

COUNCIL WORK SESSION

MARCH 5, 2018

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF BOARD OF ELECTIONS REQUEST TO MOVE CITY HALL POLLING LOCATION TO ELLENWOOD RECREATION CENTER (2/5/18)**

- **DISCUSSION OF CITY’S WEBSITE (2/20/18)**

- **DISCUSSION OF AMENDING §915.03 & §915.10 “GARBAGE AND REFUSE” (2/20/18)**

- **EXECUTIVE SESSION – (Personnel / Economic Development / Litigation) (30 minutes)**

PLEASE TURN OFF ALL CELL PHONES BEFORE MEETING
(Council Minutes and Agendas posted at www.bedfordoh.gov)

Bedford City Council met in a Work Session at Bedford City Hall on Monday, March 5, 2018 at 6:30 p.m.

Present: Council Members: Mayor Stan Koci, Donald Saunders, Sandy Spinks [joined at 6:34 p.m.], Walter Genutis, Victor Fluharty, Heather Rhoades and Paula Mizesak. Absent: None. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Law Director John Montello, Building Commissioner Calvin Beverly and Finance Director Frank Gambosi. Residents: Mr. & Mrs. Housiaux-Stewart and Trish Karabowicz.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There were no changes to the Work Session minutes and the Regular Meeting minutes of February 20, 2018.

ORDINANCE NO. 9561-18 AN ORDINANCE AMENDING ORDINANCE NO. 9366-16 SECTION 1105.04 ENTITLED "RECREATION PROGRAM REGISTRATION FEES" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING ON FEBRUARY 5, 2018 AND SECOND READING FEBRUARY 20, 2018 AND DECLARING AN EMERGENCY

Mr. Mallis again explained the fees were not going to be increased; this allowed the Directors the flexibility to schedule newer different types of programs without having to come back to Council for approval. If Parks & Recreation Director had to get approval for every program it would hold up the scheduling of the programs.

ORDINANCE NO. 9564-18 A ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE YEAR CONTRACT FOR CREDIT CARD PAYMENT SERVICE WITH ANOVIA PAYMENTS, LLC AND MERRICK BANK CORPORAION ("PROVIDER") TO COMPLIMENT THE ETRAK SOFTWARE REGISTRATION PROCESS PLACED ON FIRST READING FEBRUARY 20, 2018 AND DECLARING AN EMERGENCY

Mr. Mallis again recommended that the City contract to assist the Recreation Department with the registration process for programs. The services would allow residents to register and pay online which would add to the efficiency of the department. At the previous Work Session, Mrs. Rhoades had a few concerns with the wording of the contract which were satisfied this evening.

ORDINANCE NO. 9565-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE YEAR CONTRACT FOR RECREATION SOFTWARE WITH ST. ANDREW'S PARKS & PLAYGROUND D/B/A ETRAK ("eTrak") PLACED ON FIRST READING FEBRUARY 20, 2018 AND DECLARING AN EMERGENCY

Mr. Mallis again recommended that the City contract with eTrak to streamline the registration process and payment of programs provided by the City. The software would ensure efficient and economical operation of the department. The cost was going to be \$3,540 annually at \$295 per month. Discussion was held regarding the 2.9% rate at \$.25 per transaction at an average of 100 per month; the process would be similar to how it's done in the Tax Department.

ORDINANCE NO. 9568-18 AN ORDINANCE AMENDING ORDINANCE NO. 9240-15 CHAPTER 1313.01 (b) OF THE BEDFORD CODIFIED ORDINANCES ENTITLED "ADOPTION OF CODE: TITLE" AND DECLARING AN EMERGENCY

Mr. Beverly explained the amendments would allow the department the flexibility of enforcing the current versions instead of continually amending the section of the Codified Ordinances per the State updates. It was determined it would be best to remove all the Edition year dates so the section didn't have to be amended every time the State made updates. Section 1311 would be amended in the same manner

for the next meeting. Mr. Genutis still had issues with how some of the codes read and how the expenses added a burden to the homeowner.

DISCUSSION OF BOARD OF ELECTIONS REQUEST TO MOVE CITY HALL POLLING LOCATION TO ELLENWOOD RECREATION CENTER (2/5/18)

On February 5, 2018, Mr. Mallis explained the conversation he had with a gentleman who implied the City had some violations during past elections which he felt the gentleman was not accurate on some of the allegations. After another discussion with the Board of Elections he reported he received an ADA report and a list of issues concerning the Library, its parking lot and the Council meeting held the night before Election Day. Council was not in favor of moving Precincts 5 & 6 to the Ellenwood Recreation Center and they wondered how it would affect the scheduled programs for that day. The City would continue the same course in hopes to keep the voting locations the same.

DISCUSSION OF CITY'S WEBSITE (2/20/18)

Mr. Mallis again explained the Administration had been working together on addressing the City's website. He had two quotes but did not submit copies for Council review because he was still collecting information. Mrs. Rhoades would continue conversations with Mr. Mallis as the Administration moved forward with the project.

DISCUSSION OF AMENDING §915.03 & §915.10 "GARBAGE AND REFUSE" (2/20/18)

Mrs. Rhoades and Mr. Mallis met after the February 20th meeting and submitted a couple minor changes to clean up the verbiage. The information submitted was as follows:

§915.10 entitled "REMOVAL REQUIREMENTS" - It is the intention of this Chapter to **place the responsibility on each property owner**, each family or person occupying a separate place of abode, or each business or firm, to make separate provisions for the collection and removal of garbage and/or refuse. ~~There shall be no doubling up.~~ No garbage or refuse shall be placed, or allowed to be placed, for removal except in the receptacles provided for that purpose by the person so placing such garbage or refuse. (Ord. 727-45. Passed 12-6-45.)

§915.03 entitled "CONTAINERS; NEWSPAPERS AND TRIMMINGS"

(a) It shall be the duty of each person requiring the removal of garbage and/or refuse to provide suitable portable approved garbage cans for holding garbage and substantial containers for holding refuse. The garbage cans shall be watertight and provided with suitable handles on the outside and a tight-fitting cover which shall not be removed except when necessary in the use of such cans. Each can shall have a capacity of not more than thirty-two gallons provided, however, that in cases where there are large quantities of garbage, larger sized garbage cans may be used with the permission of the Director; ~~in no case shall they be larger than can be handled by two men and weigh no more than sixty pounds.~~ All garbage, before being deposited in the cans, shall be thoroughly drained of all water and other fluids and securely wrapped. Refuse containers shall be of substantial construction ~~and shall in no case be larger than can be handled by two men.~~ No garbage shall be placed in any refuse container, and no night soil shall be placed in either garbage cans or refuse containers.

(b) Tree trimmings, hedge clippings and similar rubbish shall be cut in lengths not exceeding four feet and shall be securely tied in bundles before being deposited for collection. Newspapers, magazines and other printed matter, not placed in containers, shall be securely tied in bundles not exceeding sixty pounds in weight. (Ord. 5641-86. Passed 5-19-86.)

(c) **No property owner, residential tenant, or business be permitted to use municipal trash receptacles as their primary use of refuse disposal.**

It was unclear whether to place the responsibility solely on the property owner, the residential tenant, or business; however, none of those listed were permitted to use municipal trash receptacles as their primary use of refuse disposal. Other suggestions were to limit the distance in which a person had to carry their

rubbish, if the violation fine should increase similar to the Criminal Nuisance §511.12, if the violation(s) weren't paid they would be applied to the Tax Duplicate as an assessment and/or possibly the receptacle for disposal had to abut or adjoin the property. Mr. Mallis and Mrs. Rhoades would forward the amends for consideration.

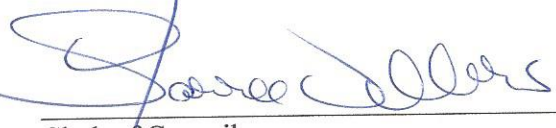
Motion made by Mizesak seconded by Spinks to go into executive session to discuss Personnel 121.22 (B) (1) / Economic Development / Litigation. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

At 7:40 p.m., Bedford City Council, City Manager Mike Mallis, Finance Director Frank Gambosi, Law Director John Montello and Building Commissioner Calvin Beverly went into an executive session to discuss Personnel 121.22 (B) (1) / Economic Development / Litigation.

Motion made by Rhoades seconded by Spinks to adjourn executive session. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Executive Session adjourned at 7:59 p.m.

Work Session adjourned at 8:02 p.m.


Clerk of Council


Mayor – President of Council

REGULAR MEETING

BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: MARCH 5, 2018

AGENDA

TIME: 8:00 P.M.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of February 20, 2018
 - b. Approval of Minutes of the Regular Meeting of February 20, 2018

5. **PRESENTATIONS** –

6. **OLD BUSINESS** – (1st Rdg: 2/5/18 – 2nd Rdg: 2/20/18)
 - a. Ordinance No. 9561-18 amend Ordinance #9366-16 §1105.04 “Recreation Program Registration Fees”
 - b. Ordinance No. 9564-18 contract w/Anovia Payments, LLC (3 yr)
 - c. Ordinance No. 9565-18 contract w/eTrak (5 yr)

7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports

8. **NEW BUSINESS**
 - a. Ordinance No. 9568-18 amend Ord. #9240-15 - §1313.01 “Adoption of Code; Title”

9. **HEARING OF CITIZENS**

10. **ADJOURNMENT**

PLEASE **TURN OFF ALL CELL PHONES BEFORE COUNCIL MEETING**
(Council Minutes and Agendas posted at www.bedfordoh.gov)

Bedford City Council met in Regular Session at Bedford City Hall on Monday, March 5, 2018. Mayor Koci called the meeting to order at 8:04 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders.

Motion made by Rhoades seconded by Mizesak to approve the minutes of the Work Session Meeting of February 20, 2018. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty seconded by Spinks to approve the minutes of the Regular Meeting of February 20, 2018. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9561-18 AN ORDINANCE AMENDING ORDINANCE NO. 9366-16 SECTION 1105.04 ENTITLED “RECREATION PROGRAM REGISTRATION FEES” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING ON FEBRUARY 5, 2018, SECOND READING FEBRUARY 20, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Rhoades seconded by Saunders to suspend the rule requiring the reading of said ordinance three different days.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to place Ordinance No. **9561-18** on third and final reading and passed.

Mr. Mallis explained the fees were not going to be increased; this allowed the Directors the flexibility to schedule newer different types of programs without having to come back to Council for approval. If the Parks & Recreation Director had to get approval for every program it would hold up the scheduling of the programs.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9564-18 A ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE YEAR CONTRACT FOR CREDIT CARD PAYMENT SERVICE WITH ANOVIA PAYMENTS, LLC AND MERRICK BANK CORPORAION (“PROVIDER”) TO COMPLIMENT THE ETRAK SOFTWARE REGISTRATION PROCESS PLACED ON FIRST READING FEBRUARY 20, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Fluharty seconded by Genutis to suspend the rule requiring the reading of said ordinance three different days.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Rhoades to place Ordinance No. **9564-18** on third and final reading and passed.

Mr. Mallis explained this would assist the Recreation Department with the registration process for programs. The services would allow residents to register and pay online which would add to the efficiency of the department.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9565-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE YEAR CONTRACT FOR RECREATION SOFTWARE WITH ST. ANDREW'S PARKS & PLAYGROUND D/B/A ETRAK ("eTrak") PLACED ON FIRST READING FEBRUARY 20, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizensak seconded by Rhoades to suspend the rule requiring the reading of said ordinance three different days.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to place Ordinance No. **9565-18** on third and final reading and passed.

Mr. Mallis explained that the City contract with eTrak to streamline the registration process and payment of programs provided by the City. The software would ensure efficient and economical operation of the department. The cost was going to be \$3,540 annually at \$295 per month.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

City Manager Michael Mallis talked about the several recent water main breaks; he urged residents to call if they saw bubbling in a pool of water and/or if they experienced a drop in water pressure. He urged everyone to attend the upcoming informative Ward meetings where the Department Heads would be present. He reported the sink hole on Center Road was not a water line break; however, Dominion East Ohio would also be checking out the area. The Cuyahoga County Public Works was notified again regarding the poor condition of Union, Columbus and Solon Roads, again, the City hoped for a positive response. The City was awarded the recycling grant that would be used for two shred days, magnets, utility bill information, a small calendar with recycling tips.

No reports from Law Director Montello and Councilman Genutis.

Finance Director Frank Gambosi said most businesses understood the correct procedures regarding business withholdings regarding the income tax increase of 3%. He explained the Tax Department website system was picking up 2016 information instead of 2017 which had been corrected. The system was 15 years old.

Councilwoman Rhoades was seeking stakeholders for the Main Street Program. She would no longer be writing articles to be placed in the Liberty News & Views newspapers. She added Mr. and Mrs. Neff would be trying to get a new newspaper started in Bedford which would be called the Bedford Tribune. She encourages residents to contact their council person because sometimes it can change your council persons mind. She offered to mail a paper copy of information to the seniors in all the Wards.

Councilwoman Spinks explained Council members were welcomed to attend the Senior Meeting the 2nd and 4th Wednesdays of each month. She announced Wards 1 & 4 meeting was March 26th starting at 7:00 p.m.

Councilwoman Mizsak said if residents needed to call Dispatch the number was 440-232-1234; not Police Department Records at 440-232-7600. She explained if a resident wanted to report a non-working street light they needed to report the pole number or an address so it could be located. She asked if the electric company was going to return because not all the street lights were working. Mr. Mallis explained CEI would return to address the remainder of the street lights; the City paid for each and every street light whether it was working or not.

Councilman Fluharty talked about the rubbish dump that was near Dale Park Apartments. Mr. Mallis explained the property owners would receive a letter from the City and would be given 30 days to address this situation. He assured Mr. Fluharty the dump would be cleaned up. Mr. Fluharty talked about the large amount of mud that was being dug out on Broadway Avenue from Testa project.

Councilman Saunders noticed today Broadway Avenue hill was covered in mud. He wondered who was responsible for replacing the Northfield Bridge street lights because the lights had been burnt out for a while. He explained the City lost the lawsuit against the State of Ohio regarding HB 49; however, the issue was appealed. If HB 49 was upheld the City would experience another budget cut from the State. He was concerned about the large amount of rubbish being placed at the streets. He noticed some of the vehicles that were parked in the street during the last snow storm were not cited and the vehicles were plowed around and when they were moved the Service Department did not make another pass to clear the streets. He was not sure of the procedure but he thought it would be beneficial to cite the owners so they were aware of the laws. He had safety concerns regarding the Dominion cut holes on Washington Street. Mr. Mallis reiterated Dominion experienced some issues on Union Street and couldn't run the gas line until the reamer could cut a clean tunnel to run the line. When the new line was run they could close the holes on Washington Street. The City had its own employees making inspections along with a GPD Inspector. The Inspectors were at the cost of Dominion not the City. The Administration was not in favor of allowing Dominion to start several projects at one time because it caused too many traffic issues.

Mayor Koci realized City Hall was 15 years old and gave kudos to the Facility Services Administrator Tony Romito who maintained the complex.

ORDINANCE NO. 9568-18 AN ORDINANCE AMENDING ORDINANCE NO. 9240-15 CHAPTER 1313.01 (b) OF THE BEDFORD CODIFIED ORDINANCES ENTITLED "ADOPTION OF CODE: TITLE" AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Fluharty to suspend the rule requiring the reading of said ordinance three different days.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizsak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9568-18** on third and final reading and passed.

Mr. Montello explained the amendments would allow the department the flexibility of enforcing the current versions instead of continually amending the section of the Codified Ordinances per the State updates so the department could run more efficient.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizsak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Mayor Koci said that concluded the business portion of the meeting and asked if anyone in the audience had any comments.

Jeff Duber, 134 Harriman, asked if the Anovia payment processing was going to be delayed like the water bill on line payments. Mr. Gambosi replied yes, the on line payments were not immediate.

Sarah Gnoddie, Southeast Library, listed several upcoming programs at the library.

Diane Astalos, 685 Archer pointed out there was a lot of rubbish in the yard located at 78 W. Grace Street. Mr. Mallis was aware.

Ann McPherson, 22 Cresswell, reported the ongoing parking in the street located at 128 Greencroft. Mrs. Spinks assured her the City was already aware of the situation. Ms. McPherson asked if the Cleveland criminals were being housed at Bedford or Bedford Heights. Mayor Koci replied, Bedford Heights.

Mayor Koci asked if there were any further comments. There being no reply, motion made by Saunders seconded by Rhoades to adjourn. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizsak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Meeting adjourned at 8:55 P.M.



Clerk of Council



Mayor - President of Council