use the Public Ways as provided in Section 901.02 shall register with the City each calendar year between January 1 and January 31 on a form provided by the City. Service Providers who file an Initial Registration after September 1st need not file an Annual Registration for the next calendar year.

(b) Purpose of Annual Registration. The purpose of Annual Registration is to assist the City in monitoring use of the Public Ways; to maintain an accurate and current database of information concerning Service Providers that Occupy or Use the Public Ways; and to assist the City in managing the Public Ways in a manner that best serves the public health, safety and welfare.

(c) Information Required for Annual Registration. Registration forms will be provided by the City and shall require the following information:

(1) Any material changes to the information the Service Provider provided the City in the application for consent to Occupy or Use the Public Ways or Initial Registration, including, but not limited to:

A. The identity, legal status, and federal tax identification number of the Service Provider, including any Affiliates.

B. The name, address and telephone number of the local officer, agent or employee responsible for the accuracy of the Service Provider's registration statement and available at all reasonable times to be notified in case of emergency.

(2) Evidence that the Service Provider is in compliance with the Insurance, Indemnity and Performance Bond requirements pursuant to Section 901.04 of this Chapter.

(3) Information regarding, and a preliminary Construction schedule and completion date for, any Capital Improvements the Service Provider plans in the Public Ways for the following twelve (12) months.

(4) Any other information the Building Commissioner or the City Engineer may reasonably require relevant to the Service Provider's Occupancy or Use of the Public Ways.

(d) Facilities Maps. The City shall have the right to access and review all the Service Provider's maps and/or as-built plans showing the location of its Facilities in the City's Public ways, upon ten (10) days' notice to the Service Provider.

(e) Registration to be Kept Current. In addition to Annual Registration, each Service Provider shall keep the required registration information current at all times and shall provide the City with notice of changes to that information within fifteen (15) days following the date on which the Service Provider has notice of such change.

(f) Registration Fee. Each Service Provider shall pay an annual registration fee as determined by the Mayor to reimburse the City for its administrative costs related to maintaining annual registration and as provided in Section 901.08.

901.04 INSURANCE, BOND AND INDEMNIFICATION.

(a) Service Provider Insurance. As a condition of the consent to Occupy or Use the Public Ways, a Service Provider must secure and maintain, at a minimum, the following liability insurance policies insuring the Service Provider and naming the City, its elected and appointed officers, officials, agents, employees and representatives as additional insureds:

(1) Comprehensive general liability insurance with limits not less than

A. Five Million Dollars (\$5,000,000) for bodily injury or death to each Person;

B. Five Million Dollars (\$5,000,000) for property damage resulting from any one accident; and

C. Five Million Dollars (\$5,000,000) for all other types of liability.

(2) Automobile liability for owned, non-owned and hired vehicles with a limit of Three Million Dollars (\$3,000,000) for each Person and Three Million Dollars (\$3,000,000) for each accident.

(3) Worker's compensation within statutory limits and employer's liability insurance with limits of not less than One Million Dollars (\$1,000,000).

(4) Comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than Three Million Dollars (\$3,000,000).

(5) The liability insurance policies required by this Section shall be maintained by the Service Provider throughout the period of time during which the Service Provider is

Occupying or Using the Public Ways, or is engaged in the removal of its Facilities. Each such insurance policy shall contain the following endorsement:

"It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until sixty (60) days after receipt by the City, by registered mail or by commercial carrier (e.g., FedEx), of a written notice addressed to the Mayor of such intent to cancel or not to renew."

(6) Within sixty (60) days after receipt by the City of said notice, and in no event later than thirty (30) days prior to said cancellation, the Service Provider shall obtain and furnish to the City replacement insurance policies meeting the requirements of this Section.

(7) Upon written application to, and written approval by, the Mayor, a Service Provider may be self-insured to provide all of the same coverages as listed in this Section; except that all coverages for Workers' Compensation shall comply with State law. No approval for self-insurance shall be given until the Mayor has made a complete review of the Service Provider's financial ability to provide such self-insurance. As part of the review process, the Mayor may require, and the self-insurance applicant shall provide, any and all financial documents necessary to make a valid determination of the applicant's ability to meet the needs of this Chapter.

(c) General Indemnification. Each application for consent to Occupy or Use the Public Ways, and each annual registration, shall include, to the extent permitted by law, the Service Provider's express undertaking to defend, indemnify and hold the City and its elected and appointed officers, officials, employees, agents, representatives and subcontractors harmless from and against any and all damages, losses and expenses, including reasonable attorney's fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the Service Provider or its Affiliates, officers, employees, agents, contractors or subcontractors relating to the Service Provider's Occupancy or Use of the Public Ways, whether such acts or omissions are authorized, allowed or prohibited by this Chapter.

(d) Performance Bond. As a condition of consent to Occupy or Use the Public Ways, and to ensure the full and complete compliance with, and performance under this Chapter, including any costs, expenses, damages or loss the City pays or incurs because of any failure attributable to the Service Provider to comply with the codes, ordinances, rules, regulations or permits of the City, each Service Provider shall, in the amount of Fifty Thousand Dollars (\$50,000) or such lesser amount as the Mayor may determine to be necessary (i) provide an unconditional letter of credit, or other instrument acceptable to the City, or (ii) furnish and file with the City a Performance Bond running to the City in the required amount from a company licensed to do business in the State of Ohio or a cash bond; which performance bond or letter of credit or other instrument shall be maintained at the sole expense of the Service Provider so long as any of the Service Provider's Facilities are located within the City's Public Ways. The requirements of this subsection shall not apply to a Service Provider that: (1) has presumed initial consent to Occupy or Use the Public Ways under Section 901.02 (c); and (2) has not been the subject of litigation or other enforcement action by the City arising from the Service Provider's activities in the Public Ways within the five (5) years prior to registration hereunder.

(1) Before claims are made against the Performance Bond or letter of credit or other instrument, the City shall give written notice to the Service Provider:

A. Describing the act, default or failure to be remedied, or the damages, cost or expenses which the City has incurred by reason of the Service Provider's act or default;

B. Providing a reasonable opportunity for the Service Provider to remedy the existing or ongoing default or failure, if applicable;

C. Providing a reasonable opportunity for the Service Provider to pay any monies due the City before the City makes a claim against the Performance Bond or letter of credit or other instrument;

D. That the Service Provider will be given an opportunity to review the act, default or failure described in the notice with the Mayor.

(2) Service Providers shall maintain the full value of the Performance Bond or letter of credit or other instrument regardless of claims against the Performance Bond or letter of credit or other instrument made by, or paid to, the City.

(3) Any draw upon the Performance Bond or letter of credit and to recover the City's costs related to a Service Provider's use of the Public Ways shall be considered Public Way Fees as that term is defined in Chapter 4939 of the Ohio Revised Code and shall be assessed by the Mayor in accordance with Chapter 4939 and any other applicable law.

901.05 GENERAL PUBLIC WAYS USE REGULATIONS.

(a) Rights Conveyed. Consent granted to or initially presumed of a Service Provider to Occupy or Use the Public Ways under Section 901.02:

(1) Shall be limited to a grant to Occupy or Use the specific Public Ways and defined portions thereof including the specific System or Facilities and location along the Public Ways;

(2) Shall not confer any exclusive right, privilege, license or franchise to Occupy or Use the Public Ways of the City to operate a System for delivery of Services or any other purposes; and

(3) Shall not convey any right, title or interest in the Public Ways, but shall be deemed consent only to Occupy or Use the Public Ways for the limited purposes granted by the consent. Further, no consent shall be construed as any warranty of title.

(b) Maintenance of Facilities. Each Service Provider shall maintain its System or Facilities in good and safe condition and in a manner that complies with all applicable federal, State and local requirements.

(c) Safety Procedures. A Service Provider or other Person acting on its behalf shall use suitable barricades, flags, flagmen, lights, flares and other measures as necessary and in accordance with applicable State and local requirements for the safety of all members of the general public and to prevent injury or damage to any Person, vehicle or property by reason of such work in or affecting such Public Ways or property.

(d) Interference with the Public Ways. No Service Provider may locate or maintain its Facilities so as to unreasonably interfere, as determined by the City Engineer, with the use of the Public Ways by the City, by the general public or by other Persons authorized to use or be present in or upon the Public Ways. All such Facilities shall be moved by the Service Provider, temporarily or permanently, as determined by the City Engineer.

(e) Damage to Public and Private Property. No Service Provider nor any Person acting on the Service Provider's behalf shall take any action or permit any action to be done which may impair or damage any City Property, Public Ways, Other Ways or other public or private property located in, on or adjacent thereto.

(f) Restoration of Public Ways, Other Ways and City Property.

(1) When a Service Provider, or any Person acting on its behalf, does any Construction, Reconstruction, Excavation, Routine Maintenance, Emergency Work or any other work in or affecting any Public Ways, Other Ways or City Property, it shall, after the work is completed and at its own expense, promptly remove any obstructions from and restore such ways or property, within ten (10) to thirty (30) days, at the Building Commissioner's discretion, to as good a condition as existed before the work was undertaken, unless otherwise directed by the City.

(2) If weather or other conditions prevent the complete restoration required by this Section, the Service Provider shall temporarily restore the affected ways or property as directed by the Building Commissioner, at the Service Providers' sole expense. The Service Provider shall promptly undertake and complete the required permanent restoration when weather or other conditions no longer prevent permanent restoration.

(g) Duty to Provide Information. Within ten (10) days of a written request from the Building Commissioner, each Service Provider shall:

(1) Furnish the City with documentation sufficient to show that the Service Provider has complied with all requirements of this Chapter.

(2) Make available for inspection by the City, at reasonable times, all books, records, maps and other documents, maintained by the Service Provider with respect to its Facilities in the Public Ways.

(h) Leased Capacity. A Service Provider shall have the right, without prior City approval, to lease capacity or bandwidth to an unaffiliated Service Provider, provided:

(1) The Service Provider shall notify the City of the lease agreement within thirty (30) days of such lease agreement.

(2) The lessee has complied with the applicable requirements of this Chapter.

(i) Assignments or Transfers of Consent. Consent to Occupy or Use the Public Ways may be, directly or indirectly, transferred, assigned or disposed of by sale, lease, merger, consolidation or other act of the Service Provider, by operation of law or otherwise, without consent of the City; provided that with respect to any transactions (including transactions between Affiliated entities) that singularly or collectively result in a change of twenty-five percent (25%) or more of the ownership or ultimate working control of a Service Provider, of the ownership or working control of the Service Provider's Facility, or of control of the capacity or bandwidth of the Service Provider's System, Facilities or substantial parts thereof, the transferor and transferee shall comply with the following:

(1) Notify the City of the proposed transfer before the date of transfer; and

(2) The transferee shall fully comply with this Chapter within sixty (60) days of the transfer, including, but not limited to providing the City with all information required by the Initial Registration required by Section 901.02 (d) of this Chapter.

(j) Revocation of Consent. Subject to Section 901.05 (k), consent granted by the City to Occupy or Use the Public Ways of the City, or a Construction Permit, may be revoked for any one of the following reasons:

(1) Construction, Reconstruction or operation or Excavation at an unauthorized location.

(2) Construction, Reconstruction or operation in violation of City safety and/or Construction requirements.

(3) Material misrepresentation or lack of candor by or on behalf of a Service Provider in any application or registration required by this Chapter.

(4) Failure to relocate or remove Facilities, or failure to restore the Public Ways, as required by this Chapter.

(5) Insolvency or bankruptcy of the Service Provider.

(6) Violation of material provisions of this Chapter.

(k) Notice of Violation and Duty to Cure. In the event that the Building Commissioner believes that grounds exist for revocation of consent to Occupy or Use the Public Ways or Construction Permit, he or she shall give the Service Provider written notice of the apparent violation or noncompliance, providing a short and concise statement of the nature and general facts of the violation or noncompliance, and providing the Service Provider a reasonable period of time not exceeding thirty (30) days to furnish evidence:

(1) That corrective action has been, or is being actively and expeditiously pursued, to remedy the violation or noncompliance;

(2) That rebuts the alleged violation or noncompliance; and/or

(3) That a lesser penalty or sanction would better serve the public interest.

(l) Waiver of Requirements. It is within the Building Commissioner's reasonable discretion to waive any portion of this Chapter, if in his or her judgment, such requirements are not necessary or appropriate to protect the City's interests and the purposes and intent of this Chapter.

901.06 LOCATION, RELOCATION AND REMOVAL OF FACILITIES.

(a) Location of Facilities. All Facilities shall be Constructed, Reconstructed, installed and located in accordance with the following terms and conditions:

(1) Overhead Facilities. Unless application of this provision is specifically prohibited by state or federal law, a Service Provider with permission to install Overhead Facilities shall install its Facilities on pole attachments to existing utility poles only, and then only if Surplus Space is available. Except for Overhead Facilities as provided herein, no Facilities shall be located above ground in a Public Ways without the express written permission of the City Engineer.

(2) Underground Facilities. Whenever the existing electric, cable, telecommunications and other similar Facilities are located underground in a Public Ways, a Service Provider with permission to Occupy the same Public Ways with the electric, cable, telecommunications or other similar Facilities, must also locate its Facilities underground. Facilities shall be installed within an existing compatible underground duct or conduit whenever Excess Capacity exists within such Facility.

(b) Relocation or Removal of Facilities. Within thirty (30) days following written notice from the City, a Service Provider shall, at its expense, temporarily or permanently remove, relocate, change or alter the position of any Facilities in the Public Ways whenever the City determines that such removal, relocation, change or alteration is reasonably necessary for:

(1) The Construction, Reconstruction, maintenance or installation of any City or other public improvement in or upon the Public Ways.

(2) The operations of the City or other governmental entity in or upon the Public Ways. Notwithstanding the above, no Service Provider shall be required to bear the expense of removal, relocation, change or alteration of position of any Facilities if such requirement would be prohibited by law.

(c) Removal of Unauthorized Facilities. Within thirty (30) days following written notice from the City, any Service Provider or other Person that owns, controls or maintains any unauthorized System, Facility or related appurtenances in the City's Public Ways shall, at its own expense, remove those Facilities or appurtenances from the Public Ways or shall, at the City's option, arrange to sell the System, Facilities or appurtenances to the City. After the thirty (30) days have expired, the City may remove the Facilities or appurtenances from the Public Ways at the other party's expense. A System or Facility is unauthorized and subject to removal in the following circumstances:

(1) Upon revocation of the Service Provider's consent to Occupy or Use the Public Ways;

(2) If the System or Facility was Constructed, Reconstructed, operated or maintained without the consent to do so, except as otherwise provided by this Chapter;

(3) Upon abandonment of a Facility in the Public Ways of the City, with the exception of underground facilities abandoned in a manner authorized and approved by the City Engineer;

(4) If the System or Facility was Constructed or Reconstructed, or any Excavation of a Public Ways was performed, without prior issuance of a required Construction Permit, except as otherwise provided by this Chapter;

(5) If the System or Facility was Constructed, Reconstructed, operated or maintained, or any Excavation of a Public Ways was performed, at a location not permitted pursuant to the City's consent for the Provider to Occupy or Use the Public Ways or Construction Permit; or

(6) If the Service Provider fails to comply with, or cure a violation of, a material requirement of this Chapter.

(d) Emergency Removal or Relocation of Facilities. The City retains the right and privilege to cut or move any Facilities, or stop work on any Construction, Reconstruction, or Excavation, located in the Public Ways, as the Building Commissioner or the City Engineer may determine to be necessary, appropriate or useful in response to any need to protect the public health, safety or welfare.

901.07 NOTICE OF WORK, ROUTINE MAINTENANCE AND EMERGENCY WORK.

(a) Notice of Work. Except in case of Emergency, as provided in Section 901.07(c), or for Routine Maintenance as provided in Section 901.07 (b), no Service Provider, or any Person acting on the Service Provider's behalf, shall commence any work in the Public

Ways of the City or Other Ways without twenty-four (24) hours advance notice to the City, obtaining a Construction Permit pursuant to Section 901.08 if required, and complying with the consent and registration requirements of Section 901.02.

(b) Routine Maintenance and New Service Orders.

(1) A Service Provider need not obtain a Construction Permit or notify the City prior to or after commencing any Routine Maintenance or New Service Orders that do not include the Construction in, or Excavation or Lane Obstruction of, a Public Ways or closing of a Public Street.

(2) For Routine Maintenance and New Service Orders that require the Service Provider to cause a Lane Obstruction in a Public Street for more than four (4) hours, the Service Provider shall provide the City with forty-eight (48) hours advance notice prior to commencing the Routine Maintenance or New Service Order, and shall submit a drawing showing the planned traffic maintenance and indicating how the Service Provider will meet all requirements of ODOT's Manual of Traffic Control Devices or other applicable ODOT regulations.

(3) A Service Provider performing Routine Maintenance shall otherwise comply with the requirements of this Chapter.

(c) Emergency Work. In the event of the need for any unexpected repair or Emergency work, a Service Provider may commence such Emergency response work as required under the circumstances, provided that for Emergency work that requires Excavation of a Public Ways or Lane Obstruction or closing of a Public Street, the Service Provider shall notify the Building Commissioner as promptly as possible before commencing such Emergency work, or as soon as possible thereafter if advance notice is not practicable.

901.08 CONSTRUCTION PERMIT AND STANDARDS.

(a) Construction Permit.

(1) No Construction Permit is required for Routine Maintenance and New Service Orders that do not include Excavation in a Public Street.

(2) No Person shall commence or continue with the Construction or Reconstruction of Facilities or Excavation in the Public Ways without obtaining a Construction Permit from the Building Commissioner as provided in this Section, including but not limited to the following circumstances:

A. The Construction of a new System or Reconstruction of Facilities to provide a new Service;

B. The extension of a Service Provider's System in the Public Ways in an area of the City not currently serviced by that Service Provider; not including New Service Orders unless a Public Street will be Excavated;

C. The relocation or replacement of more than two hundred (200) lineal feet of a Service Provider's existing System or Facilities in the Public Ways;

D. Any Construction, Reconstruction or replacement of Facilities or New Service Orders in the Public Ways requiring more than one (1) working day to complete; or

E. Any Construction, Reconstruction or New Service Orders requiring the Excavation of a Public Street.

(3) The proposed installation of small cell or micro wireless facilities or wireless support structures associated with small cell or micro wireless facilities shall be governed by Chapter 903, Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures, and the City's Small Cell Design Guidelines set forth in Chapter 905.

(4) No Construction Permit shall be issued for the Construction or Reconstruction of Facilities, or Excavation, in the Public Ways unless the Service Provider has obtained consent from the City to Use or Occupy that portion of the Public Ways and filed a current registration pursuant to Sections 901.02 and 901.03 of this Chapter.

(5) The Building Commissioner may waive or modify, as reasonably required, the construction permit requirements for Service Providers with Underground Facilities whose routine maintenance of Facilities requires Excavation.

(b) Construction Permit Applications. Applications for Construction Permits shall be submitted upon forms provided by the City and be accompanied by relevant drawings, plans and specifications in sufficient detail and include the following information:

(1) A preliminary construction schedule.

(2) Above-Ground Facilities. If the applicant is proposing to Construct or Reconstruct Overhead Facilities:

A. Evidence that Surplus Space is available for locating its Facilities on existing utility poles along the proposed route;

B. The location and route of all Facilities to be located or installed on existing utility poles.

(3) Underground Facilities.

A. If the applicant is proposing new Underground Facilities in existing ducts, pipes or conduits in the Public Ways, information in sufficient detail to identify:

1. The Excess Capacity currently available in such ducts or conduits before the installation of the applicant's Facilities.

2. The Excess Capacity, if any that will exist in such ducts or conduits after installation of the applicant's Facilities.

B. If the applicant is proposing new Underground Facilities in new ducts or conduits to be Constructed in the Public Ways:

1. The location and depth proposed for the new ducts or conduits; and

2. The Excess Capacity that will exist in such ducts or conduits after installation of the applicant's Facilities.

C. The location and route of all Facilities to be located under the surface of the ground, including the line and grade proposed for the burial at all points along the route which are in the Public Ways. Included with the installation shall be magnetic and florescent tape placed at a minimum of one (1) foot to a maximum of two (2) feet above the entire Facility as installed for the purpose of locating the Facility during future Construction activities, or other such location device as approved by the Building Commissioner. The tape shall be marked with the type of Facility installed.

D. The location of all known existing underground utilities, conduits, ducts, pipes, mains and installations that are in the Public Ways along the underground route proposed by the applicant.

(4) The location(s), if any, for interconnection with the Facilities of other Service Providers.

(5) The construction methods to be employed to protect existing structures, fixtures and Facilities in or adjacent to the Public Ways.

(6) The structures, improvements, Facilities and obstructions, if any, that the applicant proposes to temporarily or permanently remove or relocate, and any necessary plans for their restoration.

(7) The impact of Construction or Reconstruction of Facilities on trees and landscaping in or adjacent to the Public Ways along the route proposed by the applicant, together with a landscape plan for protecting, trimming, removing, replacing and restoring any trees, landscaping or areas disturbed during Construction.

(8) Information to establish that the applicant has obtained all other governmental approvals and permits to Construct and operate the Facilities and to offer or provide the Services.

(9) An attestation that the Facilities will be Constructed or Reconstructed, or the Public Ways Excavated, in accordance with all applicable codes, rules and regulations.

(10) Any other information the Building Commissioner or the City Engineer may reasonably request related to the Service Provider's application for a Construction Permit.

(c) Construction Codes. Facilities shall be Constructed, Reconstructed and Excavated in accordance with all applicable federal, State and local codes, rules, regulations and technical codes including, but not limited to, the National Electrical Safety Code.

(d) Issuance of Permit. Within ten (10) business days after submission of all plans and documents required of the applicant, the Building Commissioner, if satisfied that the applications, plans and documents comply with all requirements of this Chapter, shall issue a Construction Permit authorizing the Construction or Reconstruction of the Facilities, or Excavation in the Public Ways, subject to such further conditions, restrictions or regulations affecting the time, place and manner of performing the work as the Building Commissioner may deem necessary or appropriate. The ten (10) business day period shall begin after the Building Commissioner deems all submissions to be complete and in accordance with the requirements of this Chapter.

(e) Modification of Construction Schedule. The Service Provider may modify the construction schedule at any time provided that forty-eight (48) hours advance notice is given to the Building Commissioner and the City Engineer. The Service Provider shall further notify the Building Commissioner and the City Engineer and the Ohio Utility Protection Service (OUPS) not less than forty-eight (48) hours in advance of any Excavation or work in the Public Ways.

(f) Least Disruptive Technology. To the extent reasonably possible, all Facilities shall be Constructed or Reconstructed in the manner resulting in the least amount of damage and disruption of the Public Ways. Unless otherwise authorized by the City Engineer for good cause, Service Providers Constructing or Reconstructing Underground Facilities shall utilize Trenchless Technology, including, but not limited to, horizontal drilling, directional boring, and microtunneling, if technically and/or technologically feasible.

(g) Compliance with Permit. All Construction practices and activities shall be in

accordance with the Construction Permit and approved final plans and specifications for the Facilities. The Building Commissioner and the City Engineer shall have access to the work and such further information as he or she may require to ensure compliance with such requirements. Field changes may be approved by the Building Commissioner or the City Engineer if such changes are determined to be necessary due to site conditions or other changed circumstances.

(h) Display of Permit. The Service Provider shall maintain a copy of the Construction Permit and approved plans at the construction site, which shall be displayed and made available for inspection by the Building Commissioner and the City Engineer whenever Construction work is occurring.

(i) Noncomplying Work. Upon order of the Building Commissioner or the City Engineer, all work that does not comply with the Permit, the approved plans and specifications for the work, or the requirements of this Chapter, shall immediately cease and be immediately removed and/or corrected by the Service Provider.

(j) Record Drawings. Within sixty (60) days after completion of Construction, the Service Provider shall provide the City with two (2) complete sets of plans, drawn to scale and certified to the City as accurately depicting the location of all Facilities Constructed pursuant to the Permit. If required by the City, the Service Provider shall submit the Record Drawings in a digital format compatible with the City's computer software, in accordance with Section 901.05 (f).

(k) Restoration of Improvements. Upon completion of any Construction work, the Service Provider shall promptly repair any and all Public ways, property improvements, fixtures, structures and Facilities which were damaged during the course of Construction, and restore them as nearly as practicable to their prior condition.

(l) Landscape Restoration.

(1) All trees, landscaping and grounds removed, damaged or disturbed as a result of the Construction, Reconstruction, installation, maintenance, repair or replacement of Facilities must be replaced or restored as nearly as may be practicable, to the condition existing prior to performance of work, except to the extent that tree trimming is necessary to prevent the interference of tree branches with Overhead Facilities.

(2) All restoration work within the Public Ways shall be done in accordance with landscape plans approved by the Building Commissioner or the City Engineer.

(m) Construction and Completion Bond. Prior to issuance of a Construction Permit the Service Provider shall deposit with the City a Construction Bond written by a corporate surety or cash bond acceptable to the City equal to at least one hundred percent (100%) of the estimated cost of Constructing or Reconstructing the Service Provider's Facilities or Excavation in the Public Ways of the City, or such lesser amount as the Mayor may determine to adequately protect the City's interest.

(1) The Construction Bond shall remain in force until eighteen (18) months after substantial completion of the work, as determined by the Building Commissioner or the City

Engineer, including restoration of Public Ways and other property affected by the Construction, unless a bond for a lesser time period is approved by the Mayor.

(2) The Construction Bond shall guarantee, to the satisfaction of the City:

A. Timely completion of Construction;

B. Construction in compliance with applicable plans, permits, technical codes and standards;

C. Proper location of the Facilities as specified by the City;

D. Restoration of the Public Ways and other property affected by the Construction;

E. The submission of Record Drawings, in written and digital format, after completion of the work as required by this Chapter; and

F. Timely payment and satisfaction of all claims, demands or liens for labor, material or services provided in connection with the work.

(3) In lieu of filing a Construction Bond with the City for each Construction Permit, a Service Provider with the approval of the Mayor may file an Annual Construction Bond (or Annual Bond) in the form described above in an amount that the Mayor may determine will adequately protect the City's interests as described above.

(4) Any draw upon the Construction Bond to recover the City's costs related to a Service Provider's use of the Public Ways shall be considered Public Way Fees as that term is defined in Chapter 4939 of the Ohio Revised Code and shall be assessed by the Mayor in accordance with Chapter 4939 and any other applicable law.

(n) Responsibility of Owner. The owner of the Facilities to be Constructed or Reconstructed and, if different, the Service Provider, are responsible for performance of and compliance with all provisions of this Section.

901.09 RECOVERY OF CITY COSTS IN MANAGING THE PUBLIC WAYS.

(a) Purpose. It is the purpose of this Section 901.09 to provide for the recovery of all direct and indirect costs and expenses actually incurred by the City and associated with a Public or Private Service Provider's Occupancy or Use of the Public Ways and related to the enforcement and administration of this Chapter. All fees related to the Occupancy or Use of the Public Ways shall be considered to be Public Way Fees as that term is defined in this Chapter and shall be assessed by the City in a manner which is in accordance with Chapter 4939 of the Ohio Revised Code and any other applicable law.

(b) Waiver or Offset of Public Way Fees. Public Way Fees assessed against a governmental entity shall be waived. Any Video Service Provider paying a Video Service Provider fee to the City shall be entitled to a credit, offset or deduction against any reimbursement of City costs assessed under this Chapter for all such Video Service Provider fees.

(c) Assessment of Public Way Fees. The Mayor shall have the authority to assess Public Way Fees for Occupancy or Use of the Public Ways consistent with the provisions of this Chapter without further action of City Council.

(d) Other City Costs. All Service Providers who have been issued a Public or Private

Service Provider's Occupancy or Use of the Public Ways shall, within thirty (30) days after written demand therefor, reimburse the City for all direct and indirect costs and expenses incurred by the City in connection with the management of the City's Public Ways, not otherwise specified in this Chapter.

(e) **Regulatory Fees and Compensation Not a Tax.** The regulatory fees and costs provided for in this Chapter are separate from, and additional to, any and all federal, State, local and City taxes as may be levied, imposed or due from a Service Provider, its customers or subscribers, or on account of the lease, sale, delivery or transmission of Services.

(f) **Construction Deposit May be Required.** The Building Commissioner may determine, within his or her reasonable discretion, that the circumstances related to an application for a Construction Permit in the Right-of-Way require the Person applying for such permit to deposit funds designated for the professional services of plan review and on-site inspection. Further, in the case of Excavation that will disturb the Right-of-Way and any associated infrastructure such as the street pavement, a Damage Control Deposit may be required. Any unused deposit funds shall be returned to the Person applying for the Construction Permit upon completion and approval of the project.

901.10 MISCELLANEOUS PROVISIONS.

(a) **Preemption by State and Federal Law.** Except as may be preempted by applicable State or Federal laws, rates, regulations, and orders, this Chapter shall apply and be controlling over each Service Provider with Facilities in the Public Ways.

(b) **Exemption for City-Owned or Operated Facilities.** Except as otherwise required by law, nothing in this Chapter shall be construed to apply the provisions of this Chapter to Facilities owned or operated by the City or any of its operations.

(c) **Private Facilities.** Persons who wish to use the Public Ways of the City for Facilities that provide service not available to the general public shall obtain consent from the City pursuant to Section 901.02, register pursuant to Section 901.03, obtain a Construction Permit (if applicable) pursuant to Section 901.07 and comply with all provisions of this Chapter.

(d) **Application to Existing Code Provisions.** In the event of a direct conflict between any provision of this Chapter and any other section of the City's Codified Ordinances, the provisions of this Chapter shall apply.

(e) **Severability.** If any section, subsection, sentence, clause, phrase, or other portion of this Chapter, or its application to any Person, is, for any reason, declared invalid, in whole or in part by any court or agency of competent jurisdiction, that decision shall not affect the validity of the remaining portions hereof.

901.99 PENALTIES AND OTHER REMEDIES.

(a) Criminal Penalties. Any Person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor of the fourth (4th) degree. A separate and distinct offense shall be deemed committed each day on which a violation occurs or continues.

(b) Civil Violations and Forfeiture.

(1) In lieu of the criminal penalties set forth above, the Mayor may make an initial finding of a civil violation by any Person for violating, disobeying, omitting, neglecting or refusing to comply with any of the provisions of this Chapter.

(2) The Civil Forfeiture shall be in an amount payable to the City of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense. A separate and distinct offense shall be deemed committed each day on which a violation occurs or continues.

(3) An action for civil forfeiture shall be commenced by the Mayor providing the violating Person with written notice describing in reasonable detail the alleged violation of one or more provisions of this Chapter and the amount of the penalty that will be assessed against it.

(4) The violating Person shall have fifteen (15) days, or other period of time as specifically set forth in this Chapter for the violation, subsequent to receipt of the notice of violation in which to correct the violation before the City may assess penalties against the violating Person. The time in which to cure the violation may be extended by the City if additional time is required to correct the violation; provided that the violating Person commences corrective action within seven (7) days of the notice of violation and proceeds with reasonable diligence.

(5) The Person may dispute the alleged violation as set forth in Subsection (c) of this Section 901.99.

(6) If the Mayor finds after hearing that the alleged violation(s) did occur, the penalty shall be assessed starting from the day upon which the period allowed to cure the violation terminated and shall continue until the violation has been corrected.

(c) Appeals. Any notice of violation or determination of a denial of an application or registration under this Chapter may be appealed by filing a written request for a hearing by the Mayor within fifteen (15) days from the date that such notice of violation or determination is received by the alleged violator, unless the provisions of this Chapter otherwise set forth a different time period for filing an appeal. Upon receipt of such a request, the Mayor shall set a time and place for such hearing and shall cause notice thereof to be given to such person, in the manner provided below, not less than five (5) days prior to the hearing. The notice shall advise the appellant that evidence and testimony will be heard, that the appellant may call witnesses and cross examine witnesses against the appellant, and that the Mayor may subpoena any person who the appellant reasonably believes can provide competent testimony or evidence on the matter. A copy of such notice, specifying the purpose of the hearing and the time and place thereof at which all interested persons shall be heard, shall also be posted at City Hall. Such notice may also be published in one or more newspapers of general circulation in the City.

Such hearing shall be conducted by the Mayor, and shall be conducted in the manner described in the notice. Not more than ten (10) days after the conclusion of such hearing, the Mayor shall issue an order confirming, modifying or rescinding the notice of violation or

determination on appeal. Any such order shall be a final order, within the meaning of Ohio Revised Code Section 2506.01, upon the filing of a copy thereof with the Clerk of Council. A copy of such order shall be served as soon as possible, in the manner provided below, upon the person requesting the hearing.

Any notice or order referenced in this Section is properly served upon a Service Provider or person identified in the annual registration under Section 901.03 (c) as set forth below.

(1) Delivered Personally to the Service Provider or person identified in the annual registration;

(2) Left at the Service Provider's or person identified in the annual registration's usual place of business with someone representing themselves as an employee of the Service Provider, or person identified in the annual registration, who is eighteen (18) years of age or older who would reasonably be responsible for receiving correspondence addressed to the Service Provider or person identified in the annual registration;

(3) Sent by certified, pre-posted U.S. mail to the last known address of the Service provider or person identified in the annual registration;

(4) If the notice is attempted to be served by certified, pre-posted U.S. mail and then returned showing that the letter was not delivered, or the certified letter is not returned within fourteen (14) days after the date of mailing, then notice may be sent by regular, pre-posted, first class U.S. mail; or

(5) If the notice is attempted to be served by regular, first class U.S. mail, postage prepaid, and the letter is then returned showing that the letter was not delivered, or is not returned within fourteen (14) days after the date of mailing, then notice shall be posted in a conspicuous place in or about the structure, building, premises, or property affected by such notice.

(d) Other Remedies. Nothing in this Chapter shall be construed as limiting any judicial remedies that the City may have, at law or in equity, for enforcement of this Chapter."

Section 2: That existing Chapter 901, "Street Excavations", of the Codified Ordinances of the City of Beachwood is hereby repealed.

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

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

Clerk

Approval: I have approved this legislation this ____ day of _____, 2025 and filed it with the Clerk.

Mayor

INTRODUCED BY:

ORDINANCE NO. 2025-17

AN ORDINANCE AMENDING CITY OF BEACHWOOD CODIFIED ORDINANCE CHAPTER 927, TITLED “USE OF CITY HALL FACILITIES”; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, Chapter 927 of the Beachwood Codified Ordinances establishes the policies and procedures governing the use of such City Hall facilities;

WHEREAS, City Council has requested the City administration to review the existing Facility Use Policy to ensure it aligns with current operational practices, community needs, and legal requirements;

WHEREAS, the City administration has conducted a thorough review of the Facility Use Policy, consulted with relevant departments, and proposed updates to improve clarity, efficiency, and equitable access to City facilities;

WHEREAS, City Council desires to amend Chapter 927 of the Beachwood Codified Ordinances in accordance with the City administration's recommendations to enhance the Facility Use Policy and ensure it meets the needs of the community and aligns with current best practices.

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

Section 1: Council hereby amends Beachwood Codified Ordinance Chapter 927, titled “Use of City Hall Facilities”, to read and provide, in its entirety, as set forth in **Exhibit “A”** which is attached hereto and fully incorporated by reference herein.

Section 2: Any other ordinances or parts thereof in conflict with this amendment are hereby repealed to the extent of the conflict and all ordinances and parts thereof not amended by this Ordinance shall remain in full force and effect.

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

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

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

Attest: I hereby certify this legislation was duly adopted on the ____ day of _____, 2025 and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the ____ day of _____, 2025.

Approval: I have approved this legislation this ____ day of _____, 2025 and filed it with the Clerk.

Clerk

Mayor

PART NINE - STREETS AND PUBLIC SERVICES CODE
 TITLE FIVE - OTHER PUBLIC SERVICES
 CHAPTER 927. Use of City Hall Facilities

CHAPTER 927. Use of City Hall Facilities¹

927.01 Statement of policy.

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- (b) The Council Chambers, Caucus Room, Conference Rooms, offices and all other administrative areas of City Hall are reserved for use exclusively by city officials, boards, employees, agents and representative for City business.

(Ord. 2015-70. Passed 5-18-15)

927.02 Procedures and practices.

- (a) Approval; Fee; Deposit.
 - (1) Without Charge. The Community Services Director is authorized to approve the use of available rooms in the Community Center, without charge, by community groups as set forth herein. The community groups and activities authorized to use the Community Center without charge as provided in this chapter are as follows:
 - A. City of Beachwood sponsored activities;
 - B. Beachwood Board of Education activities;
 - C. Beachwood Arts Council;
 - D. Beachwood Chamber of Commerce;
 - E. Government Entities;
 - F. Homeowner Association.

Any special requests (those outside of a standard meeting) may be subject to additional charges as determined by the Community Services Director and/or the Mayor.
 - (2) Without a Room Rental Fee During Regular Hours. The Community Services Director is authorized to approve the use of available rooms in the Community Center, without a room rental charge, by community groups as set forth herein. The community groups and activities authorized to use the Community Center without a room rental charge during regular hours as provided herein are as follows:

¹Cross reference(s)—Vending machines - see ADM. 131.05; Alcoholic beverages - see GEN. OFF. Ch. 612; Illegal drugs - see GEN. OFF. Ch. 624; Disorderly conduct - see GEN. OFF. 648.04; Disturbing meetings - see GEN. OFF. 648.05

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- A. Civic or community groups with a majority of Beachwood residents or an office within the City limits;
 - B. Non-~~p~~Profit/~~c~~Charitable organizations which have an office in Beachwood or provide services to a significant number of Beachwood residents.

(3) Without a Room Rental Fee During Extended Hours. Local civic and community groups may use available rooms at the Community Center free of charge outside of regular hours. This applies only on Tuesdays, Wednesdays, and Thursdays. Approval for such use is at the discretion of the Community Services Director."

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(43) With a Rental Fee. The Community Services Director is authorized to approve the rental of available rooms in the Community Center as set forth herein. The Community Center is available for rental to:

- A. Beachwood residents;
- B. Businesses/commercial institutions whose offices are located in Beachwood; and
- C. Civic or community groups with a majority of Beachwood residents or an office within the City limits during extended hours except for Tuesdays, Wednesdays, and Thursdays where there will be no fee as referenced above in 927.02(3);
- D. Non-~~p~~Profit/~~c~~Charitable organizations which have an office in Beachwood or provide services to a significant number of Beachwood residents during extended hours.

(54) Discretionary Fees. If the event involves the sale of goods, services or tickets (other than tickets to cover the direct costs of the event such as refreshments), the group shall pay an hourly rate determined by the Community Services Director, to cover the cost to the City of making the Community Center available for the event.

(b) Approving Requests and Resolving Conflicting Requests.

- (1) A formal application shall be filed with the Community Services Director at least thirty (30) days and not more than six (6) months before the requested use of the Center. Exceptions to this rule may be approved by the Community Services Director when special circumstances apply, if such scheduling does not interfere with the policies contained in this chapter or with approved scheduling commitments already made by the City.
- (2) The Mayor and/or Council reserves the right to cancel and/or re-schedule use of the Community Center if a City function requires its use.

(c) Special Conditions.

- (1) Applicants for the use of the Community Center shall pay for or furnish any special supervisors needed, i.e., police protection, parking supervisors, etc., as determined by the Community Services Director or the Police Chief and approved by the Mayor.
- (2) Applicants shall be responsible for any damage to the City property and for supervision of the use of the Community Center. The Community Services Director may charge for janitorial services if extra clean-up costs have been incurred over and above those which might normally be expected, at the rate of per employee hour for such extra services.
- (3) Except for the groups listed in subsection (a)(1) above, no groups or individuals may reserve space more than once per ~~calendar quarter~~ month.

Created: 2024-11-14 11:03:30 [EST]

(Republication)

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- (4) Political Campaign events ~~or other political events~~ associated with an individual running for office are not permitted.

(5)

- (5) The sale, soliciting or advertising for sale of merchandise, circulars, tickets, prizes, rewards or other monetary rewards, or the collection of money or goods by any for profit entity shall not be permitted in the Community Center.

- (66) Under no conditions may smoking or illegal drugs be used in connection with any function held in or on any City building or on City grounds, nor shall guns or weapons of any type be permitted inside any City building or on City grounds.

- (77) All persons attending events in the Community Center shall:

- A. Conduct themselves in an orderly manner;
- B. Be respectful of the rights of others;
- C. Protect City property from damage;
- D. Children shall not run or "rough house" in rented or common areas; and
- E. Follow the orders of any authorized official regarding the use and occupancy of City property. Occupancy may not exceed the stated room limits.

- (d) Applications. Application forms for use of the Community Center may be obtained ~~from the Community Services Director at~~ www.BeachwoodRec.com. An approved application is only valid for the applicant; and is not transferable. Applicants must be twenty-one (21) years of age or older and must be present at the function. Applicant(s) are responsible for the enforcement of all rental policies. The Community Services Director shall keep a calendar of approved uses of the Community Center.

- (e) Cancellation Policy.

- (1) To receive a full refund (including security deposit), applicant(s) must cancel the event at least thirty (30) days in advance.
- (2) There will be a fifteen percent (15%) handling fee applied to cancellations which are less than thirty (30) days but more than seven (7) days prior to said event.
- (3) There will be no refund for events cancelled less than seven (7) days prior to said event.

- (f) Rental Fee; Schedule.

- (1) Rental fees shall be established by Council; as said fees may be modified from time to time.
- (2) Payment for room rental, security deposit, and any other fees associated with room usage (examples include, but are not limited to, coffee service, police security or parking lot attendant) is required at time of booking.

- (g) Rules Governing Usage and Rental of Community Center Space. Additional rules for the use of the Community Center may be promulgated by the Mayor and/or the Community Services Director.

- (h) Room Rental.

- (1) Basic rental includes a specified room/space, set up of table and chairs, ~~and a sound system (volume is controlled by City staff)~~.
- (2) ~~Rental also includes usage of one (1) kitchen, including use of sinks, countertops, ice machine, and refrigerator.~~

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- (3) Kitchen rental shall be based on availability and only one (1) rental group may use the kitchen at a time.
- (4) Rental does not include food/beverage services.
- (5) No common areas (lobby or patio) are rentable.
- (6) The ~~entitles~~ entities and organizations listed in Section 927.02(a)(1) hereof of the Beachwood Codified Ordinances shall be permitted to use available rooms in the Community Center without charge during regular or extended hours. Other ~~c~~Civic ~~o~~Organizations, ~~c~~Community ~~g~~Groups, or ~~n~~Non-~~p~~Profit/~~c~~Charitable ~~o~~Organizations with a majority of Beachwood residents, an office within the City limits or which provides services to a significant number of Beachwood residents, may rent space without charge during regular hours and may rent space during extended hours at fifty (50)% off the extended hour rate noted below, except as noted in 927.02 (a)(3).
- (7) The fee schedule for use of specific rooms in the Community Center is as set forth below.

ROOM	CAPACITY (tables/ chairs)	CAPACITY (chairs only)	REGULAR HOURS	EXTENDED HOURS **	W/ KITCHEN
Fairmount	72	125	\$ 90/hour	\$100/hour	\$50 extra
Richmond	72	125	\$ 90/hour	\$100/hour	\$50 extra
Combined	144	250	\$100/hour	\$125/hour	\$50 75 extra
Beechwood*	48	75	\$ 50/hour	\$ 60/hour	\$50 30 extra
Chagrin*	56	75	\$ 50/hour	\$ 60/hour	\$50 30 extra
Combined	104	150	\$ 75/hour	\$ 85/hour	\$50 extra
Cedar*	20	35	\$ 30/hour	\$ 45/hour	\$50 20 extra
Green*	20	25	\$ 30/hour	\$ 45/hour	\$50 20 extra
Combined	40	60	\$ 60/hour	\$ 60/hour	\$50 30 extra
*All 4 Spaces	144	210	\$100/hour	\$125/hour	\$50 75 extra

** Extended Hours are before 9:00 A.M. and after 4:00 P.M. Monday through Friday and all day Saturday and Sunday.

(i) Security Deposit, Police Security/Parking Attendants and Other Fees.

- (1) A security deposit of two hundred dollars (\$200.00) is due at the time of booking. The cost of repairing any damage to the facility or its contents shall be charged directly to the permit holder in occupancy at the time of the damage. Such cost may be charged against the security deposit, but the permit holder's financial responsibility is not limited to the deposit. Any cost over and above the security deposit shall be the responsibility of the permit holder. Any remaining deposit will be refunded within thirty (30) days after the event.
- (2) A police security/parking attendant fee may be assessed for special events depending on the nature of the event, attendance levels etc. If it is determined that a police security /parking attendant is necessary, the fee shall be paid at the time of booking.
- (3) Coffee/Hot Tea Service may be provided for one dollar (\$1.00) per person extra/minimum charge of thirteen dollars (\$13.00). Ice is complimentary.

- (j) The Community Services Director, with the approval of the Mayor or his designee, has the discretion to adjust the above rates under special circumstances.

(Ord. 2010-117. Passed 6-16-09; Ord. 2010-116. Passed 8-16-10; Ord. No. 2021-77. Passed 6-21-21)

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(Ord. 1986-123. Passed 12-1-86)

Formatted: History Note

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(Ord. 1986-123. Passed 12-1-86)

INTRODUCED BY:

ORDINANCE NO. 2025-18

AN ORDINANCE AMENDING THE CITY OF BEACHWOOD PLANNING AND ZONING CODE BY AMENDING CODIFIED ORDINANCE SECTION 1107.01 TITLED "AMENDMENT PROCEDURES"

WHEREAS, the City administration has requested amendments to the City of Beachwood Planning and Zoning Code Section 1107.01;

WHEREAS, City Council desires to refer the requested amendments to the Planning and Zoning Commission for study, report, and recommendation in accordance with Beachwood Codified Ordinance Section 1107.01.

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

Section 1: The Council of the City of Beachwood, having received a request to amend the City's Planning and Zoning Code, the details of which are attached hereto and incorporated herein as **Exhibit "A"** hereby places the proposed amendments on first reading and refers the matter to the Planning and Zoning Commission for its review, report, and recommendation. Upon receipt of the Planning and Zoning Commission's report and recommendation, Council shall schedule a Public Hearing to be held at Beachwood City Hall, Council Chambers. The proposed amendments shall be read by Council on three separate occasions.

Section 2: The Clerk of Council is directed to advertise the public hearing in a newspaper of general circulation in the City for a period of not less than thirty (30) days prior to the public hearing, setting forth the substance of the proposed amendment.

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

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

Clerk

Approval: I have approved this legislation this__ day of_____, 2025 and filed it with the Clerk.

Mayor

EXHIBIT "A"

1107.01 Amendment procedure.

Council may amend the zoning regulations and rezone property within the City on its own motion, or at the request of a property owner or owner's agent, with the following procedure.

Every proposed amendment shall be submitted to the Council first for its initial consideration. Proposed amendments, prior to adoption, shall be referred to the Commission for a report and recommendation. Upon receipt of the report and recommendation of the Commission, the Council shall conduct a public hearing. Public notice of the hearing shall be published on the City's official website and on the City's official social media pages and electronic changeable copy sign for a period of not less than thirty (30) days prior to the date of the hearing. which shall have been advertised in a newspaper of general circulation within the City for a period of not less than thirty (30) days.

In addition, in the situation of a proposed amendment to the Zone Map designation of a zoning district to be applied to a parcel or parcels, written notice of the public hearing shall be delivered to all Adjoining Property owners, as defined herein, by a nationally recognized delivery service or by hand-delivery, with delivery made no less than ten (10) days prior to the public hearing date.

The Council may refer a proposed amendment to a committee of Council for further study at any time prior to adoption.

The Council may declare a moratorium for a period not to exceed one hundred twenty (120) days if it finds and determines the necessity of preventing applications for site development plan approval to the Commission, or applications for building permits to the Building Commissioner, during a period when amendments to the Code are being reviewed by the Council and legislation is pending to amend the Code, in order to prevent the vesting of property owners' rights during the limited period of time when such legislation is being considered.

For the purposes of this section, "Adjoining Property" means any parcel of land that shares a common property line with the subject parcel or parcels of a Zone Map amendment, including parcels located within the width of the subject property of the front property line across a public or private street, alley, or right-of-way from the subject property, except for parcels located across Interstate 271 from the subject parcel or parcels.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
8808 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43088-9005
(614)644-2360 FAX(614)644-3168

TO

6071382		TRFO		MJ JOY BEACHWOOD GROUP LLC	
PERMIT NUMBER		TYPE		23360 CHAGRIN BLVD BSMT ONLY	
10	01	2024		BEACHWOOD OHIO 44122	
ISSUE DATE					
03	20	2025			
FILING DATE					
D2	D2X	D3	D3A	D6	
PERMIT CLASSES					
18	022	C	F33161		
TAX DISTRICT		RECEIPT NO.			

FROM 04/14/2025

8116721				SHUHEI INC	
PERMIT NUMBER		TYPE		23360 CHAGRIN BLVD BSMT ONLY	
10	01	2024		BEACHWOOD OHIO 44122	
ISSUE DATE					
03	20	2025			
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D2	D2X	D3	D3A	D6	
PERMIT CLASSES					
18	022				
TAX DISTRICT		RECEIPT NO.			



MAILED 04/14/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN 05/15/2025

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES **C TRFO 6071382**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING ☐

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

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

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BEACHWOOD CITY COUNCIL
ATTN CLERK OF COUNCIL
25325 FAIRMOUNT BLVD
BEACHWOOD OHIO 44122