

BEACHWOOD CITY COUNCIL MINUTES OF THE REGULAR COUNCIL MEETING HELD AT BEACHWOOD CITY HALL, COUNCIL CHAMBERS, 25325 FAIRMOUNT BOULEVARD, ON MONDAY, MARCH 21, 2016 AT 7:00 P.M.

The meeting was called to order at 7:00 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, J. Doutt, T. Turick

APPROVAL OF THE MINUTES OF THE LEGAL AND PERSONNEL COMMITTEE EXECUTIVE SESSION HELD ON MARCH 21, 2016.

Moved by J. Pasch, seconded by M.S. Horwitz, that the minutes of the Legal and Personnel Committee Executive Session held on March 21, 2016 be approved.

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

APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON MARCH 14, 2016

Moved by J. Berns, seconded by J. Pasch, that the minutes of the Committee of the Whole Meeting held on March 14, 2016 be approved.

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

MAYOR'S REPORT

Mayor Gorden stated that he attended two events over the last few weeks that definitely have an impact on the City of Beachwood. Mayor Gorden stated that he presented two proclamations; one to University Hospital Ahuja celebrating their 5th Year Anniversary in the City of Beachwood. Mayor Gorden stated that University Hospital Ahuja exceeded the expectations that were originally planned when they moved into Beachwood. Mayor Gorden stated that he believes the facility will continue to grow and serve the community very well.

CM 2016-126

MAYOR'S REPORT(continued)

Mayor Gorden stated that the second event he attended is a new business that has moved into the City of Beachwood called Cyclebar which is a workout facility where 50 stationary bicycles are in the room and they do various exercises with the bikes. Mayor Gorden stated that it was an upscale facility, no membership is required and it is pay as you go.

COUNCIL MEMBERS (NON-AGENDA ITEMS)

None.

DEPARTMENT DIRECTORS

Mr. Pekarek stated that the front parking lot at the Service Department is being replaced which runs the full length east and west in front of the building. Mr. Pekarek stated that the parking lot was original slated to be done with a contractor for the Master Plan but since there has been warm weather at the end of last month he used the night and weekend shifts and placed them back on days and they are performing the work in-house. Mr. Pekarek stated that the project will come in at 50% less than the original estimate. Secondly, Shaker Boulevard started today and that is a resurfacing project and it is a three inch mill and fill. Mr. Pekarek stated that the State is paying for a portion of the project and the remainder of the project will be picked up by the City which includes total curb replacement both east and west bound, plus half aprons. Mr. Pekarek stated that the City will also be repairing catch basins and lengthening the east bound right turn lane. Mr. Pekarek stated that the project should be completed in 60 days weather permitting.

Mayor Gorden stated that he received a call from a resident that this project was not posted properly on the City's website. Mayor Gorden stated that it was planned to appear on the City's website but time ran out. Mayor Gorden stated that it will placed on the City's website.

CITIZEN'S REMARKS

Mr. Horwitz stated that Council welcomes anyone to the podium to address Council for three minutes and he asks that you please state your name and address for the record. Mr. Horwitz stated there will not be a public debate and the Mayor, Council and Directors will not engage in question and answer sessions and if you have a specific question it will be directed to the appropriate Director for a response at a later time. Mr. Horwitz stated that Council ask that speakers do not engage in personal attacks.

1. Mr. Bill Wexler
2432 Richmond Road
Beachwood, Ohio 44122

Mr. Wexler stated that there is a new site plan that Mr. Brickman has distributed that is an attempt to circumvent the HOA's input. Mr. Wexler stated that they are not opposed to U-2A zoning but they are opposed to the many variances allowing for additional units.

CITIZEN'S REMARKS(continued)

Mr. Wexler stated that by adding additional units it has kept Mr. Brickman from being creative in relation to Cranberry Court. Mr. Wexler stated that the City has zoning codes for good reason and Mr. Brickman knew what he was buying and he was aware of the HOA's issues and the City has no obligations to make any developers risky investment pay off especially when it is a detriment to the current residents and neighbors. Mr. Wexler emphasized that there is no compelling reason to go along with the new site plan. Mr. Wexler stated that this new site plan makes their living conditions worse than they currently are and it is unfair. Mr. Wexler stated that the new site plan eliminates their unlimited parking, snow removal area and part of the common area.

Mr. Wexler displayed a diagram indicating the two pine trees Mr. Brickman plans on eliminating which also provides screening for the neighbor and the parking area will also be eliminated. Mr. Wexler stated that Mr. Brickman is proposing eliminating the common areas and parking area that was in their original site plan. Mr. Wexler stated that there is no way for vehicles to back out of the area.

2. Ms. Danielle Shroge
3196 Richmond Road
Beachwood, Ohio 44122

Ms. Shroge stated that she is Mr. Wexler's daughter and since her parents live at Cranberry Court she is a frequent visitor and she is very familiar with the layout. Ms. Shroge is against the new site plan proposed by Mr. Brickman were the City of Beachwood would be granting height and density variances to the developer. Ms. Shroge stated that this is unfair to the residents that currently reside there for a number of reasons. Ms. Shroge stated that she speaks from experience because she lives at Wedgewood Crossings and she understands the density issues because they have limited parking at Wedgewood Crossings and Cranberry Court will have even less if it is approved. Ms. Shroge stated that it is especially difficult in the winter for residents because of snow removal which causes several parking spaces to be used for snow. Ms. Shroge stated that this is also difficult for delivery vehicles, garbage collectors, landscapers and emergency vehicles. Ms. Shroge stated that on paper it looks one way but when you are actually living there things work out differently.

Ms. Shroge stated she is for development and improving the City of Beachwood and she believes the City needs to think twice before approving a variance for this high of a density project. It is important to consider what is being approved and the impact on residents and the residents of Cranberry Court and the surrounding neighborhood.

3. Mr. Gary Loreno
2452 Richmond Road
Beachwood, Ohio 44122

Mr. Loreno stated that he is present tonight on behalf of his mother who is a resident at Cranberry Court. Mr. Loreno stated that he finds the process interesting whereby someone like Mr. Brickman can come into Council and use Council's time and use all of the City's resources over and over again with a slightly massaged, slightly touched-up version of the development. Mr. Loreno

CITIZEN'S REMARKS(continued)

stated that the City of Beachwood knows big projects and this is not a big project and the amount and time of City's resources and the value of Council's time that there is not a mechanism legislated somehow to limit how many times someone can come in with the same project. Mr. Loreno stated that he feels the Cranberry Court residents have to defend themselves again because Mr. Brickman will most likely never get a shovel in the ground in the version that he is presenting to City Council because he has put the cart before the horse and has not addressed the easement and the HOA in the involvement of the property he bought from Mr. Eglin.

PLANNING AND ZONING COMMITTEE

1. P&Z - 2016-9 Ryan Schmit, TDA Architecture, on behalf of the Beachwood School District, is requesting preliminary site plan approval of renovations to the Main Athletic Stadium of Beachwood High School at 25100 Fairmount Boulevard.

Mr. Pasch stated that P&Z 2016-9 was before the Planning and Zoning Commission and TDA Architecture gave a presentation on behalf of the Schools and it was similar to the presentation that Council received. Mr. Pasch stated that it was met with enthusiastic support from the Planning and Zoning Commission and the vote was unanimous to recommend approval to City Council.

Mr. Horwitz stated that Mr. Hardis and Mr. Schmit from TDA Architecture were present to answer questions.

Mr. Jacobs asked Mr. Schmit to explain the stormwater issues because when there is other construction at the high school he has had calls from people living along Richmond Road who have little valleys that run along the back of their properties and they were getting flooded.

Mr. Ryan Schmit stated that he is with TDA Architecture, 4135 Erie Street, Willoughby, Ohio. Mr. Schmit thanked the City for their help in this process and that the City has been very accommodating with all the City meetings. Mr. Schmit stated that the intent of the Planning and Zoning meeting was for preliminary approval and they are here this evening for a variance for the 90 foot light poles as part of this presentation.

Mr. Schmit stated that as far as the stormwater issue, what is presently on the site are existing catch basins that go around the perimeter of the field itself which were installed back when the field was originally installed on site. Mr. Schmit stated that all that water collects into a system that drains into the aforementioned swale and runs across and back behind the Richmond Road properties and presently that is not impeded as it goes along and is part of the original design. Mr. Schmit stated that what they are doing with this project instead is collecting all the water within the stadium and improving the size of the basin to help to contain that water on site instead of going directly into the trench it will all be collected and put into the catch basin. Mr. Schmit stated that all the water will be flowing into the new catch basin and promote the increasing grade of the discharge from the basin.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Jacobs stated that he has attended basketball games and he understands that Mr. Schmit is speaking about lighting for the football field but when you walk out of the gym it is very dark at night. Mr. Jacobs asked if this issue will be addressed.

Mr. Hardis stated that he agrees with Mr. Jacobs regarding the lighting and they have recently installed two lights and they are both wall mounted on the building. Mr. Hardis stated that they are bright LED lights that illuminate the area. Mr. Hardis stated that they have been working with TDA to ensure that there will be proper path lighting throughout the stadium complex.

Mr. Jacobs stated that the residents on Shakercrest have been concerned about the lighting and he wanted to know if they have been notified about the stadium project.

Mr. Hardis stated that the Schools sent a certified letter last Friday after they received approval from the Planning and Zoning Commission. Mr. Hardis stated approximately 60 plus residents who live on Shakercrest and Richmond Road, between Fairmount Boulevard and Shaker along Richmond Road, have all been notified.

Mr. Isaacson asked how many night games are there between football and other sports.

Mr. Hardis stated approximately 20 night games across the year including five football home games, approximately five boys and girls soccer games each and at least five lacrosse games in the spring.

Mr. Jacobs asked if the landscaping will be disturbed.

Mr. Schmit stated it is their intent not to disturb the landscaping.

Mr. Isaacson asked how TDA will protect the neighbors during construction.

Mr. Schmit stated that the project requires all EPA standards and regulations to be followed as far as storm water detention. TDA sent a Notice of Intent to Proceed with the EPA and they will review all the documentation and confirm that they are following all the procedures.

Mr. Linick asked if they have a diagram showing elevation with the poles.

Mr. Schmit stated that the poles in the diagram are representative of what the poles will look like for this project. Mr. Schmit stated that the poles in the diagram are what TDA is specifying with 90 foot elevations which are the same elevation that they are proposing.

Mr. Linick stated that he was at the Planning and Zoning Commission meeting but for the benefit of other Council members, he asked Mr. Schmit to explain the reason for wanting the poles to be higher.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Schmit stated that regarding the poles, the closer and lower they are they tend to project out more to get the light to spread across the field. As you lift the poles up, they can turn the head of the light down and project the lights down on the field rather than outward.

Mr. Horwitz stated that notices were sent to the neighbors and when did they go out?

Mr. Hardis stated that the notices were mailed on Friday.

Mr. Horwitz asked what the content of the letter was.

Mr. Hardis stated that the letter described the project, where the Schools were at in the process, and the potential timeline.

Mr. Horwitz stated that since the letter just went out he wonders if they should wait on approval in case anyone has any questions.

Mr. Pasch stated that the Schools have done their due diligence informing the community by hosting multiple public meetings, public session where the whole community was invited to attend and ask questions and this matter has been in front of the Planning and Zoning Commission and now City Council.

Mr. Isaacson stated that he agrees and there has also been several newspaper articles on this subject.

Moved by J. Pasch, seconded by A. Isaacson, that P&Z 2016-9 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

2. Submitted to Council an Ordinance authorizing the Mayor to enter into an amended Development Agreement with Brickhaus Beachwood, Inc.

Mrs. Janovitz and Mr. Berns recused themselves.

Mr. Reali stated that when a Council member recuses themselves, Council drops to five members of Council and you need three votes for a simple majority and four votes for a super majority.

Mr. Horwitz stated that Council will be moving forward with five members and Mr. Reali will explain the process.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Reali stated that when a Council member declares that they believe there might be a conflict and they have abstained from voting for that reason, Council then drops by the number of Council members that voluntarily remove themselves. Mr. Reali stated that in this case there are five Council members voting on the two items and a simple majority is three and a super majority is four so for the next two items those would be the rules moving forward.

Mr. Reali stated that the Development Agreement before Council has been read once already and this is the second reading. Mr. Reali stated a Motion is needed to amend the Development Agreement to add the new Development Agreement because a new one was received within the last two weeks. Mr. Reali stated that if Council desires to incorporate that into the Ordinance, Council can move to amend the Ordinance. Mr. Reali stated that there is a typographical error on the Ordinance that shows 2015-26 it should be 2016-26. Mr. Reali stated that Council will address the Development Agreement first and to pass it would need a super majority and, if not, Council can choose to send it on to a third and final reading and at that point Council can address the rezoning ordinance.

Mr. Horwitz stated to pass the suspension of the rules, Council needs four out of five votes and to pass the Development Agreement, Council needs three out of five votes to pass.

Mr. Reali stated yes.

Mr. Pasch stated that to follow-up, a Council member could vote yes to suspend rules but vote no on the adoption of the Development Agreement.

Moved by M.M. Jacobs, seconded by M.S. Horwitz to amend Ordinance 2016-26 to attach the revised Development Agreement.

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

Ordinance No. 2016-26 – Introduced by – Martin S. Horwitz
**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
 AMENDED DEVELOPMENT AGREEMENT WITH BRICKHAUS
 BEACHWOOD, INC.**

Placed on First Reading on: February 1, 2016
Held on First Reading on: February 16, 2016
Placed on Second Reading on: April 4, 2016

PLANNING AND ZONING COMMITTEE(continued)

Mr. Reali stated for the record that Clerk has a copy of Mr. Smerigan's Staff Report that was distributed to City Council today. Mr. Reali stated that Mr. Smerigan is of the opinion that the requested variances are reasonable and create a desirable layout for the project. Mr. Reali stated that Mr. Smerigan summarized that the proposed attached dwellings are reasonable and appropriate for the subject site and approval of both the Development Agreement and rezoning change to U-2A. Mr. Reali stated that the U-3 that was originally requested will be U-2A with seven homes on that property and six homes on the adjoining property for a total of 13 units with several variances that were requested.

Mr. Griswold stated that the variances as outlined in Mr. Smerigan's report indicate those specific variances that are required and as part of the Development Agreement those that are enumerated are a slight increase in the density permitted under U-2A to allow 13 units; a variance to allow the total area to be U-2A – 1.78 acres; a variance to the co-provision that requires condominium style ownership and the applicant proposes to have fee simple lots. Mr. Griswold stated that is similar to what is permitted in the Village which are free simple lots in the U-2A Zoning District; a variance to the provision requiring lots to front on public streets, again similar to the Village where there are footprint lots that do not have frontage on public streets; a variance to permit the height maximum of 35 feet which is the same height permitted in U-1 Single Family District. Mr. Griswold stated that Mr. Smerigan notes that it is not clear why the U-2A provision limits the height to 25 feet but this was not applied to the Village; a variance to permit two side yard setbacks at the rear of the lot on the right side is a three foot variance and at the rear of the property on the left hand side, southwest side, is a five foot variance. Mr. Griswold stated that Mr. Smerigan's memo indicates that the variances are reasonable and consistent with creating the layout for the project. Mr. Griswold stated that if the rezoning were to be approved the project still goes back to the Planning and Zoning Commission for site plan approval.

Mr. Jacobs asked Mr. Griswold and Mr. Reali if they see any problems with the Development Agreement.

Mr. Griswold stated that the revisions to the Development Agreement were appropriate for this project. Mr. Griswold stated that there have been many submissions regarding this project and the Development Agreement which has been effectively memorialized in the Development Agreement.

Mr. Reali stated that the Development Agreement accomplishes what the City wants and that is to control development in this specific area. Mr. Reali stated that he is comfortable with it and he knows one concern was that a subsequent owner could come in if it was U-3 and build something even more dense, but the Development Agreement that will be recorded controls that.

Mr. Linick asked procedurally if the first vote will be to suspend the rules.

Mr. Horwitz stated yes.

PLANNING AND ZONING COMMITTEE(continued)

Mr. Linick stated that given that Council just received Mr. Smerigan’s report today outlining his position he would like the opportunity to review and discuss with Mr. Smerigan if he has any questions. Mr. Linick stated that he would suggest not to suspend the rules and give them a little more time to review.

Mr. Horwitz stated that the other item is on third reading, Council could hold it, but at this point Council should put it to vote.

Moved by M.M. Jacobs, seconded by M.S. Horwitz, that Ordinance No. 2016-26 be placed on second reading.

Mr. Pasch stated that he does not like to look at this in the prism that this has been in front of Council for a number of years because the project came to Council with 30 plus units and Council had no interest in a project that size and the applicant went back to the drawing board to even merit consideration in front of Council again. Mr. Pasch stated a fellow Council member is asking for time to review a memo received by Council, today, April 4, 2016.

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

MOTION ADOPTED

Mr. Jordan Berns, Counsel to Brickhaus Beachwood, Inc. Mr. Berns stated that when they were last here on February 1, 2016, he had explained to Council that their efforts to reach an agreement with the Cranberry Court’s Homeowners Association had been exhausted after months of effort to attempt to reach an understanding that would allow for a shared driveway serving both developments. Mr. Berns stated that they discussed a plan that included two drive entrances for this development and Council was concerned about the proposal to rezone the property to U-3.

Mr. Berns stated that members of Council expressed their concerns regarding the Development Agreement that was proposed would restrict the number of units that could be built on the property, 13 units, the zoning of the property allowed greater density and there were members of Council who were uncomfortable with the notion that even if the Development Agreement restricted the number of units the zoning for the property would not, and at that point, Mr. Smerigan in response to those concerns, mentioned that the property could be zoned U-2A zoning. Mr. Berns stated that he responded stating that the reason that they did not propose that was because the U-2A zoning would require more variances. Mr. Berns stated that members of Council did not like the U-3 zoning so they returned with a Development Agreement that would reflect U-2A zoning and the necessary variances and also eliminate one of the two proposed driveways.

Mr. Berns stated that those variances include a variance from the provision of condominium ownership. Mr. Berns stated that Mr. Linick mentioned that when the subject of U-2A zoning came up that it appeared that U-2A zoning required condominium ownership. Mr. Berns stated that on examination of the Zoning Code it proved Mr. Linick was correct. Notwithstanding that a number of

PLANNING AND ZONING COMMITTEE(continued)

other developments, most prominently the Village, have been developed as U-2A District zoning without compliance with that requirement so he included a variance for that. Mr. Berns stated that all the variances that they have included in the Development Agreement are now necessitated by the change from U-3 to U-2A zoning.

Mr. Berns stated that the Project Architect Mike Horton is present this evening to answer any questions.

Mr. Horton stated that he is with Horton Architects and he will go over the new revised plan. Mr. Horton stated that they have not made any changes to the buildings within the site plan what they reacted to from a site plan standpoint and not necessarily from an architectural standpoint first and foremost was the reduction from two curb cuts to one curb cut. Mr. Horton stated that they vetted the site plan with the Fire Department so it meets the Health, Safety and Welfare Standards. Mr. Horton stated that one change due to that review was the removal of one parking space to allow for a fire truck to have better maneuverability. The other two variances required were setback variances as a result of the change from U-3 to U-2A.

Mr. Linick stated that the existing Cranberry Court has a much larger buffer from the road to the building line and there appears to be six trees on the tree lawn on the site plan to the east along Richmond Road. Mr. Linick asked if there is a fence that is part of the existing Cranberry Court and is there an effort to make it look like the existing Cranberry Court landscaping?

Mr. Horton stated that there is an effort to match the character that the City of Beachwood is looking for and to provide the necessary buffer.

Mr. Linick asked if there is a fence.

Mr. Horton stated that if a privacy fence is a concern that it is something they will accommodate.

Mr. Linick asked what the proposal is regarding signage.

Mr. Berns stated that there is no proposal yet for signage because they are here this evening with respect to the development plan which relates to the zoning and density.

Mr. Jacobs stated that regarding this particular parcel and the number of units compare to Wedgewood Crossings.

Mr. Griswold stated that he does not have the numbers in front of him but the density level with this proposed project is less than the density at Wedgewood Crossings. There is more parking at Wedgewood Crossings which has single car garages with no parking in front of the garages. The proposed project shows parking in front of the garages with 17 visitor parking spaces.

PLANNING AND ZONING COMMITTEE(continued)

- 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, and 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

Held on Pending on: April 4, 2016

FINANCE AND INSURANCE COMMITTEE

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

ORDINANCE NO. 2016-54 – Introduced by Alec Isaacson
 AN ORDINANCE FOR THE PAYMENT OF CERTAIN BILLS (BILLS)

Moved by A. Isaacson, seconded by J. Pasch, that Ordinance No. 2016-54 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 A. Isaacson, seconded by J. Pasch, that Ordinance No. 2016-54 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

- 2. Submitted to Council an Ordinance amending 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. 2016-55 – Introduced by Alec Isaacson
 AN ORDINANCE AMENDING 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 Mrs. Janovitz, seconded by A. Isaacson to reduce the appropriations to \$30,000.00 for the Service Department and \$15,000.00 for the Economic Development Department.

FINANCE AND INSURANCE COMMITTEE(continued)

Moved by J. Pasch, seconded by A. Isaacson, that Ordinance No. 2016-56 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 repealing BCO Section 121.105 “Communications with Administrative Employees” is hereby repealed; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-57 – Introduced by Martin S. Horwitz
 AN ORDINANCE REPEALING BCO SECTION 121.105 “COMMUNICATIONS WITH ADMINISTRATIVE EMPLOYEES” IS HEREBY REPEALED; AND DECLARING THIS TO BE AN URGENT MEASURE

Moved by M.S. Horwitz, seconded by B.H. Linick, that Ordinance No. 2016-57 be placed on final reading.

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

MOTION ADOPTED-RULES SUSPENDED

Moved by M.S. Horwitz, seconded by B.H. Linick, that Ordinance No. 2016-57 be adopted.

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

MOTION ADOPTED

RECREATION AND COMMUNITY SERVICES COMMITTEE

1. Submitted to Council an Ordinance authorizing the Mayor to purchase pool chemicals from the Patterson Pool Companies through the end of the 2016 Season for the City of Beachwood Family Aquatic Center, further waiving competitive bidding; and declaring this to be an urgent measure.

RECREATION AND COMMUNITY SERVICES COMMITTEE(continued)

Moved by J. Berns, seconded by J. Pasch, that Ordinance No. 2016-59 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 from Horton Emergency Vehicles, Inc., one (-1-) 2017 Horton Rescue Squad Vehicle 623 Type I under the State of Ohio Term Schedule Program; waiving competitive bidding; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-60 – Introduced by Melvin M. Jacobs
 AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE
 FROM HORTON EMERGENCY VEHICLES, INC., ONE (-1-) 2017
 HORTON RESCUE SQUAD VEHICLE 623 TYPE I UNDER THE
 STATE OF OHIO TERM SCHEDULE PROGRAM; WAIVING
 COMPETITIVE BIDDING; AND DECLARING THIS TO BE AN
 URGENT MEASURE

Moved by M.M. Jacobs, seconded by J. Berns, that Ordinance No. 2016-60 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.M. Jacobs, seconded by J. Berns, that Ordinance No. 2016-60 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

