

**BEACHWOOD CITY COUNCIL COMMITTEE OF THE WHOLE MEETING HELD ON MONDAY, NOVEMBER 28, 2016 AT 5:30 P.M. AT BEACHWOOD CITY HALL, CONFERENCE ROOM A, 25325 FAIRMOUNT BOULEVARD, BEACHWOOD, OHIO 44122.**

The meeting was called to order at 5:32 P.M. by Council President Martin S. Horwitz.

ROLL CALL: Present: J. Berns, M.S. Horwitz, A. Isaacson,  
M.M. Jacobs, B.B. Janovitz, B. Linick,  
J. Pasch

Absent: None.

Also Present: Mayor Gorden, H.L. Jones, J. Cuini,  
D. Pekarek, G. Smerigan, M. Kaplan  
T. Turick

1. Discussion regarding Proposed Corporate Park Drive.

Mr. Horwitz stated that questions came up regarding Corporate Park Drive after the ordinance for the construction of the public improvements was introduced, so Council referred the matter to committee.

Mrs. Janovitz asked whether just a small group would benefit from this project. Mrs. Janovitz stated that it seems that those that work back in the area of the proposed road would seem to benefit most.

Mr. Ciuni stated that there is a fair amount of traffic that comes off of I-271 and uses Richmond and Chagrin.

Mrs. Janovitz stated that those drivers could use Science Park Drive.

Mr. Ciuni stated that ODOT has designated this area of Chagrin/Richmond/Bryden to I-271 as a "hot spot." There is a lot of congestion and ODOT will pay 90% of the cost for a new traffic study in this corridor. Mr. Ciuni said that ODOT would like to see improvement to help with the congestion.

Mr. Ciuni stated that the proposed Corporate Park Drive will not touch Bryden or the light at Bryden.

Mr. Ciuni stated that the City has talked about pushing through Corporate Park Drive for many years. The benefit is the left turn in and left turn out will eliminate traffic.

Mr. Berns asked whether it was possible to build a driveway out to Enterprise instead of constructing a dedicated roadway.

Mr. Ciuni stated that as a private drive the owner could do that.

Mr. Ciuni stated the ODOT's study is underway.  
Proposed Corporate Park Drive Continued.

Mr. Isaacson questioned whether it was prudent to do any improvements until ODOT's study is completed. Mr. Ciuni stated that the study and any suggestions that come from it are 5 to 7 years out. The improvements need to be made sooner.

Mr. Smerigan indicated that there have been several studies in the area of Chagrin/Richmond/I-271. As a result of the earlier studies we have made traffic light interconnections, computerized signals and added turning lanes on Richmond going southbound.

Mr. Smerigan stated that this improvement will not be the ultimate solution, but it will alleviate congestion which is positive-it will contribute to solving the problem.

Mr. Isaacson states that these improvements may limit the City in the future as to what choices we have.

Mr. Pasch stated that it is not a question where Council wants to go. Council has not been presented with an overall plan. This improvement is just a piece of the plan. The Administration is asking Council to approve a part of the plan without ever being given the detail of the overall plan. Mr. Pasch found that the situation makes it difficult for Council to spend \$1.25 million.

Mayor Gorden stated that the overall plan will take into account what the Board of Education does with their property at Bryden School.

Mr. Isaacson questioned whether this was the time to go forward with this project.

Mayor Gorden stated that when this project was presented to Council that all seemed to be on board. This project will disperse traffic in the area. Mayor Gorden stated that it is still uncertain what will happen at the intersection of Bryden and Richmond.

Mr. Isaacson stated that it may not be appropriate to do anything with this project at this time.

Mr. Jacobs stated that Council has talked about alleviating traffic in this area for several years. Any project that can be completed in this area to help congestion should be moved along. Woodmere is only two lanes and the City cannot change that.

Mr. Ciuni discussed many options to keep traffic moving. Mr. Ciuni stated that traffic studies are moving targets, because of factors that the City cannot control, such as development on land that brings more people to the area to work and live.

Mr. Isaacson stated that he has two issues-first is the price of this project and second, the City should not touch the Bryden light until there is a meeting with residents.

Proposed Corporate Park Drive Continued.

Mayor Gorden stated that Bryden light will absolutely not be touched without a meeting and until Council agrees.

Mr. Smerigan stated that the project in Orange will affect traffic at I-271 and Chagrin and at Harvard.

Mr. Horwitz stated that he was on Enterprise Parkway at 5:20 P.M. today and there were vehicles backed up in front of where the proposed Corporate Park Drive would be and he wondered how traffic go north would turn left onto Corporate Park Drive.

Mr. Smerigan stated that there was no need for a traffic signal at this point but the City would monitor traffic. He indicated that backups will occur in this area.

Mrs. Janovitz stated that motorists traveling south on Richmond can already turn left on Science Park Drive. If a motorist doesn't turn left at that location why would they make a left as they get closer to Chagrin? Mrs. Janovitz stated that only the people who work on the property or use the businesses are going to benefit from this project. Mrs. Janovitz is trying to justify the cost.

Mr. Smerigan indicated that this project would benefit the land use of the owner.

Mr. Horwitz wanted to know how much property is being donated and the value.

Mr. Ciuni stated that he did not know the value of the donated property but that we were getting just over acre.

Mr. Jacob stated that Council needs to look at the value of the project. If each member believes the project is worth doing, then the cost factor should not be a consideration.

Mr. Ciuni explained that the estimate changed because the scope of the project changed after he and Mr. Pekarek looked at the proposed Corporate Park Drive and what heavy service vehicles would do to the pavement as it stands today.

Mr. Pasch asked Mrs. Kaplan where the money would come from if this project passed.

Mrs. Kaplan stated that since the Fire Station project did not go forward in 2016, the money for Corporate Park Drive was taken from the Fire Station Project.

There was a discussion regarding asking the owner if she would be willing to pay part of the cost of construction. The Mayor agreed to speak to her prior to the Council meeting on December 5<sup>th</sup>, 2016. Ms. Jones will report back to Council the results of that conversation.

2. Discussion regarding The Village Drainage Issue.

Mr. Ciuni described the ongoing problems with storm drainage on the Village property that also affects a few properties on Richmond Road north of the Fire Station. Richmond Road properties are lower than the road and their properties drain to the back. Mr. Ciuni indicated that the Village approached the City for help. Mr. Ciuni stated the Village has had the engineering done to alleviate the drainage issue and has received bids for the work.

Mr. Ciuni stated that the Northeast Ohio Regional Sewer District ("NEORS") has approved a grant in the amount of \$41,500.00 for the work to be done; however, the grant must flow through the City. The process would be for the Village to have the work completed and then send an invoice to the City for the grant money.

The grant money comes from the storm drainage fees that property owners pay on their sewer bills. The share that comes back to the City each year is more than \$200,000.00 for the use in storm water projects. The grants are typically for projects in the public right of way but NEORS realizes that there are storm drainage issues on private property that affect multiple parties.

Mr. Berns asked if since this project cost \$41,000.00 if there is still \$159,000 left for projects.

Mr. Jacobs stated that Mr. Berns question was interesting.

Mr. Berns indicated that he was asking if we had used any of the money for other projects.

Mr. Ciuni stated that if the cost of the work comes in more than the grant, then the Village would be responsible for all amounts over the grant.

Mr. Isaacson asked who would be required to maintain the system once the work is completed.

Ms. Jones stated that the Village would sign an agreement indemnifying the City and agreeing that any future maintenance, repair or rebuild will be the responsibility of the Village.

Mr. Linick asked if there were other projects that would benefit more people.

Mr. Ciuni stated that this program started in July and this is the first project.

Mr. Pekarek indicated that there are no other projects that are an issue now. Mr. Pekarek said that he could use the money to buy a street sweeper with the money.

Mr. Linick stated that there are issues on Bryden and if this grant money could be used to place storm sewers there.

Mr. Pekarek stated yes.

3. Discussion Regarding Capital Budget and Finalization of Regular Budget.

Mrs. Kaplan distributed the “Seven Year Cash Flow Projection” document and the following proposed budgets in the following funds (which are attached to these minutes):

Street Construction and Maintenance Fund  
State Highway Fund  
Mayor’s Court Improvement Fund  
Federal Equitable Share Fund  
Law Enforcement Trust Fund  
Blossom Drive Street Lights Fund  
George Zeiger Street Lights Fund  
Eaton TIF Fund  
OMNOVA TIF Fund  
General Bond Retirement Fund  
Capital Improvement Fund  
Workers’ Compensation Self Insurance Fund  
and  
Police Pension Fund

Mrs. Kaplan explained how the projections were made.

A lively discussion ensued.

Mr. Pasch believes that it should be made clear at the Council meeting that the “Seven Year Cash Flow Projection” was just that-a projection.

Mrs. Turick stated that the budget shall be placed on the December 19, 2016 agenda. Council will also convene a committee to receive information regarding debt servicing on December 19, 2016.

4. Discussion Regarding the Replacement Pages for the Beachwood Codified Ordinances.

Ms. Jones provided a memo to Council describing the changes being made to the Codified ordinances. Ms. Jones stated that some of those changes are ordinances that have previously been passed by Council and others are changes made by the General Assembly that the City is required to follow.

Mr. Pasch indicated to Council that all traffic and criminal offenses in the City’s code are classified as misdemeanors of the first degree and that compared to other communities Beachwood is unique.

Mr. Pasch stated that the traffic and criminal code should be amended to more closely track how the state and other cities classify violations. Mr. Pasch stated that a driving under the influence carries the same penalty as a disorderly conduct.

Replacement Pages for the Beachwood Codified Ordinances Continued.

Ms. Jones agreed with Mr. Pasch that violations need to be reclassified.

Ms. Turick asked for Council appointments to the Board of Tax Review.

Mayor spoke about the manning in both the Police and Fire Departments.

5. Holding an **EXECUTIVE SESSION** for the purpose of discussing matters regarding the employment and compensation of personnel.

The meeting was called to order at 7:33 P.M. by A. Isaacson, seconded by J. Berns.

ROLL CALL: Present: J. Berns, M.S. Horwitz, M.M. Jacobs,  
A. Isaacson, B.B. Janovitz, B.H. Linick, J.  
Pasch  
Absent: None.  
Not present: None.  
Also Present: Mayor Gorden, T. Turick

BACK ON RECORD AT 8:50 P.M.

ADJOURNMENT

Moved by B. Janovitz, seconded by A. Isaacson at 8:51 P.M. to adjourn the Committee of the Whole Executive Session to the next regularly scheduled Council meeting.

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

Approved:

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Merle S. Gorden, Mayor

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Whitney Crook, Assistant Clerk of Council