

BEACHWOOD CITY COUNCIL MINUTES OF THE REGULAR COUNCIL MEETING HELD AT BEACHWOOD CITY HALL, COUNCIL CHAMBERS, 25325 FAIRMOUNT BOULEVARD, ON TUESDAY, FEBRUARY 16, 2016 AT 7:17 P.M.

The meeting was called to order at 7:17 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. H. Linick, J. Pasch
Absent: None.
Also Present: Mayor Gorden, B. A. Reali, W. Griswold, D.A. Pfaff,
P.J. Kearns, K. Winebrenner, D.H. Pekarek,
K.A. Carmen, J. Douutt, T. Turick, G. Smerigan

APPROVAL OF THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON FEBRUARY 1, 2016.

Moved by J. Berns, seconded by J. Pasch, that the minutes of the Regular Council Meeting held on February 1, 2016 be approved.

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

APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON FEBRUARY 1, 2016

Moved by J. Pasch, seconded by A. Isaacson, that the minutes of the Committee of the Whole Meeting held on February 1, 2016 be approved.

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

APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE EXECUTIVE SESSION HELD ON FEBRUARY 2, 2016

Moved by J. Berns, seconded by M.M. Jacobs, that the minutes of the Committee of the Whole Executive Session held on February 2, 2016 be approved.

COUNCILMEMBER REPORTS (NON-AGENDA ITEMS)

Mr. Linick stated that he was recently contacted by the State Treasurer's Office about the Online Checkbook.

Mr. Linick stated that Cuyahoga County recently signed on to the Online Checkbook as one of the largest counties.

Mr. Linick stated that he was encouraged by the State Treasurer's Office to have the City of Beachwood adopt a similar ordinance to put our checkbook online.

Mr. Linick stated that he believes the Treasurer's Office would like to come and present at a Committee Meeting or perhaps a Council Meeting.

Mr. Linick stated that the online checkbook has been something that several members of Council have discussed.

Mr. Linick stated that according to the Treasurer's Office, it is an easy process and that over five hundred (500) public bodies have adopted the online checkbook in the State of Ohio.

Mr. Linick stated that hopefully we could get that on one of the agenda's in the near future.

Mr. Pasch stated that he would like to follow up on Mr. Linick's remarks.

Mr. Pasch stated that during the campaign the Online Checkbook was talked about and Mr. Pasch stated that he has also talked about it.

Mr. Pasch stated he would like to make this part of Council's agenda for the year.

Mr. Horwitz stated that the Online Checkbook has been talked about before and that Council will discuss at a future meeting.

Mr. Linick stated that perhaps someone can be sent to speak about the Online Checkbook when all of Council is together.

Mr. Horwitz stated that Mr. Pfaff has been working on a project where our Checkbook is online. Mr. Horwitz stated that it is not in a searchable format but it is online.

DEPARTMENT DIRECTOR'S

Mrs. Carmen stated that as the Mayor reported, Mr. Ron Bayless who was the City's karate instructor lost his battle with cancer on Saturday afternoon. Mrs. Carmen stated that Mr. Bayless will be sadly missed and that one of his star pupils will take over the program at least for the summer. Mrs. Carmen stated that the City will regroup at that point. Mrs. Carmen stated that funeral arrangements have been made for Friday, February 19, 2016.

CM 2016-60

CITIZEN'S REMARKS

1. Mr. Bill Wexler
2432 Richmond Road
Beachwood, Ohio

Mr. Wexler stated that he has been in front of Council before.

Mr. Wexler stated that he would be talking about Cranberry Court.

Mr. Wexler stated that Mr. Brickman presented virtually the same site plan and zoning as requested last year.

Mr. Wexler stated that it was not approved in a public forum or by Council.

Mr. Wexler stated that he was wondering why Council is considering the site plan again.

Mr. Wexler stated that a third curb cut was not what this developer or any developer wanted.

Mr. Wexler stated that Mr. Brickman's plan leaves Cranberry Court with no visitor parking and encroaches in the common areas.

Mr. Wexler stated that Cranberry Court residents have over two and half million dollars invested in the condos.

Mr. Wexler stated that condo fees have been raised and thousands have been spent to finish the driveway.

Mr. Wexler stated that thousands have been spent protecting the rights of the residents against Mr. Brickman and Mr. Eglin and fending off their attorneys' letters threatening lawsuits.

Mr. Wexler stated that Cranberry Court was threatened by Mr. Brickman who stated they were going to build whatever they wanted including six red barns.

Mr. Wexler stated that Cranberry Court invested based on a deed restriction and approved site plan referring to a unified twelve condo development. Parking was promised as well as common areas and a certain lifestyle that they bought into.

Mr. Wexler stated that Mr. Brickman was well aware of all the outstanding issues and objections and he chose to buy the Leone property which transferred in December of 2013.

Mr. Wexler stated that the additional property was transferred to Mr. Brickman a year and half later in June of 2015.

Mr. Wexler stated that Mr. Brickman figured that he would eventually get what he wanted and have Cranberry Court capitulate to his wishes.

CITIZEN'S REMARKS (continued)

Mr. Wexler stated that Cranberry Court is tired of this and that Mr. Wexler won't even discuss building out the six original units on the original footprint or even market them before any other units.

Mr. Wexler asked the City to protect the owners and their investments and not the speculations of a developer.

Mr. Wexler stated that it is a bad plan and the City has no obligation to change the zoning.

Mr. Wexler stated that the last site plan that was discussed was without any input from Cranberry Court.

2. Mr. Marc Golub
26900 George Zeiger Drive, Unit 521
Beachwood, Ohio

Mr. Golub stated that he is here tonight to tell Council that he has four missions in life.

Mr. Golub stated that one of those missions is to create excellent imagery and photography for his clients including the City of Beachwood.

Mr. Golub stated that his second mission is to help young people learn about photography and creativity so that they might pursue a life of creativity both personally and professionally.

Mr. Golub stated that his third mission was to educate the general public about photography and how creativity can improve their name, their image, and their brand.

Mr. Golub stated his fourth mission was to expose Councilman Linick.

3. Mr. Gary Loreno
24524 Richmond Road.
Beachwood, Ohio

Mr. Loreno stated that he is here representing his mother who is a resident at Cranberry Court.

Mr. Loreno stated that one of the problems that he would like to bring before the City between the proposed development by Mr. Brickman is the fact that Mr. Brickman may own the property but it is not clear whether or not that property is already a part of the Cranberry Court Homeowners Association.

Mr. Loreno stated that it has never been recorded to add the property to the existing Homeowners Association.

CITIZEN'S REMARKS (continued)

Mr. Loreno stated that one of the complexities of this issue is that the original plan was for twelve units.

Mr. Loreno stated that when Mr. Eglin went to the City and started construction he installed underground utilities for twelve units.

Mr. Loreno stated that right now there are storm sewers, sanitary sewers, waterlines, and gas lines existing on their property that is connected to the Cranberry Court utilities.

Mr. Loreno stated that Mr. Brickman is proposing not to be a part of the current Cranberry Court.

Mr. Loreno believes that this is going to go one of two ways, that the property will be determined by an agreement or by some other person to either be a part of or not be a part of Cranberry Court.

Mr. Loreno stated that if it is part of the development, there are not a lot of issues except connecting to the former Leonne property.

Mr. Loreno stated that if that is the case, then Cranberry Court will have to allow easements to bring in the additional driveways either the two driveway or one driveway option.

Mr. Loreno stated that the other scenario would be that it is not a part of the existing Cranberry Court development.

Mr. Loreno stated that if that is the case, a problem presented would be the underground utilities.

Mr. Loreno stated that the City should make Mr. Brickman remediate all of the underground work so that they are back to not being conjoined in any way.

4. Mr. Mike Burkons
2466 Richmond Road
Beachwood, Ohio

Mr. Burkons stated that he would like to discuss the former Leonne property.

Mr. Burkons stated that if you are looking to move to Beachwood and you are looking for a condo, townhouse, or apartment, there are dozens of options, however, if you are a family looking to move to Beachwood and you are looking for a single family home, you do not have a lot of options.

Mr. Burkons stated that the surrounding communities have a much more diverse single family housing inventory.

CITIZEN'S REMARKS (continued)

Mr. Burkons stated that he hopes Council realizes that all single family home options need to be protected and zoning should not be changed unless there is a real critical reason.

5. Mr. Michael Silver
25495 Bryden Road
Beachwood, Ohio

Mr. Silver stated that he just wanted to reiterate comments that he made at the previous Council meeting.

Mr. Silver stated that Mr. Jacobs should recuse himself from this decision because he took a campaign contribution from Mr. Brickman in the amount of two hundred and fifty dollars (\$250.00).

Mr. Silver stated that he believes this proposal is very dangerous and sets a very bad precedent and it is not in accordance with what the residents want.

PLANNING AND ZONING COMMITTEE

1. Planning and Zoning Committee
P&Z No. 2016-39 Charles Tapia, representing General Growth Properties, Inc., is requesting preliminary and final approval for a lot split and consolidation of PPN Nos. 741-24-001 through 007, 741-24-011 through 016, 741-24-023/024 and 741-25-006 pursuant to a Development Agreement between the owner and the City of Beachwood.

Mr. Smerigan stated that as Council will recall there were eleven parcels rezoned along Richmond Road. Part of the understanding at that time was that those parcels would be accommodated into the main mall parcel. Eleven former single family residences will be consolidated into the main parcel.

Mr. Smerigan stated that there is also a small land slot between General Growth and Saks.

Mr. Smerigan stated that this consolidates these lots into one plat and does a boundary adjustment between Saks and General Growth Properties.

Mr. Smerigan stated that there is a recommendation by the Planning Commission by a unanimous vote.

Moved by B. Linick, seconded by B.B. Janovitz, that P&Z No. 2016-39 be adopted.

ROLL CALL	Yes:	J. Berns, M.S. Horwitz, A. Isaacson, M.M. Jacobs, B.B. Janovitz, B.H. Linick, J. Pasch
	Abstain:	None.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Jordan Berns stated that the effort was made and was not returned.

Mr. Jordan Berns stated that he left at least six voicemail messages and six email messages.

Mr. Jordan Berns stated that he left his cell phone number and invited the attorney to contact him over the weekend.

Mr. Jordan Berns stated that they did have one conversation in the last two weeks where the attorney indicated that unless Mr. Brickman and his company could commit to building the first six units that are closest to the Cranberry Court development there would be nothing else discussed.

Mr. Jordan Berns stated that since that conversation, he has tried to contact Counsel for the Homeowners Association to discuss the request and try to resolve this issue.

Mr. Jordan Berns stated that he has had no response. Mr. Jordan Berns did have an opportunity to speak with Mr. Wexler and Mr. Lorenzo and talk about what could be done to address a couple of the issues that have been raised.

Mr. Jordan Berns stated that the part of the property that is being developed is not a part of the Homeowner's Association and it cannot be developed as a part of the Homeowners Association because it would interfere with the proper development of the property.

Mr. Jordan Berns stated that with regard to underground utilities, it is true that when the prior developer of Cranberry Court began development he extended some of the utilities onto the property that is now being sought for development. Mr. Jordan Berns stated that the developer has been very blunt in regard to those utilities. The developer can use those utilities and share the cost with the association that could result in some cost savings to the association or the utilities could be abandoned and not used.

Mr. Jordan Berns stated that he would like Council to know that the developer would do nothing that he did not have permission to do and would like to work with the Homeowners Association. If that is impossible, the developer would come forth with plans that do not utilize the utilities.

Mr. Jordan Berns stated that in regard to an earlier comment that this was the wrong kind of housing for Beachwood, he believes this is not the case. This is the type of housing that potential residents are looking for especially in this location along Richmond Road.

Mr. Jordan Berns stated that one single family home being built on this property makes no sense. The units will be consistent with the style of Cranberry Court and will make proper use of the property in a way that will be beneficial.

Mr. Jordan Berns stated that in the last meeting, Mr. Linick asked why this is a benefit to the City. The immediate response was that this is property that has been sitting fallow for an extended period. To be blunt, it is an eyesore that poses more questions than answers. Developing this property in a

CM 2016-66

PLANNING AND ZONING COMMITTEE(continued)

way that is consistent with the style of development of Cranberry Court would be beneficial. There are also some financial reasons for the City and the School Board. Romy Simons had done some calculations and determined that the annual additional property taxes from the development would be in the range of one hundred-fifty thousand dollars per year. The annual income tax revenues from these residents would be in the range of ten thousand dollars per year. These units would likely raise property values in the area.

Mr. Jordan Berns stated that the plan presented is the plan that was recommended by the Planning Commission.

Mr. Jordan Berns stated that the developer has done everything within their power to open and continue discussions with the neighbors in order to present the unified drive plan for this project. It is a two way street and given that spring is upon us and the construction season in Cleveland is very short, it is imperative that we bring this matter to a conclusion before Council allowing the Ordinance for the Development Agreement and Rezoning.

Mr. Jacobs stated that he remembers this project when it first began. A developer came in front of City Council at that time and promised the sun, the moon, and the earth about how this property would be developed. That developer left the City and Mr. Eglin took over at that time. Mr. Eglin came upon tough times and the project stopped.

Mr. Jacobs stated that he agrees that maybe the site is not the best one.

Mr. Jacobs stated that he agrees and disagrees with some of the comments made. If this was an area that just had single family residential homes then Mr. Jacobs would go along with that.

Mr. Jacobs stated that Richmond Road is too busy to put in anything residential.

Mr. Jacobs stated that he lives on Maidstone and he knows how difficult it is to pull onto Richmond Road. If Mr. Brickman would have proposed the number of units he has now in the beginning, this project would have been built and sold by now.

Mr. Jacobs stated the he believes that an agreement being made between these two parties is going to be very difficult.

Mr. Jacobs stated that he would like to see one less driveway. The project at the number that it is now is a feasible project and Mr. Jacobs disagrees with the cost of taxes proposed.

Mr. Jacobs stated that by his calculations, a four hundred thousand dollar unit will generate roughly seventy five thousand dollars in real estate taxes for the School Board and the City would receive roughly seven thousand dollars a year in real estate taxes.

Mr. Jacobs stated that this project needs to be put to rest. The project either needs to be voted for or against.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Jacobs asked Mr. Reali if he saw any problems for the City in the Development Agreement.

Mr. Reali stated that Development Agreement is contingent on the rezoning.

Mr. Smerigan stated that with U-2A only twelve units would be allowed to be built on the property.

Mr. Smerigan stated that U-3 would allow for thirteen units. It is a one unit swing.

Mr. Smerigan stated that the setbacks in U-2A are virtually identical to U-3. The development agreement under U-3 ties the units down more than U-2A such as the style and square footage.

Mr. Smerigan stated that U-2A is a comparable plan but the issue is density.

Mr. Pasch stated that he would like Mr. Reali to clarify the number of votes needed now that two members of Council have recused themselves from the vote.

Mr. Reali stated that under the City Charter, it is a majority of the people voting.

Mr. Pasch asked if that included both the Development Agreement and the Rezoning.

Mr. Reali stated that was correct.

Mr. Horwitz stated this zoning was created by Council several years ago. Going up and down Richmond and there are already several units similar to the ones presented. Mr. Horwitz stated that it is not understood why this was not proposed as U-2 and then asked about a variance. Would a variance be a possibility?

Mr. Smerigan stated that certainly could be done. A density variance would be offered.

Mr. Horwitz stated that his issue is that even though there is a Development Agreement, he fears that the developer could put up an apartment building.

Mr. Jordan Berns stated that he would like to address Mr. Horwitz concerns. The acreage at issue is 1.78 acres which only allows for eleven units.

Mr. Jordan Berns stated that the development agreement gives the City protection beyond the Zoning Code.

Mr. Jordan Berns stated that the Development Agreement leaves an even greater restriction on the developer than the zoning code. The only way that the developer can stray from the Development Agreement is with an approval from Council.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Horwitz stated that the efforts between the developer and Cranberry Court have not gone well. How will the cross easements and utility discussions be handled?

Mr. Jordan Berns stated that the utility and easements are going to be based on an agreement with the Cranberry Court Homeowners Association and without an agreement the utilities will not be utilized. Separate utility lines would need to be built solely on the Brickhaus Property.

Mr. Horwitz stated that he was concerned that Cranberry Court utilities would go under the Brickhaus property.

Mr. Jordan Berns stated that there are utilities on the Brickhaus property that allows for connection. Those are currently not being used by Cranberry Court. They are to be used in the Brickhaus development.

Mr. Horwitz asked if those utilities can be severed from the six existing units.

Mr. Jordan Berns stated that they could be capped and left unused.

Mr. Jacobs asked Mr. Smerigan his opinion on the City's benefit for a U-3 over a U-2A.

Mr. Smerigan stated that either one of the zoning classes would be beneficial. If the U-3 is one then there must be a Development Agreement because the U-3 does not have the controls that the U-2A does. The Development Agreement is essential.

Mr. Smerigan stated that if a U-2A was given then a density variance would be needed to go forward with thirteen units.

Mr. Pasch stated that he will not support any amendment from a U-1 to a U-3 in this proposal because that plot of land should not have an apartment complex in the future.

Mr. Isaacson stated that a poor precedent is being set. If Council grants a curb cut and driveway for this particular development then Council may have to end up granting the curb cut to others which could cause traffic to back up.

Mr. Linick stated that in the code, Condominium Associations are an option not a requirement.

Mr. Smerigan stated that with U-2A there is a requirement for a Condominium Association.

Mr. Horwitz stated that more information is needed on the rezoning issue.

Mr. Horwitz asked Mr. Jordan Berns if U-2A would be accepted by his client.

Mr. Jordan Berns stated that as long as the density variances were given as proposed, there would be no objection.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Pasch stated that he would like to not vote on placing the legislation on second reading and he would like to have a work session to discuss the U-2A and U-3 zoning and then move forward once it is amended.

Mr. Jordan Berns asked that it be placed on second reading.

Mr. Isaacson stated that he did not believe it was right to move forward at this time.

Mr. Horwitz stated that a short Committee meeting was needed.

Mr. Jordan Berns stated that he would like to place it on second reading so an additional two weeks are not being lost.

Mr. Horwitz stated that this needs to be discussed further and will be held on first reading.

Moved by J. Pasch, seconded by M.S. Horwitz that Ordinance No. 2016-26 be held on pending.

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

MOTION ADOPTED

3. Submitted to Council an Ordinance rezoning certain Parcels from U-1A1 and U-2A to U-3.

Placed on First Reading and Referred to the Planning and Zoning Commission on: July 1, 2013
Placed on Second Reading, as amended, on: April 20, 2015
Set for Public Hearing on: June 15, 2015
Held on Pending on: February 1, 2016
Held on Pending on: February 16, 2016

4. Submitted to Council an Ordinance amending BCO Chapter 1312, Section 1312.03, titled “Residential Location Requirements”; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-33 – Introduced by Barbara Bellin Janovitz
 AN ORDINANCE AMENDING BCO CHAPTER 1312, SECTION
 1312.03, TITLED “RESIDENTIAL LOCATION REQUIREMENTS”;
 AND DECLARING THIS TO BE URGENT MEASURE

Mr. Smerigan stated that this amendment does provides for emergency generators to be permitted on the side of the house with a screening of the unit and proper decibels.

Mr. Isaacson stated that we were not changing the noise level requirement. It would have to be quieter than an older unit.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Smerigan stated that was correct.

Moved by B.B. Janovitz, seconded by M.M. Jacobs, that Ordinance No. 2016-33 be placed on final reading.

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

MOTION ADOPTED-RULES SUSPENDED

Moved by B.B. Janovitz, seconded by M.M. Jacobs, that Ordinance No. 2016-33 be adopted.

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

MOTION ADOPTED

FINANCE AND INSURANCE COMMITTEE

- Submitted to Council an Ordinance for the payment of Certain Claims (Bills).

ORDINANCE NO. 2016-32 – Introduced by Alec Isaacson
 AN ORDINANCE FOR THE PAYMENT OF CERTAIN BILLS (BILLS)

Moved by A. Isaacson, seconded by M.M. Jacobs, that Ordinance No. 2016-32 be placed on final reading.

Mrs. Bellin-Janovitz asked if there was a break down for the Taft Stettinius & Hollister invoice.

Mr. Reali stated that there is an invoice in the Law Department that is not a public record but has been viewed by members of Council.

Moved by A. Isaacson, seconded by M.M. Jacobs, that Ordinance No. 2016-32 be placed on first reading.

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

MOTION ADOPTED-RULES SUSPENDED

FINANCE AND INSURANCE COMMITTEE(continued)

Moved by A. Isaacson, seconded by M.M. Jacobs, that Ordinance No. 2016-32 be adopted.

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

MOTION ADOPTED

2. Submitted to Council an Ordinance making appropriations for current expenditures and other expenses of the City of Beachwood, State of Ohio, for the Fiscal Year 2016, January 1, 2016 to December 31, 2016, inclusive; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-34 – Introduced by Brian H. Linick
 AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT
 EXPENDITURES AND OTHER EXPENSES OF THE CITY OF
 BEACHWOOD, STATE OF OHIO, FOR THE FISCAL YEAR 2016,
 JANUARY 1, 2016 TO DECEMBER 31, 2016, INCLUSIVE; AND
 DECLARING THIS TO BE AN URGENT MEASURE

Moved by B.H. Linick, seconded by J. Pasch, that Ordinance No. 2016-34 be placed on first reading.

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

MOTION ADOPTED-RULES SUSPENDED

Moved by B.H. Linick, seconded by J. Pasch, that Ordinance No. 2016-34 be adopted.

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

MOTION ADOPTED

COMMITTEE OF THE WHOLE

1. Submitted to Council an Ordinance temporarily amending BCO Section 147.01(a) to provide that the authorized strength of the Fire Department shall include four Captains; and declaring this to be an urgent measure.

COMMITTEE OF THE WHOLE(continued)

Moved by B.B. Janovitz, seconded by J. Berns, that Ordinance No. 2016-39 be adopted.

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

MOTION ADOPTED

6. Submitted to Council an Ordinance confirming the appointment of James E. Nemeth as a Member of the Storm Water Commission of the City of Beachwood, Ohio; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-40 – Introduced by Martin S. Horwitz
 AN ORDINANCE CONFIRMING THE APPOINTMENT OF
 JAMES E. NEMETH AS A MEMBER OF THE STORM WATER
 COMMISSION OF THE CITY OF BEACHWOOD, OHIO;
 AND DECLARING THIS TO BE AN URGENT MEASURE

Moved by M.S. Horwitz, seconded by J. Pasch, that Ordinance No. 2016-40 be placed on final reading.

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

MOTION ADOPTED-RULES SUSPENDED

Moved by M.S. Horwitz, seconded by J. Pasch, that Ordinance No. 2016-40 be adopted.

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

MOTION ADOPTED

SAFETY AND PUBLIC HEALTH COMMITTEE

1. Submitted to Council an Ordinance authorizing the Mayor to purchase three (-3-) 2016 Ford Utility Police Interceptor Vehicles to replace Units #1222, #1226 and #1230 for the City of Beachwood Police Department from Statewide Ford; and declaring this to be an urgent measure.

