

BEACHWOOD CITY COUNCIL MINUTES OF THE LEGAL AND PERSONNEL COMMITTEE MEETING HELD AT BEACHWOOD CITY HALL, COUNCIL CHAMBERS, 25325 FAIRMOUNT BOULEVARD, ON MONDAY, FEBRUARY 27, 2017 IMMEDIATELY FOLLOWING THE SPECIAL COUNCIL MEETING.

The meeting was called to order at 5:38 P.M. by Committee Chair James Pasch

ROLL CALL: Present: M.S. Horwitz, B. Linick, J. Pasch
 Absent: M.M. Jacobs.
 Also Present: Mayor Gorden, H.L. Jones, L. Heiser
 T. Turick

Please note: The Legal and Personnel Committee discussed the below agenda items in a different sequence than listed on the posted agenda.

Mr. Pasch started the meeting stating the purpose of the meeting.

1. Discussion regarding the appointment of personnel.

Mr. Pasch stated that several people were interviewed for the position of member of the Board of Tax Review.

Mr. Pasch stated that the Legal and Personnel Committee will recommend Michael Ellis and Joshua Mayers as member of the Board of Tax Review.

Mr. Pasch asked if there were any future Board of Tax Review meetings scheduled currently.

Mayor Gorden stated that there are no meetings set.

2. Discussion regarding procedures for donations.

Mr. Pasch stated that this meeting was also to discuss procedures on how the City will handle money donations, park bench and other equipment donations, streamlining the donation process and discussing whether each donation should be handled on a case by case.

Mr. Pasch stated that initially this discussion was started when a resident wanted to purchase a park bench for her deceased husband to place in his honor in one of the City of Beachwood parks.

Ms. Janovitz asked if the City only wanted to accept cash and not materials.

Ms. Janovitz also asked if the City can draw the line on who we accept our donation from.

Ms. Janovitz stated that some residents would like to donate money but do it anonymously.

Ms. Janovitz stated that one thought she had would be to handle donations to the City the way the schools does. For example, a wish list could be made of what items the City may want or need.

Mr. Berns stated that he would like to hear from the Mayor on his thoughts on the procedure for donations. Mr. Berns referenced a previous donation that was the largest in the history of the City. That donation was the very first rescue squad.

Mayor Gorden stated that unfortunately there was no good right or wrong was to answer.

Mayor Gorden stated that the City has always been able to afford what was needed and that offering money for donation is a nice gift but the problem that occurs is that sometimes the donation is given for a tax deduction and a monetary value has to be applied.

Mayor Gorden stated that with donating trees and shrubbery, the problem becomes where you draw the line.

Mayor Gorden stated that several years ago, there was a push to do a Holocaust Garden in the Shaker Median but it became difficult to decide how plants and trees would be donated.

Mayor Gorden stated that previously the City never had an issue with accepting cash donations to a certain fund.

Mayor Gorden stated that accepting donations could create some controversy and that he previously spoke with the Service Director and decided not to accept donations of plants, trees, and shrubbery because it can create a situation that could be difficult to control.

Mayor Gorden stated that starting the name things in the City after residents or donators is difficult.

Mr. Pasch posed a scenario referring to the purchase of outside workout equipment. Mr. Pasch asked that if hypothetically, in the future, someone would want to replace donated outdoor workout equipment would the City turn down the donated property.

Mr. Pasch stated that he understands not wanting several benches built but if you have a need for a certain number of benches then there should be no problem with allowing a resident to provide a bench to fulfill that need.

Mr. Horwitz stated that there would need to be legislation with outlined stipulations on the manner, amount, and items that could be donated.

Mr. Horwitz stated that he spoke with Mr. Isaacson, who could not be at the current meeting, and Mr. Isaacson expressed that he felt one of the requirements of accepting a donation is that the donator/designee be a resident of Beachwood.

Mr. Pasch noted that there was uniformity with the benches in Shaker Lake and that any new donated benches should be in line with those standards and set-up.

Mr. Berns stated that residents could come to Council with a certain bench but it would need to be in line with the current benches in use so the Service Department could provide replacement parts and pieces.

Ms. Janovitz stated that the proposed Town Center may be an opportunity to allow residents to donate equipment.

Mr. Horwitz stated that he would like to discuss naming rights.

Mr. Pasch stated that was a separate conversation.

Mr. Linick commented that accepting donations could be a slippery slope and that it is important to make a list of items needed or wanted but it is also important not to advertise that list.

Mr. Horwitz stated that the City could place a cap on the amount donated.

Mr. Linick stated he was not comfortable with names on buildings going to the highest bidder.

Mr. Linick stated that benches are fine but expanding to buildings could become more complicated.

Mr. Pasch suggested sample legislation with a list of desired items.

Mr. Linick stated that per ordinance, Council has the ability to discuss any donations.

Mayor Gorden stated that per the ordinance in the past, we have been able to accept gifts.

Mr. Horwitz asked about regulations on simple items to be donated.

Mr. Linick stated that more standards created would leave less control to Council.

Mr. Linick stated that a donator could also be directed to the City of Beachwood School's non-profit organization.

Mr. Pasch stated that when it comes to larger donations, Council could have a meeting to discuss the donation.

Mr. Pasch stated that the smaller, more common donations should have a set policy.

Mr. Horwitz stated that the policy is going to state that the donation is required to meet certain standards set forth by the Service Department.

Ms. Turick stated that there are several benches installed already in the park and that there is not much room left for more benches. Ms. Turick described the benches as concrete.

Mayor Gorden stated that the administration would like to work on a policy to present to Council for approval.

Ms. Janovitz inquired about the process for naming streets.

Mayor Gorden stated that usually, the streets are named by the developers when they are installed. The developer pays for the street and gets to pick the name.

Mr. Berns stated that the bench that wanted to be donated could have been a four or five hundred dollar bench but Mr. Pekarek may have chosen a fifteen hundred dollar (\$1500.00) bench and what needs to be considered would be the amount of personnel or whether or not it needs to be in concrete.

Mayor Gorden stated he believes that the City should have control when a donation is accepted and is not opposed to setting a standard.

Mr. Linick stated that something to be considered when calculating costs of donations should be the man-hours and labor.

Mr. Horwitz stated that the Legal and Personnel Committee were in agreeance regarding the administration drafting and submitting a proposal to the Committee regarding the donation policy.

3. Mayor's Reports

Mayor Gorden stated that he had comments to add.

Mayor Gorden stated that everyone on City Council should have received an invitation to the Hebrew Academy.

Mayor Gorden stated that on the night of the Hebrew Academy event there is a conflicting event which is the County Democratic dinner.

Mayor Gorden stated that he would like Council to inform the Mayor's office or the Law Department regarding which event will be attended by Council Members.

Mr. Horwitz stated that the Hebrew Academy dinner is an impressive event and recommends attending.

Mr. Horwitz stated that usually there is another table with other Councilmen and you are afforded the opportunity to meet Council Members from neighboring communities.

Mr. Pasch asked what time the Hebrew Academy event was.

Mayor Gorden stated that he was unsure of the time but provided Mr. Pasch with the date. The date is March 19, 2017.

Mr. Horwitz stated that the Hebrew Academy is always happy to see representatives from the surrounding areas.

Ms. Jones stated that the Law Department will be responsible for responding to invitations from the Hebrew Academy.

Mr. Pasch asked for a Motion and second to adjourn the Legal and Personnel Committee Meeting.

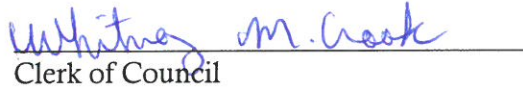
Moved by J. Pasch, seconded by M.S. Horwitz, at 6:15 P.M., to adjourn the meeting to the next regularly scheduled Council Meeting.

ROLL CALL:	Yes:	M.S. Horwitz, B. Linick, J. Pasch,
	Abstain:	None.
	No:	None.
	Not Voting:	None.

Approved:



Merle S. Gorden, Mayor


Clerk of Council