

ROLL CALL:

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

MOTION ADOPTED

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON
NOVEMBER 7, 2016.

Moved by M.S. Horwitz, seconded by J. Pasch, that the minutes of the Regular Council Meeting held on November 7, 2016 be approved.

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

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON
NOVEMBER 21, 2016.

Moved by J. Berns, seconded by J. Pasch, that the minutes of the Regular Council Meeting held on November 21, 2016 be approved.

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

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON
DECEMBER 5, 2016.

Moved by B.B. Janovitz, seconded by J. Pasch, that the minutes of the Regular Council Meeting held on December 5, 2016 be approved.

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

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON
DECEMBER 19, 2016.

Moved by M.M. Jacobs, seconded by J. Berns, that the minutes of the Regular Council Meeting held on December 19, 2016 be approved.

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

MOTION ADOPTED

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON
JANUARY 9, 2017.

Moved by J. Pasch, seconded by J. Berns, that the minutes of the Regular Council Meeting held on January 9, 2017 be approved.

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

MOTION ADOPTED

MAYOR'S REPORT

The Mayor asked for a moment of silence for the Beachwood High school student who passed away.

-Moment of Silence Observed-

The Mayor stated he was blessed and honored to have the third graders from our school system come to city hall to take a tour and learn about government functions.

COUNCIL MEMBERS (NON-AGENDA ITEMS)

Mr. Horowitz thanked Ms. Carmen and her department for putting together the City Employee Appreciation Dinner at Cedar Creek Grille.

Mr. Horwitz also wished Happy Birthday to Mr. Pasch, Mr. Isaacson, Ms. Turick, and Mr. Ciuni.

Mr. Berns thanked Chief Kearns for bring over the new Rescue Squad and stated that we should be proud of allocating funds to the rescue squad.

DEPARTMENT DIRECTORS

Chief Kearns stated the new ambulance his department received was top of the line and manufactured by a company based in Ohio. He expects 10 years of service from the vehicle which will be placed into service in 3 weeks at Fire Station 1.

Ms. Turick updated Council on the videotaping project for Council Chambers. She stated 4 new cameras have been installed and that Council was being videotaped this evening to test the cameras. SWAGIT handles all of the videotaping and broadcasting offsite. There will be a period prior to the meeting where a graphic will appear stating that in 5 minutes the meeting will begin. The microphones during that time will be live and continue to be live throughout the hour. There will be tests during the February 6th and 21st council meetings. These will be archived so they can be looked at and critiqued before going live. The goal is to go live on March 6th if everyone is satisfied.

Captain Haba updated everyone about Code Red. People who signed up for phone alerts was modest but there was a 27% increase of people who signed up for text message alerts and 18% increase of people who signed up for email alerts.

Ms. Carmen described the campaign to get people to sign up for Code Red. There are seven opportunities on Beachwood's homepage to sign up and a link on the police webpage. There was also a full page ad in the January Issue of Beachwood Buzz.

Mr. Pasch thanked Ms. Carmen and asked whether the campaign included targeting of senior home.

Ms. Carmen, in response, stated that the seniors read The Buzz and can be reached that way.

Mr. Isaacson asked if any effort has been made to engage with the schools and reach out to parents of students.

Ms. Carmen, in response, stated that her contact will be in her office on January 30th, and contacting her is on her to do list. Ms. Carmen also stated that all of the Hilltop kids who visited City Hall went home with a Code Red card.

Mr. Jacobs asked how to reach the orthodox community on Saturday since it would be impossible to get a hold of them via phone, text, or otherwise.

Captain Haba stated that there was some discussion with the Jewish Federation, who are in liaison with that Jewish community. They haven't come up with concrete protocol yet but it will be discussed in the future.

Mr. Jacobs suggested also concentrating on individual temples.

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Mayor Gorden stated that every Temple will be contacted but they want to start with a blanket organization like the Jewish Federation because they are responsible for security in general for all the Temples in the area.

Mr. Horwitz asked if there is a Beachwood police vehicle parked at Greenwood Synagogue on a Saturday morning is he considered off-duty.

Mayor Gorden, in response, stated that he did not feel it was appropriate to discuss security measures in public. The City has it covered and it's been covered ever since he's been Mayor and there's a procedure in place.

Mr. Horwitz elaborated that he just wanted to know if we could relay information to the parked Police vehicle.

Captain Haba responded yes.

CITIZEN'S REMARKS

Mike Burkons from 2466 Richmond Rd stated he was concerned that we are at \$6,000 deficit out of 60 million when 4 years ago we were at a 4 million dollar surplus and every year it's been getting smaller.

Yoni Yares from 2319 South Green Street stated that he was concerned about safety and is in favor of adding lights in certain parts of the city.

1. Submitted to Council a Motion to change the February 2017 Council Meeting dates to February 6, 2017 and February 21, 2017.

Moved by J. Berns, seconded by A. Isaacson, that the Motion be adopted.

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

1. Submitted to Council a Motion to place on First Reading and refer to the Economic Development Committee an Ordinance authorizing the Mayor to enter into an agreement with the Beachwood Convention and Visitor's Bureau for continuation of funding of the Beachwood Convention and Visitor's Bureau.

Moved by M.M. Jacobs, seconded by A. Isaacson, that the Motion be adopted.

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

MOTION ADOPTED-PLACED
ON FIRST READING

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

Moved by A. Isaacson, seconded by B.B. Janovitz, that Ordinance No. 2017-19 be placed on first reading.

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

MOTION ADOPTED-RULES SUSPENDED

Moved by A. Isaacson, seconded by B.B. Janovitz, that Ordinance No. 2017-19 be adopted.

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

MOTION ADOPTED

2. Submitted to Council a Motion to place on Second Reading an Ordinance amending Ordinance Nos. 2000-173, 2004-150, 2005-49, 2008-160, 2013-60, and 2015-46 to adjust the compensation of the Mayor/Safety Director.

Moved by B.B. Janovitz, seconded by J. Pasch, that the Motion be adopted.

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

MOTION ADOPTED-PLACED
ON SECOND READING

3. Submitted to Council an Ordinance authorizing the Mayor to pay GPD Group for exceeding Initial Costs and declaring this to be an urgent measure.

Mr. Isaacson stated that with good time keeping, GPD could have determined they were going to run out of hours in advance and come to Council earlier. This sets a bad precedent and doesn't seem to have been urgent enough to pass.

Mr. Berns stated to be mindful that there are two separate projects that have different circumstances. One is \$15,000 for Corporate Park and \$6,000 for Richmond Road.

Mr. Horowitz asked Mr. Ciuni if he could differentiate between the two projects and the urgency of the Richmond Road project versus the Corporate Park project.

Mr. Ciuni stated that the contract for Richmond Road included construction inspection and administration. GPD estimated the job to be 90 days, 8 hours a day and GPD threw in a percentage of funds for overtime. The contractor worked almost every Saturday and at the end job there was money left in the project so they did more work at the Shaker Boulevard Richmond Rd intersection so when they work on the northbound side next year they don't have to disrupt Shaker Boulevard as much. We actually gave him work beyond the 90 days to do that and we were requested to be there by our inspectors. As far as Corporate Park goes, that is clearly my error. I only bill once month. We look at the invoices at the end of the month and I should have anticipated that we were going to go over. I did estimate the job at the beginning. It was a bad estimate. We tried to get the job done tried to get a bid and make sure we had the numbers in here by a certain council date. It all came together all at once.

Mayor Gorden stated that he's in agreement that the invoices should be paid; otherwise they wouldn't have appeared on the agenda. The scope of work for the Corporate Park project had increased. At one point they had to replace the entire road system. The original estimate was never changed for that, but the work was completed in a timely fashion and the Service Director and the Mayor approved it. Mayor Gorden further stated that he feels that Council is not setting a bad precedent by this happening. This was a unique circumstance where the property owner at that time was faced with a deadline for refinancing her property and we had to get the project done.

Mr. Pasch stated that he understands the deadlines with the property owner but there are rules and procedures. Passing this legislation can give an impression that rules can be bypassed.

Mayor Gorden stated that extenuating circumstances does not set a precedent and he is not suggesting that the work wasn't done.

Mayor Gorden stated that he just wanted to reinforce that there were extenuating circumstances.

Mr. Isaacson asked how difficult would it have been to collect four Council Members for a meeting to approve the extra money so this legislation wouldn't have come until after the fact.

Mayor Gorden responded that there were extenuating circumstances and does not feel it will set a precedent.

Mr. Isaacson rhetorically asked how difficult would it have been to reach out and collect a minimum of four council members to have a meeting to get this done when you know you were going to go over an estimate. This didn't come to Council until after the fact. Mr. Isaacson further stated that they need to act in a responsible way.

Mr. Gorden, in response, stated that he agreed they need to act responsibly but that it had crept up on them and they did not realize it was going to go over the estimate.

Mr. Pekarek stated that what we are dealing with is something that Mr. Pfaff, who no longer works here, put into the contract. Mr. Pfaff wanted to track all of Mr. Ciuni's expenditures over \$2500 and put them in a purchase order form. Mr. Pekarek added that he is in contact with Mr. Ciuni 3 to 5 times a day making requests that are mostly over \$2500.

Mr. Pekarek stated that if Mr. Ciuni says it will cost \$5,000 dollar to do some work, they issue a purchase order. They don't come to City Council for it. City Council would authorize Mr. Ciuni's contract as he would Mr. Smerigan's contract. It is a by the hour contract, services rendered. If Mr. Ciuni goes over \$2,500 he can only continue work if it is approved internally. Getting Council together for approval isn't part of the procedure that Pr. Pfaff set up.

Mr. Horwitz asked why the \$6,000 was in the legislation.

Mr. Pekarek stated that he just wanted to include all of the owed invoices.

Mr. Horwitz asked if the \$6,250 could be removed from the proposed legislation.

Mr. Pekarek stated that Council could amend it from the legislation if they wanted to.

Mr. Isaacson asked if there were internal controls to mitigate surprise costs.

Mr. Pekarek stated that there were.

Mr. Horwitz move a motion to amend Ordinance No. 2017-5

Motion Moved by M.S. Horwitz, seconded by M.M. Jacobs, to amend Ordinance No. 2017-5.

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

MOTION ADOPTED

Moved by J. Pasch, seconded by J. Berns, that Ordinance No. 2017-5 be adopted.

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

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

1. Submitted to Council a Motion authorizing the Clerk to advertise for bidders for the 2017 Tree Planting Project.

Moved by J. Berns, seconded by A. Isaacson, that the Motion be adopted.

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

2. Submitted to Council an Ordinance accepting the quotation from Ganley Ford West for the purchase of Genuine OEM Ford Car and Light Truck parts for repair of vehicles.

Moved by M.M. Jacobs, seconded by J. Berns, that Ordinance No. 2017-20 be placed on first reading.

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

Moved by M.M. Jacobs, seconded by J. Berns, that Ordinance No. 2017-20 be adopted.

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

1. Submitted to Council an Ordinance accepting the proposal from M&G Pools, LLC for Summer 2017 BFAC.

Moved by A. Isaacson, seconded by J. Pasch, that Ordinance No. 2017-21 be placed on first reading.

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

Moved by J. Berns, seconded by J. Pasch, that Ordinance No. 2017-21 be adopted.

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

ADJOURNMENT

January 23, 2017

Moved by J. Berns, seconded by J. Pasch, to adjourn the Regular Council Meeting at 7:58 P.M. to the next regularly scheduled Council Meeting.

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

Approved:

Clerk

Mayor