

CITY OF *Beachwood*

**Beachwood City Council Meeting Minutes
Monday, January 22, 2024, 7:00 PM
at Beachwood City Hall, Council Chambers,
25325 Fairmount Boulevard, Beachwood, Ohio 44122**

Called to order at 7:00 PM by Council President Alec Isaacson

-Pledge of Allegiance to the Flag of the United States of America-

1. Roll Call

Present – Ms. DeLong, Mr. Isaacson, Mr. Mintz, Ms. Shoykhet, Ms. Stern, Mr. Synenberg, Ms. Taylor

Absent – None.

Others Present – Mayor Berns, Mr. Arrietta, Ms. Bieterman, Mr. Heiser, Mr. Holtzman, Mr. Hunt, Ms. McLaughlin, Mr. Roenigk, Mr. Rose, Mr. Schroeder, Mr. Smerigan, Ms. Turick

2. Reports

a. Mayor

Mayor Berns made his report to Council and the Community.

b. Council Member (non-agenda items)

Ms. Stern recognized a Beachwood Resident and spoke about their work on the “Walk for their Lives” event that has been organized in the Beachwood Community.

Mr. Mintz recognized the Public Works Department for all their work during the recent winter weather.

Mr. Isaacson and Mr. Synenberg also recognized the Public Works Department for all their work during the recent winter weather.

c. Department Directors

Ms. Turick discussed the upcoming State of the City event and discussed that Beachwood will be featured in publications this year.

Police Chief McLaughlin reported that the City has received a reimbursement check from the Ohio Attorney General for training. She also reported that the Police Department will be purchasing ballistic vests for some of its officers and will be requesting reimbursement from the USDOJ. Chief McLaughlin then congratulated Detective Matthew Alandt on his retirement.

Mr. Schroeder discussed summer job openings and discussed an RFP for the BFAC Concession Stand.

Department Directors (continued)

Ms. Bieterman gave an Economic Development update.

Fire Chief Holtzman reported that the City has received our brand new Ladder Truck.

Mr. Arrietta gave an update on three ongoing projects.

3. Citizen's Remarks (**City Council limits Citizen's Remarks to five (5) minutes each for a maximum of thirty (30) minutes unless so extended at the discretion of the President or a majority of Council per Council Rules of Procedure, Section 7, Rule 7.2)**

(Please see Video Recording for full remarks:

<https://beachwoodoh.new.swagit.com/videos/295385>)

Dr. S. Salomon

Dr. Salomon discussed several items including children riding bikes and scooters with no helmets, firepit concerns, noise complaints, and winter sidewalk maintenance.

Kyle Fishman

Mr. Fishman made remarks.

Matthew Hildebrand

Mr. Hildebrand made remarks.

Approval of Minutes

Regular City Council Meeting held on January 8, 2024

Moved by: E. Synenberg, Seconded by: A. Isaacson

Voice Vote

On the Approval:

Yes: 6 – Ms. DeLong, Mr. Isaacson, Ms. Shoykhet,
Ms. Stern, Mr. Synenberg, Ms. Taylor

No: 0

Abstain: 1 – Mr. Mintz

Not Voting: 0

MOTION ADOPTED

Old Business

1. 2023-102

An Ordinance Amending Chapter 1121 titled "U-4 Integrated Business District" and Chapter 1101 titled "Definitions", of the City of Beachwood, Ohio Planning and Zoning Code

Placed on First Reading and Referred to the Planning & Zoning Commission:

October 2, 2023

Placed on Second Reading and Referred to Public Hearing: November 6, 2023

Public Hearing held on: January 8, 2024

Moved by: E. Synenberg, Seconded by: J. Mintz

Voice Vote

Place on Third and Final Reading and Adopt:

Yes: 7

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Old Business (continued)

2. 2023-144

An Ordinance Accepting the Planning and Zoning Commission's Recommendations of Approval of a Preliminary Site Plan Approval and Approval of a Conditional Use Permit to allow Multi Family Residential Apartments above the First Floor of the Building located at 23240 Chagrin Boulevard; and declaring this to be an urgent measure

Placed on First Reading and Tabled: December 18, 2023

Left on the Table: January 8, 2024

A Motion was made at this time to take this item from the Table for consideration.

Moved by: J. DeLong, Seconded by: J. Taylor

Voice Vote

Take from the Table:

Yes: 7

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

This item was then introduced and seconded to Suspend the Rules and Adopt the Motion on Second Reading.

Moved by: J. DeLong, Seconded by: J. Taylor

Voice Vote

On the Suspension:

Yes: 7

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Voice Vote

On the Adoption:

Yes: 7

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

New Business

Ordinances

1. 2024-17

An Ordinance authorizing and directing the payment of Certain Claims (Bills) for Professional and Other Services; and declaring this to be an urgent measure

Moved by: D. Shoykhet, Seconded by: J. Mintz

Voice Vote

On the Suspension:

Yes: 7
No: 0
Abstain: 0
Not Voting: 0
MOTION ADOPTED

Voice Vote

On the Adoption:

Yes: 7
No: 0
Abstain: 0
Not Voting: 0
MOTION ADOPTED

2. 2024-18

An Ordinance authorizing and expanding the Beachwood Economic Impact Program to stimulate Economic Development, Support Small Business, Promote Business Retention, Expansion and Attraction, support New Employment Opportunities, Business Growth, Commercial Revitalization and Sustainability in the City of Beachwood; and declaring this to be an urgent measure

Moved by: J. Mintz, Seconded by: A. Stern

Voice Vote

On the Suspension:

Yes: 7
No: 0
Abstain: 0
Not Voting: 0
MOTION ADOPTED

Voice Vote

On the Adoption:

Yes: 7
No: 0
Abstain: 0
Not Voting: 0
MOTION ADOPTED

New Business (continued)

3. 2024-19

An Ordinance Amending BCO Section 152.04, titled "COMPENSATION"; and declaring this to be an Urgent Measure

Moved by: J. Taylor, Seconded by: D. Shoykhet

Voice Vote

On the Suspension:

Yes: 7

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Voice Vote

On the Adoption:

Yes: 7

No: 0

Abstain: 0

Not Voting: 0

MOTION ADOPTED

Any other matters coming before City Council

Mr. Synenberg thanked Detective Matthew Alandt for his years of service as a Beachwood Police Officer and congratulated him on his retirement.

Mr. Synenberg then made additional remarks.

Adjournment

Motion to Adjourn - Moved by: A. Isaacson, Seconded by J. Taylor

Yes: 7

No: 0

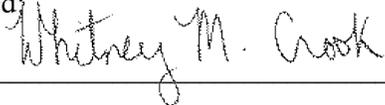
Abstain: 0

Not Voting: 0

MOTION ADOPTED

Adjourn to the next Regular City Council Meeting at 8:16 PM

Approved:



Clerk



Mayor

Next Regular Council Meeting will be held on: February 5, 2024 at 7 PM in Council Chambers
For all updates regarding Council Meetings, please visit: www.BeachwoodOhio.com

**Council Members: Alec Isaacson – Council President,
Danielle Shoykhet – Council Vice-President, Jillian DeLong, Joshua Mintz,
Ali B. Stern, Eric Synenberg, June E. Taylor
Clerk of Council: Whitney M. Crook**

Pursuant to Ordinance Number 2020-78 Council has determined that the Video Recording of the meetings shall stand as the official Minutes of its Body, its Committees, and those of the Planning and Zoning Commission.
A written synopsis of all agenda items and votes shall also be promptly prepared and kept.

INTRODUCED BY: E. Synenberg

AMENDED ORDINANCE NO. 2023-102

AN ORDINANCE AMENDING CHAPTER 1121 TITLED “U-4 INTEGRATED BUSINESS DISTRICT” AND CHAPTER 1101 TITLED “DEFINITIONS”, OF THE CITY OF BEACHWOOD, OHIO PLANNING AND ZONING CODE

WHEREAS, the City Planner has requested amendments to BCO Chapters 1122 and 1101, of the City of Beachwood, Ohio Planning and Zoning Code; and

WHEREAS, Council referred said requested amendments to its Planning and Zoning Commission for study and a report and recommendation in accordance with BCO 1107.01.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, County of Cuyahoga, and State of Ohio, that:

Section 1: The Council of the City of Beachwood, having received a request from the City Planner for amendments to the City’s Planning and Zoning Code, a copy of which is attached hereto and incorporated herein as Exhibit “A” and Exhibit “B,” placed this issue and said proposed amendments on first reading and referred the proposed amendments to the Planning and Zoning Commission for its report and recommendation.

Council received the recommendation of the Planning and Zoning Commission and placed this item on Second Reading on November 6, 2023 and set a Public Hearing. A Public Hearing was held on January 8th, 2024 on the issue of amending BCO Chapters 1121 and 1101 of the City of Beachwood, Ohio Planning and Zoning Code.

This Ordinance shall be read by Council on three separate occasions and its passage shall cause the Proposed Amendment to become effective upon operation of the law.

Section 2: The Clerk of Council shall advertise said hearing one time in a newspaper of general circulation in the City at least thirty (30) days prior to the Public Hearing, setting forth the substance of the amendments which are proposed.

Section 3: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 22nd day of January , 2024 and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the day of 23rd day of January, 2024.

Whitney M. Cook
Clerk

Approval: I have approved this legislation this 23rd day of January, 2024 and filed it with the Clerk.

Justin Leonard
Mayor

AMEND CHAPTER 1121 U-4A INTEGRATED BUSINESS DISTRICT BY ADDING SUBSECTION 1121.06 SPECIAL LOCATIONAL CRITERIA TO READ AS FOLLOWS

**CHAPTER 1121
U-4A INTEGRATED BUSINESS DISTRICT**

- 1121.01 Intent.
- 1121.02 Permitted uses.
- 1121.03 Area, yard and height regulations.
- 1121.04 Off-street parking and loading facilities.
- 1121.05 Site development plans.
- 1121.06 Special Locational Criteria.

CROSS REFERENCES

- Districts established - see P. & Z. 1111.01
- Building lines - see P. & Z. 1145.02
- Nonconforming uses - see P. & Z. Ch. 1147
- Certificates of occupancy - see BLDG. Ch. 1313
- Building permits, fees and deposits - see BLDG. Ch. 1329

1121.01 INTENT.

It is the intent of this Chapter (Class U-4A Districts) to provide for the grouping of local retail shops and services in designated areas near residential neighborhoods primarily for the ordinary shopping needs of a daily and weekly nature, as well as for some of those establishments usually associated with such shopping; to protect both residential and business developments from congestion by requiring off-street parking and loading facilities; and to provide for indoor recreation and athletic facilities located to protect both residential and business developments from traffic congestion. (Ord. 2018-94. Passed 10-21-19.)

1121.02 PERMITTED USES.

- (a) Buildings and land in a Class U-4A District shall be used and buildings shall be designed, created, altered or intended only for the uses specifically designated as Class U-4A uses in Section 1111.02, except that other similar harmonious and compatible uses as may be determined by the Commission and approved by Council may be permitted.
- (b) Accessory uses customarily incident to the main uses listed above shall be permitted provided they are planned and developed in connection with the main building. Such accessory uses among those permitted under this section shall include:
 - (1) Parking garages and off-street parking and loading areas for employees and customers as provided in this chapter.
 - (2) Maintenance, storage and incineration facilities provided the incinerator is located within the main building and conforms to the regulations of Part III, Sections 3.1 to 3.13, inclusive, Bulletin 82 of the American Insurance Association.
 - (3) All solid waste collection, compaction, storage or container facilities shall be located within the main building and physically separated from other uses by a wall or similar partition.(Ord. 2018-94. Passed 10-21-19.)

1121.03 AREA, YARD AND HEIGHT REGULATIONS.

- (a) Area.
 - (1) The ground area occupied by the building shall not exceed thirty percent (30%) of the total area of the lot.
 - (2) Not less than fifteen percent (15%) of the total lot area shall be developed as planted areas in accordance with a landscape plan as approved by Commission and shall be maintained in good condition.

- (3) The minimum lot width at the building setback line shall be one-hundred-fifty feet (150').
- (b) Yards.
 - (1) A front yard of not less than one hundred feet (100') shall be provided.
 - (2) Where adjoining a residential District, a side yard shall not be less than fifty feet (50'), nor less than twenty-five feet (25') where adjoining a public street. Within a U-4A District, side yards shall be not less than twenty-five feet (25').
 - (3) Where adjoining a residential District, the rear yard shall not be less than fifty feet (50'). In all other locations, the rear yard shall be not less than twenty-five feet (25').
 - (4) The Commission shall require, from each applicant for its approval, a landscape plan depicting the design of the installation of a fence, wall, hedge and/or other suitable screening and/or planting in order to create a buffer area where a residential District adjoins or abuts a rear or side yard of a lot in a U-4A District.
- (c) Off-Street Parking and Loading in Yards.

Accessory off-street parking in a front yard shall be permitted no closer than ten feet (10') from a street line. Accessory off-street loading spaces in a front yard shall be permitted no closer than fifty feet (50') from a street line.

 - (1) Accessory off-street parking and driveways in a side or rear yard shall be permitted no closer than ten feet (10') from a property line or thirty feet (30') from a residential District line. Accessory off-street loading in a side or rear yard shall be permitted no closer than fifteen feet (15') from a property line or fifty feet (50') from a residential District line.
 - (2) All portions of required yards in which no off-street parking or driveways are permitted shall be developed as lawn or planted areas or maintained in an orderly wooded state.
- (d) Height.

Building height shall not exceed forty-two feet (42'), exclusive of towers, cornices or similar features, provided however, that any building exceeding twenty-five (25) feet in height shall be located a minimum of seventy-five (75) feet from any property zoned U-1.

(Ord. 2018-94. Passed 10-21-19.)

1121.04 OFF-STREET PARKING AND LOADING FACILITIES.

Off-street parking and loading facilities shall be provided in accordance with Chapter 1144.
(Ord. 2018-94. Passed 10-21-19.)

1121.05 SITE DEVELOPMENT PLANS.

Preliminary and final Site Development Plans are required and shall be prepared for all proposed developments in a Class U-4A District. Site Development Plans shall be prepared and reviewed in accordance with the provisions of Chapter 1108.
(Ord. 2018-94. Passed 10-21-19.)

1121.06 SPECIAL LOCATIONAL CRITERIA.

The following uses shall not be located on any U-4A property that directly abuts property zoned U-1 Single Family Residential District or U-2A Attached Single-Family Residential District:

- (a) Small Box Discount Stores.
- (b) Second Hand Stores.
- (c) Pawn Shops.
- (d) Vape Shops and/or Vaporizer Stores.
- (e) Hookah Lounges, Smoke Lounges, and/or Vapor Lounges.
- (f) Tattoo Parlors.
- (g) Stores selling paraphernalia typically associated with controlled substances.
- (h) CBD Stores.

AMEND CHAPTER 1101 DEFINITIONS BY ADDING THE FOLLOWING

1101.37 SECOND HAND STORE/THRIFT SHOP

“Second Hand Store or Thrift Shop” means a retail store that sells, either directly or by consignment, used or damaged merchandise to the general public.

1101.375 SMALL BOX DISCOUNT STORE.

“Small Box Discount Store” means a retail, variety, or discount store up to 15,000 square feet that sells at retail, directly to the consumer, a limited assortment of physical goods and other consumer products, including food or beverages for off premises consumption.

AN ORDINANCE ACCEPTING THE PLANNING AND ZONING COMMISSION'S RECOMMENDATIONS OF APPROVAL OF A PRELIMINARY SITE PLAN APPROVAL AND APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW MULTI-FAMILY RESIDENTIAL APARTMENTS ABOVE THE FIRST FLOOR OF THE BUILDING LOCATED AT 23240 CHAGRIN BOULEVARD; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, the City of Beachwood has sought to encourage mixed use, including residential use, in the U-7A General Office Building District; and

WHEREAS, in 2018 the Planning and Zoning Commission studied and recommended various Amendments to the Planning and Zoning Code and the Building Code, including Multi-Family Dwellings (as that term is defined in Beachwood Codified Ordinance Section 1101.18) above the first floor as a conditionally permitted use in the U-7A General Office Building District; and

WHEREAS, Council accepted the recommendations of the Planning and Zoning Commission and adopted Ordinance No. 2018-84 which included the addition of Codified Ordinance Section 1111.02(i)(10) which allows for Multi-Family Dwellings above the first floor with a Conditional Use Permit in the U-7A General Office Building District; and

WHEREAS, the City seeks to continue to encourage development including residential uses by exempting from taxation as permitted and provided in the Ohio Revised Code; and

WHEREAS, in furtherance of the foregoing and pursuant to Ordinance No. 2022-76, the City entered into a Tax Increment Finance Development Agreement dated June 10, 2022 (the "Development Agreement"), with Eastgate LLC, and Hepatica Hill Holdings, Ltd. (collectively, "Owner"), providing for tax incremental financing for the redevelopment of the property located at 23240 Chagrin Boulevard assigned Cuyahoga County Permanent Parcel No. 742-23-013 (the "Development Property"), which Development Property is owned by Owner, on the terms set forth therein; and

WHEREAS, pursuant to the Development Agreement the existing building located on the Development Property is to be renovated to create a residential luxury apartment building with approximately fifteen (15) studios, approximately fifty-nine (59) one bedroom units, and approximately fifty-nine (59) two-bedroom units and fourteen (14) three-bedroom units, approximately 19,900 square feet on the first floor for the following potential uses: office space, business accelerator/co-working space, daycare facilities, restaurant/café, sports simulators, a fitness and business lounge, a common lobby for residents, and a potential rooftop deck; and

WHEREAS, as set forth in Recital J of the Development Agreement, the City has determined "that the redevelopment of the Development Property by the Owner and fulfillment generally of the terms of [the] Development Agreement are in the best interests of the City and the health, safety, moral and welfare of its residents"; and

WHEREAS, pursuant to Section 2.6 of the Development Agreement, the Owner is required to use, develop, and redevelop the Development Property in accordance with the Development Agreement and is, therefore, required to use the Property principally for residential purposes; and

WHEREAS, Eastgate LLC and Hepatica Hill Holdings, Ltd., in furtherance of the Development Agreement and the renovation of the Development Property, requested that the Planning and Zoning Commission recommend to City Council the approval of the Preliminary Site Plan and a Conditional Use Permit to allow multi-family residential apartments above the first floor of the building located at the Development Property; and

WHEREAS, the Planning and Zoning Commission, on December 7, 2023, reviewed the request and recommended that City Council approve the Preliminary Site Plan and grant the Conditional Use Permit, subject to certain conditions, stipulations, and requirements; and

WHEREAS, the Council of the City of Beachwood determines that the Preliminary Site Plan and Conditional Use Permit for which Owner applied should be granted, and finds that the use of the Development Property for the uses specified in the Development Agreement, including its principal use for residential purposes is in the public interest and in furtherance of the public good and the public policy of the City and that: (a) economic conditions have adversely impacted continued use of the subject property for office purposes and, therefore, support its use for multi-family dwellings; (b) the location of the subject property on Green Road across from Highlands Golf Course makes the subject property well located for use for multi-family dwellings rather than office purposes; (c) the location of the subject property adjacent to property located in a U- 3C Zoning District which permits multi-family dwellings makes the subject property well located for use for multi-family dwellings rather than office purposes; and (d) to not use the Development Property for the uses approved by this Ordinance would be contrary to the public good and public policy of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, County of Cuyahoga and State of Ohio, that:

Section 1: Based on the foregoing findings in the recitals of this Ordinance, Council accepts the recommendation of the Planning and Zoning Commission made on December 7, 2023, in P & Z Case No. 2023-21 and grants approval of a Preliminary Site Plan and a Conditional Use Permit to Eastgate LLC and Hepatica Hill Holdings, Ltd. to allow multi-family residential apartments above the first floor of the building located at 23240 Chagrin Boulevard, Beachwood, Ohio, subject to compliance with the conditions, stipulations, and requirements recommended by the Planning and Zoning Commission, which shall include the following:

- A. This approval is subject to release of the existing deed restriction limiting residential use of the subject property.
- B. The applicant shall adequately address all of the safety concerns to the satisfaction of the Fire Department and City Engineer prior to submission of the final site development plan.
- C. The applicant shall provide evidence that the parking garage meets appropriate structural standards prior to submission of the final site development plan.
- D. Submission of a complete final site development plan package that includes evidence of compliance with the minimum parking requirements.

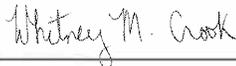
Section 2: The Building Commissioner is directed to include the conditions, stipulations, and requirements listed in Section 1 of this Ordinance in any conditional use permit and certificate of occupancy issued for 23240 Chagrin Boulevard. The failure to comply with any one or more of the conditions, stipulations, or requirements listed in Section 1 of this Ordinance and/or any other provision of the Zoning Code shall be deemed to be a violation of the Zoning Code and the Building Commissioner, and any other City official are authorized to take any action that may be necessary to enforce the conditions, stipulations and requirements.

Section 3: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public as required by Chapter 105 of the Codified Ordinances of the City.

Section 4: This Ordinance is declared to be an urgent measure necessary for the public peace, health, or safety or the efficient operation of the City, and for the further reason of the immediate necessity of granting a Conditional Use Permit to permit Eastgate LLC and Hepatica Hill Holdings, Ltd to allow multi-family residential apartments above the first floor of the building located at 23240 Chagrin Boulevard and to permit continued planning and design of the project and the timely construction of the project as permitted; wherefore; this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 22nd day of January, 2024, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 23rd day of January, 2024.



Clerk

Approval: I have approved this legislation this 22nd day of January, 2024, and filed it with the Clerk.



Mayor

AN ORDINANCE AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN CLAIMS (BILLS) FOR PROFESSIONAL AND OTHER SERVICES; AND DECLARING THIS TO BE AN URGENT MEASURE

BE IT ORDAINED by the Council of the City of Beachwood, State of Ohio, that the Director of Finance is hereby authorized and directed to issue his respective warrants for the following claims, to wit:

Section 1:

For Supplies and Services	January 22, 2024	\$ 27,972.11
Code Consultation – Kowalczyk	Plan Review Services	\$ 1,106.36
Michael H. Wildermuth, AIA, Architect	Plan Review Services	\$ 626.25
Hennes Communications	Consulting Services	\$ 1,080.00
Roetzel & Andress	Legal Services	\$ 25,159.50

Section 2: It is found and determined that all formal actions and deliberation of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 3: This Ordinance is hereby declared an urgent measure immediately necessary for the public peace, health or safety or the efficient operation of the City; and for the further reason that it is necessary to approve said item and/or services available for use at the earliest possible time, to serve the City of Beachwood and its citizens.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify that this legislation was duly adopted on the 22nd day of January, 2024 and presented to the Mayor.



Clerk

Approval: I have approved this legislation this 23rd day of January, 2024 and filed it with the Clerk.



Mayor

CODE CONSULTATION & PLAN REVIEW SERVICES, LLC

RECEIVED

JAN 9 2024

FINANCE DEPT

January 1, 2024

The City of Beachwood
Accounts Payable
P.O. Box 22659
Beachwood, OH 44122

RE: Building Department Plan Review

INVOICE FOR PROFESSIONAL SERVICES RENDERED:

Plan review for the month of December 2023 \$1,106.36
(See attached sheet for breakdown)

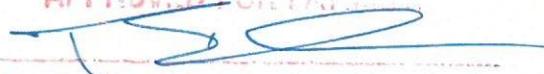
Total amount due **\$1,106.36**
One Thousand One Hundred Six Dollars and Thirty-six Cents

Please make check payable to "Code Consultation & Plan Review Services, LLC." Thank you.



Paul Kowalczyk, MPE #798

APPROVED FOR PAYMENT

BY: 
DATE: 1-3-24
P/O: _____

CODE CONSULTATION & PLAN REVIEW SERVICES, LLC

City of Beachwood
Plan Examination Services
December 2023 Invoice

Beachwood Plan Review No.:	PK Plan Review No.:	Project:	Time:	Charge:
2023-08102	BW23-25 12/3/23	Hyde Park Steakhouse 26300 Chagrin Blvd. Kitchen Hood Suppression System	1 hour	\$83.50
2023-08167	BW23-26 12/7/23	Dr. Diana Ponsky MD, FACS 3700 Park East Drive, Suite 160 Office Expansion	3 hours	\$250.50
2023-07199	BW23-27 12/8/23	Fromson Law 3201 Enterprise Parkway, Suite 160 Fire Alarm System Alterations	45 min.	\$62.61
2021-01516	BW23-28 12/11/23	UH Ahuja Medical Center 3999 Richmond Road Medical Gas Pad	1 hour	\$83.50
2023-07615	BW23-22.2 12/16/23	Universal Steel 26949 Chagrin Blvd., Suite 208 Interior Alterations – Plumbing Revisions	30 min.	\$41.75
2023-08167	BW23-26.1 12/20/23	Dr. Diana Ponsky MD, FACS 3700 Park East Drive, Suite 160 Office Expansion – Addendum A	1 hour	\$83.50
2021-01516	BW23-29 12/20/23	UH Ahuja Medical Center 3999 Richmond Road Medical Gas Pad	30 min.	\$41.75
2023-08490	BW23-30 12/21/23	Akron Children's 3733 Park East Drive, Suite 230 Department Expansion	4 hours 30 min.	\$375.75
2023-08494	BW23-31 12/29/23	GE Current 25825 Science Park Drive Interior Stair Enclosure	1 hour	\$83.50
Total:				\$1,106.36

Paul Kowalczyk, MPE #798



MICHAEL H. WILDERMUTH, AIA, ARCHITECT

RECEIVED
JAN 9 2024
FINANCE DEPT

January 4, 2023

The City of Beachwood
Accounts Payable Department
P.O. Box 22659
Beachwood, Ohio 44122

Re: Building Department
Plan Review Services for December 2023

Invoice for professional services rendered for the review of plans for compliance with the Ohio Building Code.

Plan Review for the month of December 2023 ~~\$626.75~~ 626.25

Cost Breakdown Sheet Attached

Total amount due..... ~~\$626.75~~ 626.25

Respectfully,

Michael H. Wildermuth

Michael H. Wildermuth, AIA
Master Plans Examiner

[Handwritten Signature]
1-5-24



MICHAEL H. WILDERMUTH, AIA, ARCHITECT
Beachwood Plan Review

		December 2023		
MHW	Beachwood	Job Name	Time	
Job No	Receipt No.			
CB2316-1 12-16-2023	2023-08292 1	Pac Sun BP Mall	3.0H	\$250.50
CB2317-1 12-16-2023	2023-08386	Signature Square – FA Upgrade	2.0H	\$167.00
CB2315-2 12-04-2023	2023-07600-2	Dr. Freirich Rev 1	1.5H	\$125.25
CB2315-3	2023-07600-3	Dr. Freirich Plumbing Rev	1.0H	\$83.50
		Total	7.5 H	\$626.75

626.25



HENNES COMMUNICATIONS

CRISIS MANAGEMENT | CRISIS COMMUNICATIONS
LITIGATION COMMUNICATIONS | MEDIA TRAINING

Terminal Tower | 50 Public Square, Suite 3200 | Cleveland, Ohio 44113 | tel 216-321-7774

33 Merz Blvd. | Akron, Ohio 44333 | tel 330-310-9290

www.crisiscommunications.com

Invoice

Tina Turick
City of Beachwood
25325 Fairmount Blvd.
Beachwood, OH 44122

RECEIVED

JAN 8 2024

FINANCE DEPT

Invoice #	Date
4570	1/3/2024
P.O. No.	Terms
	Net 30

Hours	Professional Services	Rate	Amount
1.0	Bruce Hennes - Consulting	400.00	400.00
1.7	Nora Jacobs - Consulting	400.00	680.00
<p>Approved: 1/8/2024</p> <p><i>Tina Turick</i></p>			
<p>Hennes Communications reserves the right to assess late fees as stated in the signed contract: "Any delinquent fees due HC within net thirty (30) days from receipt, shall carry interest at the rate of 10% per annum."</p>			

Please make check payable to Hennes Communications LLC.
Remit to: 50 Public Square, Suite 3200; Cleveland, Ohio 44113

Balance Due	\$1,080.00
--------------------	-------------------



RECEIVED

JAN 9 2024

FINANCE DEPT

REMIT TO ADDRESS:

222 S. Main Street
Akron, Ohio 44308-1500
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM



REMITTANCE PAGE

For Professional Services Rendered

CITY OF BEACHWOOD
25325 FAIRMOUNT BOULEVARD
BEACHWOOD, OHIO 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1439487
Client/Matter: 144096.0003
Billing Atty: RTH
December 23, 2023

Re: ROUTINE LEGAL SERVICES

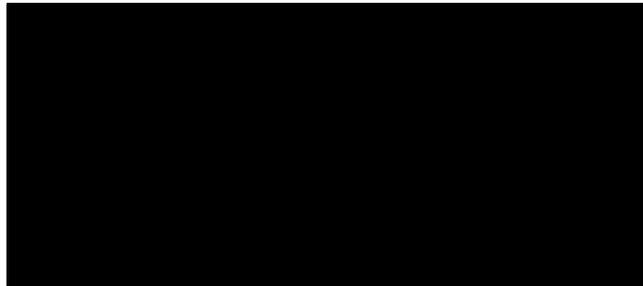
Invoice Total

\$ 8,250.00

GO GREEN!

TO RECEIVE INVOICES BY EMAIL ONLY,
EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
222 S. Main Street
Akron, OH 44308-1500



RECEIVED

JAN 9 2024

FINANCE DEPT

REMIT TO ADDRESS:

222 S. Main Street
Akron, Ohio 44308-1500
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM



REMITTANCE PAGE
For Professional Services Rendered

Email to: accounts@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

Invoice: 1439492
Client/Matter: 144096.0004
Billing Atty: RTH
December 23, 2023

Re: EXCESS ROUTINE LEGAL SERVICES

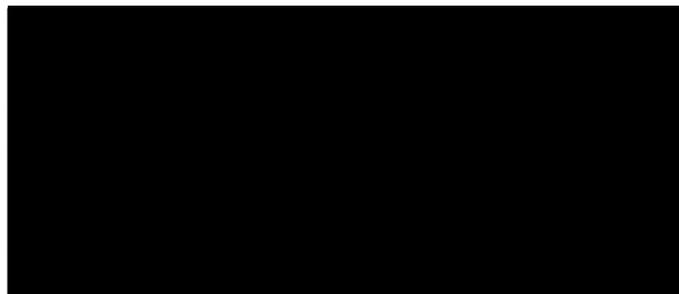
Invoice Total

\$ 15,670.00

GO GREEN!

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EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
222 S. Main Street
Akron, OH 44308-1500



RECEIVED

JAN 9 2024

FINANCE DEPT

REMIT TO ADDRESS:

222 S. Main Street
Akron, Ohio 44308-1500
PHONE (330) 376-2700
FAX (330) 376-4577
RAMAIL@RALAW.COM



REMITTANCE PAGE
For Professional Services Rendered

Email to: accounts@beachwoodohio.com
CITY OF BEACHWOOD
25325 FAIRMOUNT BLVD.
BEACHWOOD, OH 44122

PLEASE INDICATE INVOICE
NUMBER ON REMITTANCE

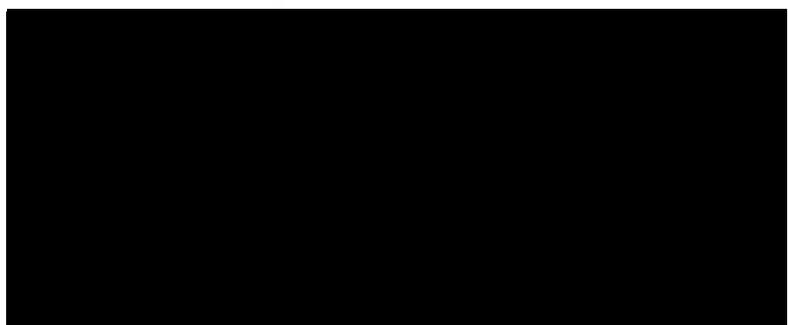
Invoice: 1439498
Client/Matter: 144096.0005
Billing Atty: RTH
December 23, 2023

Re: SPECIAL LEGAL SERVICES

Invoice Total **\$ 1,239.50**

GO GREEN!
TO RECEIVE INVOICES BY EMAIL ONLY,
EMAIL US AT ramail@ralaw.com

Remit To Address:
Roetzel & Andress, LPA
222 S. Main Street
Akron, OH 44308-1500



AN ORDINANCE AUTHORIZING AND EXPANDING THE BEACHWOOD ECONOMIC IMPACT PROGRAM TO STIMULATE ECONOMIC DEVELOPMENT, SUPPORT SMALL BUSINESS, PROMOTE BUSINESS RETENTION, EXPANSION AND ATTRACTION, SUPPORT NEW EMPLOYMENT OPPORTUNITIES, BUSINESS GROWTH, COMMERCIAL REVITALIZATION AND SUSTAINABILITY IN THE CITY OF BEACHWOOD.

WHEREAS, the City, pursuant to its Charter and the laws of the State (including, without limitation, Article VIII, Section 13 and Section 16 and Article XVIII, Section 3 of the Ohio Constitution and Chapter 165, Ohio Revised Code) in order to promote economic development and thereby create and preserve jobs and employment opportunities available to, and improve the economic welfare of, residents of the City and, in furtherance of that public purpose, desires the expansion of the Beachwood Economic Impact Program to expand financing and loan resources for the purposes of supporting small business; promoting business retention, expansion and attraction; supporting new employment opportunities, stimulating economic development, business growth, commercial revitalization and sustainability within the City; and

WHEREAS, this City Council adopted Ordinance No. 2023-114 establishing the Beachwood Economic Impact Program; and

WHEREAS, the Beachwood Economic Impact Program includes the Revolving Loan Fund Program, the Linked Deposit Fund Program, and provides opportunities for Forgivable Loan Programs that meet the City's key objectives; and

WHEREAS, this City Council desires to expand the Beachwood Economic Impact Program to include a Forgivable Loan Program supporting commercial revitalization in commercial office buildings and a Forgivable Loan Program supporting business growth descriptions of each are on file with the Clerk of this Council, (collectively, the "Forgivable Loan Programs") and all loans awarded through the Beachwood Economic Impact Program shall be approved by City Council.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, County of Cuyahoga and State of Ohio, that:

Section 1: This City Council hereby authorizes the expansion of the Beachwood Economic Impact Program with the Forgivable Loan Programs and finds and determines that said programs (i) are a "project" as defined in Revised Code Chapter 165 and consistent with the purposes of Section 13, Article VIII of the Ohio Constitution to benefit the people of the City and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State, or (ii) is consistent with the purposes of Section 16, Article VIII of the Ohio Constitution to assist in providing housing for individuals and families.

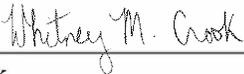
Section 2: This Council hereby authorizes each of the Mayor, the Director of Law, the Director of Finance, the Director of Economic Development, and other appropriate officers of the City, to make such arrangements as are necessary and proper for the establishment of the Forgivable Loan Programs as part of the Beachwood Economic Impact Fund Program. This Council further authorizes each of the Mayor, the Director of Law, the Director of Finance and the Director of Economic Development, and other appropriate officers of the City, to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance.

Section 3: It is found and determined that all formal actions and deliberations of Council and its Committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City

Section 4: This Ordinance is declared to be an urgent measure necessary for the public peace, health, or safety or the efficient operation of the City; and for the further reason that the employment provided herein is needed for the proper operation of an essential Department of the City government; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 22nd day of January, 2024, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 23rd day of January, 2024.



Clerk

Approval: I have approved this legislation this 23rd day of January, 2024 and filed it with the Clerk.



Mayor

TO: MAYOR JUSTIN BERNIS AND BEACHWOOD CITY COUNCIL

DATE: 1/22/2024

SUBJECT: A RESOLUTION SUPPORTING THE EXPANSION OF THE BEACHWOOD ECONOMIC IMPACT PROGRAM WITH THE CREATION OF THE BEACHWOOD REGENERATIVE FORGIVABLE LOAN PROGRAM

This ordinance establishes a Forgivable Loan Program as authorized by Ordinance 2023-114 establishing the Revolving Loan and as previously introduced to City Council in November and discussed at the September 15th Economic Development Committee Meeting for the purposes of supporting small business growth, new employment opportunities, commercial revitalization and overall community sustainability.

History: The City of Beachwood by Ordinance No. 2023-114 established a Revolving Loan Program and Revolving Loan Fund. The establishment of this RLF was recommended in our Economic Development Action Plan and was structured as a program that is not solely based on increased payroll or increased property tax valuations but can incentivize based on meeting the City's overall objectives. Within that RLF program it allowed for a Linked Deposit Program and a Forgivable Loan Program. The Forgivable Loan Program required further action from City Council to establish a formalized program that would support fulfillment of the City's Economic Development objectives. At the City's Economic Development Committee meeting held on September 15, 2023 these programs were touched on briefly as opportunities to provide additional support to businesses as well as support commercial revitalization in existing commercial buildings.

Today the City's Economic Development Department offers current business owners and property owners the opportunity to support projects within the City of Beachwood with the following incentives: Job Creation Tax Credit (JCTC), Community Reinvestment Area (CRA), Tax Increment Financing (TIF), Property Assessed Clean Energy Program Financing (PACE), a Revolving Loan Fund (RLF) and a Linked Deposit Program.

Project Details: This legislation is taking into consideration two programs that support key economic development objectives that align with our City Master Plan and Economic Development Action Plan and future growth of our cluster industries. The programs under consideration are the following:

The **Regenerative Forgivable Loan Program** which provides a program to support business investments based on incremental increases in payroll associated with a business or commercial property project. Projects are encouraged to align with the City's growing cluster initiatives, commercial revitalization and investment in the City's targeted commercial areas. There will be a maximum forgiveness of \$20,000, any project seeking funding in excess of the maximum amount will need to be evaluated by the City's Loan Review Committee and should first conform with the City's Job Creation Tax Credit Program.

The **Regenerative Commercial Revitalization Loan Program** is a 3-Year program that will support re-investment in commercial office buildings. Applications will be taken for this program once a year during the application period. Notification of the application period will be advertised and posted on our City website along with a scoring matrix. Loans may be granted with forgiveness of up to \$100,000 per commercial property, based on the return on investment and based on the scored matrix of each project. Scoring may be modified with each funding cycle to ensure that the City's objectives continue to be met throughout the 3-Year period. No commercial property can qualify for two grants during this 3-Year program. Each project application will be reviewed by the administration and Loan Review Committee. All projects will be based on meeting the City's overall objectives, these objectives will be defined in each annual cycle within the application process. Encouraged investments should support commercial revitalization in the City's targeted commercial areas; the City's growing cluster initiatives; the City's strong commercial office building assets.

Additional Program Details: The implementation of this program will be supported by a Loan Review Committee established by the City's Community Improvement Corporation for any loan in excess of \$20,000.

Eligible Uses: The eligible uses for these programs include; Revitalization/Renovation of Commercial Office Buildings, Façade Renovation, Purchase of Machinery and Equipment, Improvements Enhancing Building Performance, Energy Audits, Qualified Retrofit Plan, Energy Efficiency Upgrades.

Purchasing/Financing: Loans under this program will be provided based on budgeted resources of non-tax dollars. All loan agreements will require City Council action for legislative approval.

Recommendations: My recommendation is to proceed with this legislation approving the implementation of these forgivable loan programs based on budgeted resources to support the considerations brought forth through the Economic Development Committee and further support the Economic Development objectives of the City.

BEACHWOOD "REGENERATIVE COMMERCIAL OFFICE BUILDING LOAN" PROGRAM

**A 3-Year (2023-2026) Forgivable Loan Program Established for Supporting Commercial Revitalization
in Commercial Office Buildings**

Program Summary:

The City of Beachwood Forgivable Loan Program encourages re-investment in strongly positioned commercial office buildings that lead to building improvements, sustainability, retention, expansion, and new employment of existing and new companies. Encouraged investments should support the City's growing cluster initiatives and commercial revitalization in the City's targeted commercial areas as well as the City's strong commercial assets. This program will be provided on a three-year basis, funded by an annual budget cycle.

Process:

Each business owner or property owner making a Regenerative Commercial Office Building forgivable loan request must apply during the application period. The application will require a project plan to demonstrate the impact on the community, demonstration of how the funded project fits specific economic development goals, if applicable how it will be a catalyst for other investments in the area and how it will adequately use the loan throughout its lifecycle to support the community's objectives. Upon each round of applications, the City will provide a scoring system that will be used to evaluate each project. Projects that meet the City's scoring criteria may be considered for the program; the highest scored projects may be prioritized. Scoring may be modified each round to ensure that the City's objectives continue to be met throughout the 3-Year funding cycle.

Eligibility:

Entities eligible to apply for a Beachwood forgivable loan program include a business or property owner making significant investments that support the City's key economic development objectives influencing commercial revitalization and growth in key industry clusters.

Potential borrowers must demonstrate that other sources of funding are being applied and the loan is needed to permit the completion or successful operation of the activity to be financed. Institutions of higher education, government agencies and public or private non-profit organizations are not eligible. The applicant must not be delinquent or in default on federal, state or local taxes or any existing private or publicly financed loan. The applicant may be required to sign an affidavit to that effect.

Eligible Uses:

- Revitalization/Renovation of Commercial Office Buildings
- Façade Renovation
- Improvements Enhancing Building Performance
- Energy Audits, Qualified Retrofit Plan
- Energy Efficiency Upgrades

Return on Investment:

The forgivable loan program is based on return on investment through incremental tax increases associated with a business or commercial property project. Loans under this program will be provided based on budgeted resources of non-tax dollars.

Approval Process:

Forgivable loans may be granted for up to \$100,000 per commercial property, based on the return on investment through a scored matrix of each project. No commercial property can qualify for two grants during this 3-Year Program. Each project application will be reviewed by the Loan Review Committee. Project awards will be based on return on investment, all projects will be based on meeting the City's overall objectives, these objectives will be defined each annual cycle within the application process.

Additional Considerations:

This forgivable loan program may be used for targeted areas or city-wide commercial revitalization programs, such programs will be defined annually in the application and scoring matrix. This program will require job retention or job creation as a part of the program.

BEACHWOOD "REGENERATIVE LOAN" PROGRAM

A Forgivable Loan Program Established for Supporting Business Growth and Commercial Revitalization

Program Summary:

The City of Beachwood Forgivable Loan Program encourages re-investment in business growth that leads to new business investment, building improvements, sustainability, retention, expansion, and new employment within existing and new companies. Encouraged investments should support the City's growing cluster initiatives and commercial revitalization in the City's targeted commercial areas. The funding for this forgivable loan program will be set annually and such program will only be available with approved funding by City Council.

Process:

Each business owner or property owner making a regenerative forgivable loan request must apply and provide a project plan to demonstrate the impact on the community, specific economic development goals it meets, if applicable how it will be a catalyst for other investments in the area and how it will adequately use the loan throughout its lifecycle to support the community's objectives.

Eligibility:

Entities eligible to apply for a Beachwood forgivable loan program include a business or property owner making significant investments that support the City's key economic development objectives influencing growth in key industry clusters.

Potential borrowers must demonstrate that other sources of funding are being applied and the loan is necessary to permit the completion or successful operation of the activity to be financed. Institutions of higher education, government agencies and public or private non-profit organizations are not eligible. The applicant must not be delinquent or in default on federal, state or local taxes or any existing private or publicly financed loan. The applicant may be required to sign an affidavit to that effect.

Eligible Uses:

- Revitalization of Commercial Buildings
- Purchase of Machinery and Equipment
- Façade and Building Renovation
- Improvements Enhancing Building Performance
- Energy Audits, Qualified Retrofit Plan
- Energy Efficiency Upgrades

Return on Investment:

The forgivable loan program is based on return on investment through incremental tax increases associated with a business or commercial property project. Loans under this program will be provided based on budgeted resources of non-tax dollars.

Approval Process:

Forgivable loans may be granted for up to 75% of the increased payroll associated with a project, or a maximum of \$20,000 and will all require City Council approval. Any project seeking funding in excess of the maximum amount will need to be evaluated by the Loan Review Committee and should first conform with the City's Job Creation Tax Credit Program. All projects will be based on meeting the City's overall objectives, these objectives will be defined each annual cycle within the application process. No business or building can qualify for two grants during a 3-year period.

Additional Considerations:

The forgivable loan program may be used to support commercial revitalization, business investments and growth associated with our cluster initiatives. Program criteria and cluster initiatives will be defined annually. This program will require job retention or job creation as a part of the program.

INTRODUCED BY: J. Taylor

ORDINANCE NO. 2024-19

AN ORDINANCE AMENDING BCO SECTION 152.04, TITLED "COMPENSATION"; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, an amendment to BCO Section 152.04 titled "Compensation" has been requested to reflect changes made regarding the compensation for Plans Examiners.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, County of Cuyahoga, and State of Ohio, that:

Section 1: Council hereby amends BCO Section 152.04 titled "Compensation", to read and provide, in its entirety, as indicated in Exhibit "A" which is attached hereto and incorporated herein. New language is in **red** and underlined.

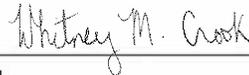
Section 2: Any other Ordinances or parts thereof in conflict herewith be, and the same hereby are, repealed to the extent of the conflict and all Ordinances not amended by this Ordinance shall remain in full force and effect.

Section 3: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 4: This Ordinance is declared an urgent measure necessary for the preservation of the public peace, health or safety or the efficient operation of the City, and for the further reason that it is necessary to be effective as soon as possible; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 22nd day of January, 2024 presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 23rd day of January, 2024.



Clerk

Approval: I have approved this legislation this 23rd day of January, 2024, and filed it with the Clerk.



Mayor

152.04 COMPENSATION.

The Plans Examiners shall be independent contractors and shall be paid at a rate not to exceed ~~eighty three dollars and fifty cents (\$83.50)~~ **one hundred twenty-five dollars and no cents (\$125.00)** per hour for plan review. Plans Examiners shall be entitled to compensation if they are traveling outside Cuyahoga County on City business from point of origin to destination and return. The Plans Examiners shall submit an itemized bill for services for each project.

(Ord. 2024-. Passed 01-22-24.)

**CITY OF BEACHWOOD
BUILDING DEPARTMENT
INTER-OFFICE MEMORANDUM**

TO: Mayor Justin Berns
FROM: Brian Roenigk, Building Commissioner
DATE: 1-10-24
SUBJECT: Increase of Plans Examiner Fees – **AMEND BCO 152.04 COMPENSATION**

Mayor,

I would like to propose to you and City Council an Amendment to BCO Section 152.04 titled “Compensation” to increase the compensation for our Plans Examiners from \$83.50 to \$125.00 per hour.

This adjustment will allow the Building Department to increase our field of Plans Examiners and ensure we continue reviewing plans in a timely manner.

Compensation for Plans Examiners was last adjusted in 2005.

I am requesting to place this item on the next available Council Agenda for consideration.