

June 6, 2016

CM 2016-173

**BEACHWOOD CITY COUNCIL MINUTES OF THE SPECIAL COUNCIL MEETING HELD AT BEACHWOOD CITY HALL, COUNCIL CHAMBERS, 25325 FAIRMOUNT BOULEVARD, ON MONDAY, JUNE 6, 2016 AT 7:30 P.M.**

The meeting was called to order at 5:34 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, H.L. Jones, D. H. Pekarek, D.A. Pfaff, T. Turick, J. Cuini

Mr. Horwitz stated that there are two items on the Agenda and following adjournment of the Special Council Meeting, Council will meet in Conference Room A for a Committee of the Whole Meeting.

PUBLIC WORKS COMMITTEE

1. Submitted to Council an Ordinance accepting a certain bid from Tri-Mor Corporation for the Richmond Road Southbound Lanes Replacement Project; and declaring this to be an urgent measure.

ORDINANCE NO. 2016-74 – Introduced by Brian H. Linick  
AN ORDINANCE ACCEPTING A CERTAIN BID FROM  
TRI-MOR CORPORATION FOR THE RICHMOND ROAD  
SOUTHBOUND LANES REPLACEMENT PROJECT; AND  
DECLARING THIS TO BE AN URGENT MEASURE

Mr. Cuini stated that this Ordinance is for the replacement of the southbound lanes from Shaker Boulevard all the way down to Concord just south of Chagrin Boulevard and replaced in-kind with concrete. Mr. Cuini stated that the bid opening was Thursday, May 26, 2016, and Tri-Mor Corporation was the low bidder. Mr. Cuini stated that the City accepted alternate bids for this project asking them to remove everything from the site and have all lanes of traffic open during the Republican National Convention which was stated to be between July 15<sup>th</sup> and July 25<sup>th</sup>. Mr. Cuini stated that they would start the job, clear the site, and resume after July 25<sup>th</sup>. Mr. Cuini stated that the alternate bid is the extra cost on top of their bid amount. Mr. Cuini stated that Tri-Mor corporation was lowest and best bid at \$2,456,752.00 and Council would have to add \$130,000.00 to that amount for the alternate bid. Mr. Cuini stated that Tri-Mor Corporation would still be the lowest and best bidder.

Mrs. Janovitz asked if there was any way they could start after the RNC and still be completed before the bad weather begins and wondered if that was too close.

Mr. Cuini stated that they discussed with Tri-Mor Corporation the possibility of waiting until after the RNC and what Tri-Mor Corporation would like to do is the section of the road south of Chagrin from Chagrin to Concord before the RNC and that is all that Tri-Mor Corporation would do and not do anything north of Chagrin until after the RNC.

PUBLIC WORKS COMMITTEE(continued)

Mrs. Janovitz asked if that would be the \$130,000.00 extra.

Mr. Cuini stated yes.

Mr. Isaacson asked if this project was fully funded by Beachwood or is money coming from the State as well.

Mr. Cuini stated that he is in negotiations with the State to try and obtain some mill and fill money but the State/ODOT will not pay to replace but they would pay to put an overlay which is a thin layer of asphalt. Mr. Cuini stated that now the work is being funded 100% by Beachwood.

Mr. Berns stated that he does not know if spending \$130,000.00 sits well with him. Mr. Berns stated that Council debates other things for other amounts of money and \$130,000.00 is a lot of money. Mr. Berns stated that he would accept this without the alternate bid and let them work through. Mr. Berns stated that the people who will be here for the RNC are not coming to traverse through the City during the day time and he cannot see spending this amount of money for a ten day period.

Mrs. Janovitz stated that the City could place something in the hotels apologizing for the construction during this time and maybe suggest alternate routes for them to get to Beachwood Place or other places that they might visit.

Mr. Isaacson stated that Council is discussing Richmond Road between Chagrin, and the best route to Beachwood Place between Chagrin and Shaker would be the highway. Mr. Isaacson stated that the highway will be open with no traffic lights and he would assume that the transportation that the delegates will be taking downtown will travel by highway.

Mr. Horwitz stated that the delegates will most likely travel I-480 to downtown and not through Shaker.

Mrs. Janovitz stated that the City should suggest alternate routes because she believes Council asked for the alternate bid because they knew that it would be during the RNC. Mrs. Janovitz stated that the numbers are too high to justify the work.

Mayor Gorden stated that this is not just for the RNC who will be here but it is also for the residents. Mayor Gorden stated that every hotel in the City is booked during that time frame and when he looked at this administratively he tried to make it easier for the residents in the City that travel Richmond Road.

Mr. Horwitz asked if one lane will be closed both north and south bound.

Mr. Cuini stated that there will be one lane of traffic north and south bound during construction.

PUBLIC WORKS COMMITTEE(continued)

Mr. Horwitz asked if the City went with the alternate bid will all the lanes be open during the RNC.

Mr. Cuini stated yes.

Mr. Jacobs stated that Tri-Mor Corporation would work from Chagrin to Concord, pull off the job completely, and then continue after the RNC. Mr. Jacobs asked why is the cost so high.

Mr. Cuini stated that one of the other bidders estimated the alternate bid at \$193,000.00 and Perk Company was only \$12,500.00 but they were not the low bidder on the project.

Mr. Linick stated that he agrees with Mr. Berns. Mr. Linick stated that \$130,000.00 is a lot of money to pull off of a job for just one week. Mr. Linick stated that he would rather wait a year to do the project than pay \$130,000.00 to stop it for a week during the summer.

Mayor Gorden stated that it is the decision of Council if they want to stop the project for a week or not but he strongly recommends not waiting a year to complete this project. Mayor Gorden stated that the project needs to be completed due to the condition of Richmond Road and it has already been bid and a lot of people have been working on this project. Mayor Gorden stated that additional people might need to be added for traffic patrol which would not have to be done if the road were to be open during the RNC. Mayor Gorden stated that the recommendation from the Police Department was to keep all the lanes open. Mayor Gorden stated that the Police Department will be over extended because of the City's commitment to the City of Cleveland.

Mr. Isaacson stated that he agrees with the Mayor that this project needs to be done this year and he has driven Richmond Road and it needs the work. Mr. Isaacson stated that what it comes down to is that the City assumes ten days but the cost is \$13,000.00 per day. Mr. Isaacson asked if there is \$13,000.00 of economic benefit that the City could find would make this a worthwhile investment. Mr. Isaacson stated that on the flip side would it cost more than \$130,000.00 in taxpayer money for Police, traffic direction and Service Department personnel.

Mr. Jacobs asked if Tri-Mor Corporation were to start this project after the RNC what is the timeframe to complete the project.

Mr. Pekarek stated that the project is 90 days, without weather issues, the project would not be completed until November.

Mr. Berns stated that he cares about the residents and he believes the residents want to see this project completed and not wait until October or November when the weather could start getting bad and he understands that this will tax the Police Department which is already taxed but he is of the opinion that the City should pay the overtime to the Police Department.

Mr. Jacobs stated that he would like to start the project and continue on without pulling off the job.

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PUBLIC WORKS COMMITTEE(continued)

Mrs. Janovitz stated that she does not think putting the project off necessarily helps and when Council voted to do this project last year they knew that the RNC was coming and this was a recent added cost but the plan, up until a few weeks ago, was to complete the project without interruption. Mrs. Janovitz stated that she does not like adding the \$130,000.00 at the last minute and understands that this will be an inconvenience for 90 days and the City can try and minimize that inconvenience by suggesting alternate routes.

Mr. Horwitz stated that the problem is the intangible and the City never had to deal with this and does not know if people are going to be going to restaurants on Chagrin or over to Beachwood Place or Legacy Village. Mr. Horwitz stated that he is sensing Council would like to eliminate the \$130,000.00 add alternate.

Mr. Jacobs asked Mr. Pekarek his opinion. Mr. Pekarek stated that his opinion is that the road needs to be fixed because there is nothing left to patch it with and it is crumbling. Mr. Pekarek stated that the add alternate of \$130,000.00 is a lot of money and he would rather use the \$130,000.00 to patch another road. Mr. Pekarek stated for the record that the road needs to be done this year.

Moved by B.H. Linick, seconded by B.B. Janovitz, to amend Ordinance No. 2016-74 to remove the add alternate of \$130,000.00.

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

Moved by B.H. Linick, seconded by J. Berns that Ordinance No. 2016-74 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.H. Linick, seconded by J. Berns, that Ordinance No. 2016-74 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

PUBLIC WORKS COMMITTEE(continued)

2. Submitted to Council a Motion authorizing the Clerk to advertise for bidders for the Corporate Park and Enterprise Place Project.

Mr. Pekarek stated that this is the project that was presented to Council a few weeks ago and currently there are no bid specifications but in order to authorize money for Mr. Cuini to prepare the bid specifications Council first needs to authorize that process. Mr. Pekarek stated that the prices Council asked for are listed in his Memorandum to the Mayor and Mr. Cuini's costs are included.

Mr. Horwitz stated that this is not a commitment to go with the project it is just to authorize the bidding process.

Mr. Pekarek stated yes, and to go out to bid, the project needs to be engineered.

Mr. Horwitz stated that this project would create a new road which would be named later. Mr. Horwitz stated that for the benefit of anybody reporting this the project is to help alleviate the traffic congestion at Bryden and Richmond Road and this would let traffic go back into Science Park Drive.

Mr. Cuini stated that yes in connection with Enterprise.

Mr. Berns asked what understanding there is with Ms. Reinberg and the City regarding this property.

Mayor Gorden stated that this Motion is to put this project to bid and what that connector road would cost the City. Mayor Gorden stated that he has had verbal conversations with Ms. Reinberg and all the proper paperwork will be in order if the project moves forward.

Mr. Berns stated that engineering costs will be \$100,000.00 and an estimate of \$600,000.00 to move forward with the project and there might be additional fees.

Mayor Gorden stated that there may or may not be additional fees or the project might be estimated higher than originally thought.

Mr. Isaacson asked if the City should first talk to the landowner before moving forward with Mr. Cuini and having the project engineered.

Mayor Gorden stated that he has spoken with the landowner, Ms. Reinberg, and she came in and gave the City authorization to move forward. Mayor Gorden stated that the City went through the entire project with Ms. Reinberg.

Mayor Gorden stated that she understands.

Mr. Horwitz asked if this is a project that can be done this summer.

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PUBLIC WORKS COMMITTEE(continued)

Mr. Pekarek stated that yes it could be done this summer. Mr. Pekarek stated that he would like to make a correction to his Memorandum which states \$100,000.00 for engineering fees and that is inclusive of construction and special fees. Mr. Pekarek stated that Mr. Cuini's initial estimate for engineering fees was \$60-70,000.00.

Moved by M.M. Jacobs, seconded by A. Isaacson that the Motion authorizing the Clerk to advertise for bidders for the Corporate Park and Enterprise Place Project 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

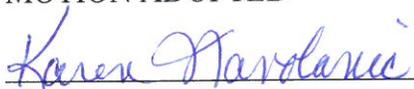
ADJOURNMENT

Moved by J. Berns, seconded by A. Isaacson, to adjourn the Special Council Meeting at 5:57 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.H. Linick, J. Pasch
	Abstain:	None.
	No:	None.
	Not Voting:	None.

MOTION ADOPTED

Approved:

  
 \_\_\_\_\_  
 Clerk

  
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 Mayor