

**BEACHWOOD CITY COUNCIL MINUTES OF THE REGULAR COUNCIL MEETING
HELD AT BEACHWOOD CITY HALL, COUNCIL CHAMBERS, 25325 FAIRMOUNT
BOULEVARD, ON MONDAY, OCTOBER 16, 2017 AT 7:00 P.M.**

The meeting was called to order at 7:01 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, W. Griswold, P. Kearns, L. Heiser, D. Pekarek, G. Haba, K. Carmen, N. Naso, T. Turick

Mr. Horwitz introduced Ben Linick. Ben Linick is the son of Councilman Brian Linick.

CITIZEN'S REMARKS

None.

MAYOR'S REPORTS

Mayor Gorden read a statement that is attached hereto regarding the Rubbish Pick-Up Survey. That statement is attached hereto for the record.

Mayor Gorden stated that there had been 125 responses and of those responses; 65% were in favor of the Senior Rubbish Pick-Up service. 20% responded that they would participate but only in inclement weather. 5% of responses stated that such a service was not needed and 10% responded that they would need more information or they don't qualify.

COUNCIL MEMBERS (NON-AGENDA ITEMS)

Mr. Jacobs thanked Ms. Carmen for all of her hard work on the Fall Festival. He stated that it was a wonderful festival and that Ms. Carmen did a fantastic job.

Mr. Pasch spoke about the Fall Festival as well. He stated that it was a great time and that it made him proud to be a Beachwood resident.

Mr. Isaacson stated that the Fall Festival fostered a sense of community and that the event was high quality.

Mr. Linick stated that the Festival was fantastic and offered thanks to the Service, Police, and Fire Departments. Mr. Linick also thanked the Beachwood Fire Department for being present at the Beachwood High School bon fire.

COUNCIL MEMBERS (NON-AGENDA ITEMS)(CONTINUED)

Mr. Berns updated Council on the progress at Fire Station #2. He stated that the progress is going better than anticipated. The concrete is poured, the fire suppression system has been installed, the HVAC and Plumbing has been installed, and the steel is complete.

Mr. Horwitz stated that the Fall Festival was a great success. He stated that he believed it was so successful because it had something for everyone. Mr. Horwitz thanked Ms. Carmen for all her work on the Fall Festival.

DEPARTMENT DIRECTORS

Chief Kearns spoke about an upcoming event called "Feel the Heat."

Chief Kearns stated that this is an event that gives elected officials an opportunity to experience what being in a fire is like.

Mayor Gorden stated that he has attended this event in the past and that it is a great experience.

Ms. Naso read a statement regarding the new Swenson's Property on Cedar Road. That statement is attached hereto for the record.

After the statement was read, Mr. Jacobs spoke about attending City Council meetings in University Heights regarding this restaurant.

Mr. Jacobs stated that he spoke on behalf of members of the Beachwood Community who were concerned with the impact this restaurant would have on property values as well as traffic in the area.

APPROVAL OF THE MINUTES OF THE JOINT COMMITTEE OF THE WHOLE MEETING
WITH THE CITY OF BEACHWOOD BOARD OF EDUCATION MEETING HELD ON
OCTOBER 2, 2017.

Moved by M. S. Horwitz, seconded by J. Berns, that the minutes of the Committee of the Whole Meeting held on October 2, 2017 be approved.

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

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON
OCTOBER 2, 2017.

Moved by M. S. Horwitz, seconded by J. Pasch, that the minutes of the Regular Council Meeting held on October 2, 2017 be approved.

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

CORRESPONDENCE

Correspondence was read regarding a new liquor permit for LTF Club Operations Co. Inc. d/b/a Lifetime Fitness, located at 3850 Richmond Road, Beachwood, Ohio 44122.

COMMITTEE OF THE WHOLE

1. A motion to cancel the November 6, 2017 Regular Council Meeting.

Moved by M. S. Horwitz, seconded by J. Berns, to cancel the November 6, 2017 Regular Council Meeting.

ROLL CALL

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

MOTION ADOPTED

FINANCE AND INSURANCE COMMITTEE

1. An Ordinance authorizing and directing the payment of certain claims (Bills) for professional and other services.

Moved by A. Isaacson, seconded by B. Janovitz, that Ordinance No. 2017-123 be placed on final reading.

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

Moved by A. Isaacson, seconded by B. Janovitz, that Ordinance No. 2017-123 be adopted.

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

2. An Ordinance accepting the quotation of Network Dynamics, Inc. for the purchase of two (2) Arista 7050-S Switches; and declaring this to be an urgent measure.

Moved by B. Janovitz, seconded by A. Isaacson, that Ordinance No. 2017-124 be placed on final reading.

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

Moved by B. Janovitz, seconded by A. Isaacson, that Ordinance No. 2017-124 be adopted.

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

FINANCE AND INSURANCE COMMITTEE(CONTINUED)

3. An Ordinance accepting the bid of BPI Information Systems for the purchase of four (4) ESX Host Servers and one (1) MSA-2040 9 GB Storage; and declaring this to be an urgent measure.

Moved by B. Linick, seconded by J. Pasch, that Ordinance No. 2017-125 be placed on final reading.

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

Moved by B. Linick, seconded by J. Pasch, that Ordinance No. 2017-125 be adopted.

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

4. An Ordinance authorizing the Director of Finance to transfer certain funds from the General Fund to the Capital Improvement Fund; and declaring this to be an urgent measure.

Moved by J. Pasch, seconded by M. M. Jacobs, that Ordinance No. 2017-129 be placed on final reading.

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

Moved by J. Pasch, seconded by M. M. Jacobs, that Ordinance No. 2017-129 be adopted.

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

PUBLIC WORKS COMMITTEE

1. A Motion authorizing the Clerk to advertise for bidders for the relocation of fiber optic cable along Richmond Road.

Moved by B. Linick, seconded by J. Berns, authorizing the Clerk to advertise for bidders for the relocation of fiber optic cable along Richmond Road.

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

2. An Ordinance authorizing a Local Public Agency and Ohio Department of Transportation – Let Project Agreement to study and identify potential improvements to safety and traffic flow along Chagrin Boulevard between Richmond Road and the 271 interchange in the City of Beachwood, Ohio; and declaring this to be an urgent measure.

Moved by J. Berns, seconded by J. Pasch, that Ordinance No. 2017-126 be placed on final reading.

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

Moved by J. Berns, seconded by J. Pasch, that Ordinance No. 2017-126 be adopted.

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

PUBLIC WORKS COMMITTEE(CONTINUED)

3. An Ordinance authorizing the Mayor to renew a Contract with Siemens Industry, Inc. for a comprehensive HVAC Technical Support Program for maintenance and repair services for City Hall and the Community Center heating, ventilation, and air condition, and all the components of the Police Department; further waiving competitive bidding; and declaring this to be an urgent measure.

Moved by A. Isaacson, seconded by M. M. Jacobs, that Ordinance No. 2017-127 be placed on final reading.

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

Moved by A. Isaacson, seconded by M. M. Jacobs, that Ordinance No. 2017-127 be adopted.

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

SAFETY AND PUBLIC HEALTH COMMITTEE

1. An Ordinance authorizing the Mayor to enter into a Contract for and on behalf of the City of Beachwood with the District Board of Health of the County of Cuyahoga, Ohio for the year 2018; and declaring this to be an urgent measure.

Moved by J. Berns, seconded by J. Pasch, that Ordinance No. 2017-128 be placed on final reading.

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

MOTION ADOPTED-RULES SUSPENDED

Moved by J. Berns, seconded by J. Pasch, that Ordinance No. 2017-128 be adopted.

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

MOTION ADOPTED

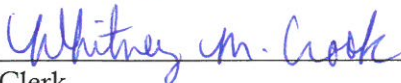
ADJOURNMENT

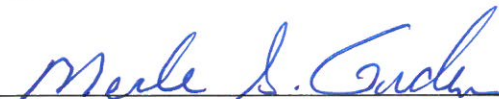
Moved by A. Isaacson, seconded by J. Berns, to adjourn the Regular Council Meeting at 7:53 P.M. to the next regularly scheduled Council Meeting.

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

MOTION ADOPTED

Approved:


Clerk


Mayor

Pursuant to Ordinance Number 2017-107 Council has determined that the official Minutes of its Body, its Committees, and those of the Planning and Zoning Commission shall consist of the Audio Recording of the meetings together with a written synopsis of all agenda items and votes.

RUBBISH SURVEY STATEMENT - READ BY MAYOR GORDEN OCTOBER
16, 2017

At the request of City Council, a survey was sent to all single family homes (2900) advising that the City was considering a trash assistance program.

The survey was a necessary first step for the City to gauge the need and the level of interest.

The survey asked residents who were 80+ years old or disabled who have no one in their home to help - if they would be interested in assistance getting their rubbish to the curb. (Copies are in the back).

This information will again appear in the November Buzz as a reminder just in case someone missed the deadline and would like to respond.

October 14, 2017 was the deadline set for survey responses.

The City received approximately 125 responses

Of the respondents...

65% were in favor of service

20% only during inclement weather (winter months)

5% do not believe the service is needed

10% of responders are either under the age limit, wanted more information, or have someone in the house to help them.

I plan to take a more in depth look at the information we received from the survey and review it with my team before a recommendation can be given to City Council.

SWENSON'S STATEMENT
MONDAY, OCTOBER 16, 2017

One of the unhappy realities of government is there are limits on what the Mayor and City Council can do to help residents who raise legitimate issues of concern.

One such resident recently sent an email expressing frustration that University Heights was allowing the construction of a Swensen's restaurant on Cedar Road.

While the restaurant isn't in Beachwood there is no question it will have an impact on some Beachwood residents who live nearby and are rightly concerned about how this business will impact their property values and quality of life.

The resident who emailed expressed concern that the City had **not** gotten more involved in the planning process as discussion of the restaurant was taking place.

In fact, Beachwood did become involved in the process to the extent it was possible to impact a decision that was being made by the administration and City Council of another city over which we had no control.

Our Police Chief spoke to the University Heights Police Chief about traffic concerns and other issues that could affect our residents. Beachwood's City Engineer and other officials reviewed plans and attended meetings to discuss, with University Heights, ways to alleviate the impact of the restaurant on Beachwood residents.

It was always clear that University Heights was in favor of the project (which ultimately was approved by University Heights City Council) and nothing Beachwood could say or do was going to stop or impede the construction of the restaurant.

The Mayor and City Council certainly understand and empathize with the concerns of the residents who may be affected. It is, however, equally important to appreciate the legal limitations that exist which prevent us from doing any more than we did.

The Mayor has asked our Police Department to monitor the situation and pay special attention to the area when the restaurant opens. We will continue to communicate with University Heights officials in an attempt to minimize any further issues.