

**COUNCIL WORK SESSION**

**APRIL 16, 2018**

**6:30 P.M. PROMPT**

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- **DISCUSSION OF AGENDA**
- **DISCUSSION OF PARKING FINES**
- **EXECUTIVE SESSION – (Personnel / Economic Development / Litigation)**

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**(Council Minutes and Agendas posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))**

Bedford City Council met in a Work Session at Bedford City Hall on Monday, April 16, 2018 at 6:37 p.m.

Present: Council Members: Mayor Stan Koci, Donald Saunders, Heather Rhoades, Sandy Spinks, Walter Genutis, Victor Fluharty and Paula Mizsak. 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.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There were no changes to the Work Session minutes, the Regular Meeting minutes of April 2, 2018 and Wards 3 & 5 meeting of April 9, 2018.

Addressing the next three Ordinances:

Mr. Mallis referred to Mr. Bellar's memo dated April 11, 2018 which explained when Mr. Bellar contacted Jay Buick-GMC to order the Service and Water Department vehicles Mr. Bellar was told the factory had stopped all new orders and they could not order 2018 vehicles. He explained Mr. Bellar contacted Tim Lally Chevrolet and were told the 2018 trucks were not available. Mr. Bellar was told when he contacted Valley Ford Truck they would replace the 2018 vehicles with 2019 models at the 2018 price previously quoted in March. Ordering from Valley Ford Truck the Service Department's budget would still need additional money to cover the price difference with the previous amendments from Council. Mr. Bellar's memo stated it was imperative that these were passed this evening as an emergency measure because with the delays he (Mr. Bellar) had already lost more than a month with all the amendments to the Ordinances. Per the memo there was a need to increase the Water Budget #500-9511-00-5-9750 in the amount of \$3,734. The costs were: Water Department - one 2019 ½ Ton 4x4 Pickup at a cost of \$30,611 and one 2019 ¾ Ton Pick Up at a cost of \$25,215 a total of \$55,826 and Service Department one 2019 ¾ Ton 4x4 Pickup at a cost of \$28,610. Discussion was held whether the Service Department could hold off purchases until 2019 in order to buy local. Mr. Mallis reiterated the poor condition of the current vehicles. It was determined the vehicles were budgeted for 2018 and the Service Department was in need of new vehicles. Clerk Villers said if Council agreed with Mr. Bellar's request Council would have to amend each ordinance at the Regular meeting by motion.

ORDINANCE NO. 9571-18 [AMENDED<sup>2</sup>] AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK TO PURCHASE ONE (1) 2019 4X4 ½ TON FORD PICK-UP TRUCK FOR THE WATER DEPARTMENT AND DECLARING AN EMERGENCY

Mr. Mallis noted this ordinance was amended and passed at the April 2, 2018 Council meeting and it had to be amended again because Mr. Bellar could not order the requested 2018 vehicles. The amendments at the last meeting was to change the dealership to Jay Buick GMC in the increased amount total of \$28,115.60. The amendments were to change the dealership back to Valley Ford Truck, the year and the amount to \$30,611.

ORDINANCE NO. 9572-18 [AMENDED<sup>2</sup>] AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK TO PURCHASE ONE (1) 2019 ¾ TON FORD PICK-UP TRUCK FOR THE WATER DEPARTMENT AND DECLARING AN EMERGENCY

Mr. Mallis noted this ordinance was amended and passed at the April 2, 2018 Council meeting and it had to be amended again because Mr. Bellar could not order the requested vehicles. The amendments at the last meeting were to change the dealership to Jay Buick GMC in the amount total of \$27,367.21. The amendments were to change the dealership back to Valley Ford Truck, the year and the amount to \$25,215.



ORDINANCE NO. 9582-18 [AMENDED<sup>2</sup>] AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK TO PURCHASE ONE (1) 2019 4X4 ¾ TON FORD PICK-UP TRUCK FOR THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY

Mr. Mallis noted this ordinance was amended and passed at the April 2, 2018 Council meeting and it had to be amended again because Mr. Bellar could not order the requested vehicles. He explained this was the pickup that was previously removed from Ordinance No. 9573-18 which was for one 2018 4x4 ¾ Ton GMC Pick-up Truck for the Service Department in the amount of \$30,204.66. The amendments were to change the dealership back to Valley Ford Truck, the year and the amount to \$28,610.

ORDINANCE NO. 9574-18 AN ORDINANCE AMENDING §915.03 ENTITLED "CONTAINERS; NEWSPAPERS AND TRIMMINGS" AND ORDINANCE NO. 727-45 §915.10 ENTITLED "REMOVAL REQUIREMENTS" PLACED ON FIRST READING MARCH 19, 2018 AND SECOND READING APRIL 2, 2018 AND DECLARING AN EMERGENCY

Council did not receive any complaints or concerns regarding the amendments to this Chapter, the property owners and/or the renters in the Historical District. On a different topic, Mrs. Rhoades suggested the City hold a day where residents could place decent items at the curb so other residents could benefit from them instead of throwing them away. Mayor Koci suggested residents have Yard Sales to sell their items. It was determined Mrs. Rhoades would report back to Council her findings of how the City could organize this type of resident benefit picker's day.

ORDINANCE NO. 9577-18 AN ORDINANCE AUTHORIZING THE CITY OF BEDFORD TO ACCEPT THE TITLES TO PARCELS OF LAND OBTAINED THROUGH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION IN THE CITY OF BEDFORD PLACED ON FIRST READING MARCH 19, 2018 AND SECOND READING APRIL 2, 2018 AND DECLARING AN EMERGENCY

Mr. Mallis previously explained the Cuyahoga County Land Reutilization Corporation (County Land Bank) sought to revitalize neighborhoods, promote economic growth and create job and workforce development opportunities, and assists local governments in effective use and re-use of vacant properties. The Cuyahoga County Land Reutilization Corporation agreed to acquire parcels. The Administration chose not to contact the neighbors who abutted the parcels to see if they were interested in a lot split because the County was going to handle it. Council had no questions or concerns.

ORDINANCE NO. 9586-18 AN ORDINANCE AMENDING ORDINANCE NO. 9473-17 CHAPTER 1311 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD BY ENACTING NEW SECTION 1311.29 (J) ENTITLED "CERTIFICATE OF RENTAL LICENSE AND INSPECTION" PLACED ON FIRST READING APRIL 2, 2018 AND DECLARING AN EMERGENCY

It was previously explained the enactment of letter "j" under Certification of Inspection were:

(j) Notwithstanding any other provisions of this Chapter, no certificate shall be issued for any structure used or intended to be used for residential occupancy located on a parcel which:

(1) has a certified delinquent property tax balance or other unpaid liens that appear on the Cuyahoga County Real Property Tax duplicate unless the property owner, agent, or person in charge of such structure provides documentation of being on a Delinquent Payment Plan in good standing with the Cuyahoga County Treasury; or

(2) has an unpaid balance for nuisance abatement costs imposed by the City pursuant to Subsection 511.12 that has not been placed on the Cuyahoga County Real Property Tax duplicate.

If such structure as described above is determined to be occupied by a tenant, the Building Commissioner shall provide notice to such tenant of the rejection of application for the issuance or renewal of a



Certificate of Inspection. Notice shall be by mail, hand delivery, or posting on the structure. Notwithstanding the requirement of notice provided herein, failure of the Building Commissioner to notify a tenant shall not preclude the enforcement of any provision of this Chapter. It was determined this would be placed on second reading.

ORDINANCE NO. 9588-18 AN ORDINANCE AUTHORIZING CHANGE ORDER #1 WITH ARICK'S ENVIRONMENTAL MANAGEMENT SERVICE, INC. FOR ASBESTOS ABATEMENT AT ELLENWOOD RECREATION CENTER AND DECLARING AN EMERGENCY

Mr. Mallis explained this change order per Ordinance No. 9548-17 was due to additional work and expense needed to complete the project in the amount of \$9,500 raising the asbestos abatement total to \$34,500. He talked about the air quality tests that were recently conducted and the remodeling improvements that were going to be made to give the building a new and different look.

ORDINANCE NO. 9589-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH OHIO COUNCIL 8 AND LOCAL 2007 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, ADOPTING THE TERMS OF THE ATTACHED CONTRACT AND ORDERING THEM INTO EFFECT, AND DECLARING AN EMERGENCY

Mr. Mallis explained the AFSCME negotiations were completed and it was basically the same as the Police and Fire contracts that affected wages, prescription coverages, longevity and minor items that were important and beneficial to the City. Overall this was a fair package based on comparisons with other municipalities at increases of 6 ½ % over three (3) years, the SERB Report, insurance and wages. North Royalton was at 6 ½% which went to arbitration and Lyndhurst agreed on 2%/2%/2% over three years.

ORDINANCE NO. 9590-18 AN ORDINANCE ENACTING NEW CHAPTER 104 ENTITLED "CONTRACTS" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD TO ENACT NEW SECTIONS, 104.01 "CONTRACT PROCEDURES", 104.02 "PROFESSIONAL DESIGN SERVICES; PUBLIC WORKS" AND 104.03 "SURPLUS PROPERTY" AND DECLARING AN EMERGENCY

Mr. Montello and Mr. Mallis explained this was to formalize Contracts Procedures, Professional Design Services; Public Works and handling Surplus Property pursuant to Article 11, Section 10 of the City Charter so as to relieve the City from certain requirements of the Ohio Revised Code so as to simplify the handling of said items so as to spur economic development, simplify procedures in regards to contracting and related services in the most efficient manner. Discussion was had to amend letters (f) and (g) from \$25,000 to \$10,000. Mr. Gambosi explained the current Purchasing Policy and how it worked for checks and balances. It was determined letter (f) and (g) would be amended to \$10,000.

ORDINANCE NO. 9591-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 83 HENRY STREET (P.P. #814-14-063) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY

Mr. Beverly explained the property and structure was declared dangerous, unsafe, insanitary and unfit for occupancy and should be condemned. This home was added to the recent grant application.

ORDINANCE NO. 9592-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 20 ELM STREET (P.P. #811-33-090) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY

Mr. Beverly explained the property and structure was declared dangerous, unsafe, insanitary and unfit for occupancy and should be condemned. This home was added to the recent grant application. Mr. Mallis understood there was someone interested in the home.



ORDINANCE NO. 9593-18 AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND QUA, INC., AND AUTHORIZING EXECUTION OF THAT AGREEMENT, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ABATEMENT COMPENSATION AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT AND DECLARING AN EMERGENCY

Mr. Mallis explained the City still needed to have a meeting with the schools to finalize the agreement. It was determined this would be placed on first reading this evening.

ORDINANCE NO. 9594-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH VILLAGE OF WALTON HILLS FOR USE OF THE BEDFORD CITY JAIL FACILITIES ("JAIL") AND DECLARING AN EMERGENCY

Mr. Mallis explained the Police Chief negotiated a contract for the use of our Jail by the Village of Walton Hills per Codified Ordinance Section 137.13. This was the same as the other cities who contracted with the Police Department Jail.

ORDINANCE NO. 9595-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE WITH HGE CONCRETE SUPPLY COMPANY LLC AND/OR CONCRETE PROPERTIES LLC FOR THE SALE OF 7160 KRICK ROAD UNIT REAR WALTON HILLS, OHIO AND DECLARING AN EMERGENCY

Mr. Mallis explained there were a couple interested parties for the property. After many discussions the City wished to sell the property "as is" in the amount of \$600,000 which was more than the value of the property. The new owner would take total responsibility of the condition of the property and the City had no obligations to the EPA. The City would be able to utilize a section of it on an as needed basis for ten years and would be cleared of all responsibilities.

#### DISCUSSION OF PARKING FINES

Mr. Mallis explained he had discussions with Chief Stemple and there were "regular violators" who didn't give much thought of paying numerous parking tickets. He offered to put together an escalation of parking fine costs, a shorter period between the ticket date the Court date for those who did not pay on time. The focus was to entice them to obey the parking laws and stop repeat violators. Council was interested in pursuing the issue. Other things that needed addressed was whether the City needed additional signage and ways to educate the residents. This item was moved to May 7<sup>th</sup> for further discussion.


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

At 7:45 p.m., Bedford City Council, City Manager Mike Mallis, Finance Director Frank Gambosi and Law Director John Montello went into an executive session to discuss Personnel 121.22 (B) (1) / Economic Development / Litigation.

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

Executive Session adjourned at 7:59 p.m. Work Session adjourned at 8:00 p.m.

  
Clerk of Council

  
Mayor – President of Council

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1. **CALL TO ORDER**
  2. **PLEDGE OF ALLEGIANCE**
  3. **ROLL CALL**
  4. **APPROVAL OF MINUTES**
    - a. Approval of Minutes of the Work Session of April 2, 2018
    - b. Approval of Minutes of the Regular Meeting of April 2, 2018
    - c. Approval of Minutes of the Wards 3 & 5 of April 9, 2018
  5. **PRESENTATIONS** - Miller
  6. **OLD BUSINESS** – (1<sup>st</sup> Rdg: 3/19/18 / Amended 4/2/18 / Amended<sup>2</sup> 4/16/18)
    - a. Ordinance No. 9571-18 purchase one 2018 ½ Ton GMC 4x4 Pickup from Jay Buick GMC (\$28,115.60)
    - b. Ordinance No. 9572-18 purchase one 2018 ¾ Ton GMC Pickup from Jay Buick GMC (\$27,367.21)
    - c. Ordinance No. 9582-18 purchase one 2018 ¾ Ton GMC 4x4 Pickup from Jay Buick GMC (\$30,240.66)
    - d. Ordinance No. 9574-18 amend §915.03 “Removal Requirements” & §915.10 “Containers, Newspapers and Trimmings” (1<sup>st</sup> Rdg: 3/19/18 – 2<sup>nd</sup> Rdg: 4/2/18)
    - e. Ordinance No. 9577-18 accept the titles to parcels of land obtained through the CCLRC (1<sup>st</sup> Rdg: 3/19 - 2<sup>nd</sup> Rdg: 4/2)
    - f. Ordinance No. 9586-18 amend Ord. #9473-17 §1311.29 “Certificate of Rental License and Inspection” enacting new §1311.29 (j) (1<sup>st</sup> Rdg: 4/2/18)
  7. **REPORTS**
    - a. City Manager
    - b. Law Director
    - c. Finance Director
    - d. Council Reports
  8. **NEW BUSINESS**
    - a. Ordinance No. 9588-18 Ordinance #9548-17 change order w/Arick’s asbestos abatement at Ellenwood (\$9,500)
    - b. Ordinance No. 9589-18 contract w/Bedford Ohio Council & Local 2007 AFL-CIO (AFSCME)
    - c. Ordinance No. 9590-18 enacting new Chapter 104 “Contracts”
    - d. Ordinance No. 9591-18 declaring 83 Henry a nuisance and therefore condemning (#814-14-063)
    - e. Ordinance No. 9592-18 declaring 20 Elm a nuisance and therefore condemning (#811-33-090)
    - f. Ordinance No. 9593-18 approving CRA agreement w/Qua Inc. (15 yrs)
    - g. Ordinance No. 9594-18 contract w/Village of Walton Hills
    - h. Ordinance No. 9595-18 contract w/HGE Concrete Supply Company/Concrete Properties LLC (7160 Krick Rd)
    - i. Motion to re-appoint John Powers to the Planning Commission (4 yr term)
  9. **HEARING OF CITIZENS**
  10. **ADJOURNMENT**

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Bedford City Council met in Regular Session at Bedford City Hall on Monday, April 16, 2018. Mayor Koci called the meeting to order at 8:03 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Mizensak, Genutis, Fluharty, Saunders, Rhoades, Spinks, Koci. Absent: None.

Motion made by Spinks seconded by Genutis to approve the minutes of the Work Session Meeting of April 2, 2018. The roll was called. Vote – Yeas: Mizensak, Genutis, Fluharty, Saunders, Spinks, Koci. Nays: None. Abstain: Rhoades. Motion carried.

Motion made by Mizensak seconded by Saunders to approve the minutes of the Regular Meeting of April 2, 2018. The roll was called. Vote – Yeas: Mizensak, Genutis, Fluharty, Saunders, Spinks, Koci. Nays: None. Abstain: Rhoades. Motion carried.

Motion made by Spinks seconded by Genutis to approve the minutes of Wards 3 & 5 Meeting of March 26, 2018. The roll was called. Vote – Yeas: Genutis, Fluharty, Saunders, Rhoades, Spinks, Koci. Nays: None. Abstain: Mizensak. Motion carried.

Mike and Laura Hulett, Bedford Cyclery, donated a bicycle to the Police Department for added Officer Patrols. Council, Chief Stemple and Mr. Mallis thanked them for their kind donation. Mayor Koci swore-in Brett Miller as the City's new Patrolman who came from Walton Hills Police Department. Council and the Administration welcomed Patrolman Miller to the City. Council and the Administration gave their condolences to the Zolata family with the recent passing of former Councilman Andrew Zolata who served 11 years. Council and the Administration also gave their condolences to the Purgert family regarding the recent passing of Richard Purgert who gave back to the City in so many generous ways; he will be greatly missed. Jean Sapir, Bedford Garden Club, presented the City with a check to purchase flowers for the Union Street Bridge. Council and the Administration thanked the Club for everything they do for the City.

At the April 2, 2018 Council meeting, Council wished to support the local dealerships at the increased amount per the Purchasing Policy but after the ordinances were approved Service Director Mr. Bellar found out he could not order any 2018 trucks. After contacting the three original dealerships Valley Ford Truck agreed to replace the 2018 trucks with new 2019 trucks at the 2018 quoted prices. Ordinances Nos. 9571-18, 9572-18 and 9582-18 needed to be amended to reflect the following: dealership name, vehicle year and amount.

ORDINANCE NO. 9571-18 [AMENDED?] AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK TO PURCHASE ONE (1) 2019 4X4 ½ TON FORD PICK-UP TRUCK FOR THE WATER DEPARTMENT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizensak to amend Ordinance No. 9571-18 to replace Jay Buick GMC with Valley Ford Truck, change the year 2018 to 2019 and the amount to reflect \$30,611.

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9571-18** on third and final reading and passed.

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

ORDINANCE NO. 9572-18 [AMENDED<sup>2</sup>] AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK TO PURCHASE ONE (1) 2019 ¾ TON FORD PICK-UP TRUCK FOR THE WATER DEPARTMENT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizens seconded by Rhoades to amend Ordinance No. 9572-18 to replace Jay Buick GMC with Valley Ford Truck, change the year from 2018 to 2019 and the amount to reflect \$25,215.

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

Motion made by Fluharty seconded by Genutis to place Ordinance No. **9572-18** on third and final reading and passed.

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

ORDINANCE NO. 9582-18 [AMENDED<sup>2</sup>] AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK TO PURCHASE ONE (1) 2019 4X4 ¾ TON FORD PICK-UP TRUCK FOR THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis seconded by Spinks to amend Ordinance No. 9582-18 to replace Jay Buick GMC with Valley Ford Truck, change the year 2018 to 2019 and the amount to reflect \$28,610.

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

Motion made by Mizens seconded by Saunders to place Ordinance No. **9582-18** on third and final reading and passed.

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

ORDINANCE NO. 9574-18 AN ORDINANCE AMENDING §915.03 ENTITLED “CONTAINERS; NEWSPAPERS AND TRIMMINGS” AND ORDINANCE NO. 727-45 §915.10 ENTITLED “REMOVAL REQUIREMENTS” PLACED ON FIRST READING ON MARCH 19, 2018 AND SECOND READING APRIL 2, 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: Mizens, Genutis, Fluharty, Saunders, Rhoades, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to place Ordinance No. **9574-18** on third and final reading and passed.

Mr. Mallis explained the amendments mostly dealt with containers and rubbish removal and also made the landlords responsible for their tenants working along with the City.



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

ORDINANCE NO. 9577-18 AN ORDINANCE AUTHORIZING THE CITY OF BEDFORD TO ACCEPT THE TITLES TO PARCELS OF LAND OBTAINED THROUGH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION IN THE CITY OF BEDFORD PLACED ON FIRST READING MARCH 19, 2018 AND SECOND READING APRIL 2, 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: Mizensak, Genutis, Fluharty, Saunders, Rhoades, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Rhoades to place Ordinance No. **9577-18** on third and final reading and passed.

Mr. Mallis explained the City was utilizing the monies from the NSP Program to demolish these homes partnering with the Cuyahoga County Land Reutilization Corporation (County Land Bank) sought to revitalize neighborhoods, promote economic growth and create job and workforce development opportunities, and assists local governments in effective use and re-use of vacant properties. The Cuyahoga County Land Reutilization Corporation agreed to acquire parcels. The Administration chose not to contact the neighbors who abutted the parcels to see if they were interested in a lot split because the County was going to handle it.

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

ORDINANCE NO. 9586-18 AN ORDINANCE AMENDING ORDINANCE NO. 9473-17 CHAPTER 1311 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD BY ENACTING NEW SECTION 1311.29 (J) ENTITLED “CERTIFICATE OF RENTAL LICENSE AND INSPECTION” PLACED ON FIRST READING APRIL 2, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Rhoades seconded by Saunders to place Ordinance No. **9586-18** on second reading.

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

City Manager Michael Mallis announced: Shred Day was May 19<sup>th</sup>, April 23<sup>rd</sup> was Wards 2 & 6 meeting. He thanked those who participated in the Tinkers Creek Watershed Partners program in planting 50 trees on Columbus Road. The Fire Department entrance exam was May 19<sup>th</sup>. The street sweeper and chipper service would start soon. Mr. Bellar and City Engineer Joe Ciuni assessed the streets throughout the City that needed to be resurfaced; the streets to be resurfaced would be the worst of the worst. The Dominion project continued to be delayed because of various reasons. There was a water leak issue on Broadway Avenue near Union Street that needed resolved. The turn lane from Broadway Avenue onto Union Street was closed because of the five foot by thirty foot cavity under the pavement for safety reasons. The Administration continue to work with ODOT regarding the Northfield Bridge repairs. The water source needed to be determined before the project can move forward. He welcomed the new K-9 Officer Luca who started today. With two K-9's the Police Department intended to have a K-9 working seven days a week. He thanked the Bedford Automile for their second donation of the second K-9 Officer Luca.

The City applied for a \$508,000 grant to address deplorable commercial and residential properties. He urged the residents to call Dispatch regarding any flooding issues after a storm. If Dispatch accumulates several calls for one area a crew would be sent out to inspect the situation. He said the City received minimal calls concerning the last heavy rain storm.

No reports from Law Director Montello.

Finance Director Frank Gambosi announced April 17<sup>th</sup> was the last day for taxes. The Rotary Fun Run was April 29<sup>th</sup> serving pancakes from 9:00 a.m. to 1:00 p.m.

Councilwoman Mizsak remembered when Rich Purgert put music with the fireworks and Andrew Zolata was well respected and served for 11 years on council then passed the seat to former Councilwoman Zolata for 26 years. She appreciated the Diversion Program who cleaned up the litter in her Ward. She viewed Bedford as still being a nice City to live and move too. She announced Shred Day was May 19<sup>th</sup>.

Councilman Genutis was pleased to participate in planting trees for the Tinkers Creek Watershed Partners. This organization protected the waterways, creeks and storm water runoff. He talked about the impermeable surfaces which adds issues regarding the storm water runoff. He supported the Rotary Fun Run event and urged others to attend the Wards 2 & 6 meeting. He thought really great people lived in Bedford which he appreciated so he urged people to celebrate and rejoice each other.

Councilman Fluharty thanked the Service Department for their quick response regarding the flooding on Henry Street. He said the rubbish behind the apartment building behind Sunoco at Union Street and Northfield Road would be cleaned up soon.

Councilman Saunders announced Wards 2 & 6 meeting was April 23<sup>rd</sup> at 7:00 p.m. He talked about the area that drained from Columbus, Logan, Garden, Elm and Blaine was flooded; he asked for the catch basins to be checked and cleaned off. Mr. Mallis replied the jet was on Logan area today and grids were being cleaned off. Mr. Saunders noticed some of the tree stumps were being ground down. The Service Department was utilizing a few employees from the Recreation Department.

Councilwoman Rhoades thanked those who attended the Wards 3 & 5 meeting. Ellenwood would be closed longer than expected because other things needed addressed. Ellenwood would also be installing video security cameras throughout the exterior and interior and wired for Wi-Fi. Registration for programs could be done at City Hall during the closure. The Main Street Program was underway and the organization would be called the Bedford Downtown Alliance; t-shirts would be available for \$20.

Councilwoman Spinks urged everyone to go see the fence behind the Historical Society that has become an amazing piece of art work. She was very pleased with the Bedford Madrigal Singers performance on April 7<sup>th</sup> in New York where they were presented a silver medal and sang the National Anthem at the Cavs game. She appreciated the increased Police presence on Grand Boulevard. She told a story about finding a kitchen knife stuck in her tree lawn which she reported to the Police Department.

Mayor Koci thanked Laura Hulett for participating in the Main Street Program. He announced the former Chanel High School was purchased by the Bedford Schools. He was pleased to meet two gentlemen from Bedford, England through Destination Cleveland who might add Bedford to their tour. He offered Military cards which was holding a Military Resource Fair, Friday, April 20<sup>th</sup>, 9:00 a.m. to noon.



ORDINANCE NO. 9588-18 AN ORDINANCE AUTHORIZING CHANGE ORDER #1 WITH ARICK'S ENVIRONMENTAL MANAGEMENT SERVICE, INC. FOR ASBESTOS ABATEMENT AT ELLENWOOD RECREATION CENTER AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizensak seconded by Saunders to place Ordinance No. **9588-18** on third and final reading and passed.

Mr. Mallis explained this change order per Ordinance No. 9548-17 was due to additional work and expense needed to complete the project in the amount of \$9,500 raising the asbestos abatement total to \$34,500. During the project additional asbestos was found and had to be addressed.

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

ORDINANCE NO. 9589-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH OHIO COUNCIL 8 AND LOCAL 2007 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, ADOPTING THE TERMS OF THE ATTACHED CONTRACT AND ORDERING THEM INTO EFFECT, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Genutis seconded by Fluharty to place Ordinance No. **9589-18** on third and final reading and passed.

Mr. Mallis explained this contract was based on Fire and Police Departments which were previously approved. The changes were: prescription Program, addressing smokers paying additional, capped longevity payments and wage package. He felt this was a fair contract.

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

ORDINANCE NO. 9590-18 AN ORDINANCE ENACTING NEW CHAPTER 104 ENTITLED "CONTRACTS" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD TO ENACT NEW SECTIONS, 104.01 "CONTRACT PROCEDURES", 104.02 "PROFESSIONAL DESIGN SERVICES; PUBLIC WORKS" AND 104.03 "SURPLUS PROPERTY" 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: Mizsak, Genutis, Fluharty, Saunders, Rhoades, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Fluharty seconded by Genutis to place Ordinance No. **9590-18** on third and final reading and passed.

Mr. Montello explained this was to formalize Contracts Procedures, Professional Design Services; Public Works and handling Surplus Property pursuant to Article 11, Section 10 of the City Charter so as to relieve the City from certain requirements of the Ohio Revised Code so as to simplify the handling of said items so as to spur economic development, simplify procedures in regards to contracting and related services in the most efficient manner. This would allow the City to act more efficient and economically.

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

ORDINANCE NO. 9591-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 83 HENRY STREET (P.P. #814-14-063) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizsak seconded by Rhoades to place Ordinance No. **9591-18** on third and final reading and passed.

Mr. Mallis explained the property and structure was declared dangerous, unsafe, insanitary and unfit for occupancy and should be condemned. The home was demolished due to a natural gas explosion and the garage was included in the recent grant.

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

ORDINANCE NO. 9592-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 20 ELM STREET (P.P. #811-33-090) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Genutis seconded by Fluharty to place Ordinance No. **9592-18** on third and final reading and passed.



Mr. Mallis explained the property and structure was declared dangerous, unsafe, insanitary and unfit for occupancy and should be condemned and was included in the recent grant.

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

ORDINANCE NO. 9593-18 AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND QUA, INC., AND AUTHORIZING EXECUTION OF THAT AGREEMENT, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ABATEMENT COMPENSATION AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Rhoads to place Ordinance No. **9593-18** on first reading.

Mr. Mallis explained this CRA was the Mazda of Bedford located at the Meadowbrook area and the agreement was 80% over 15 years.

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

ORDINANCE NO. 9594-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH VILLAGE OF WALTON HILLS FOR USE OF THE BEDFORD CITY JAIL FACILITIES (“JAIL”) 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: Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9594-18** on third and final reading and passed.

Mr. Mallis explained the Police Chief negotiated a contract for the use of our Jail by the Village of Walton Hills per Codified Ordinance Section 137.13. This was the same as the other cities who contracted with the Police Department Jail. Bedford Heights was opening back up their jail and would free up space. Bedford arrests were to remain the priority for placement of violators.

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

ORDINANCE NO. 9595-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE WITH HGE CONCRETE SUPPLY COMPANY LLC AND/OR CONCRETE PROPERTIES LLC FOR THE SALE OF 7160 KRICK ROAD UNIT REAR WALTON HILLS, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9595-18** on third and final reading and passed.

Mr. Mallis explained the City wished to sell the property located at 7160 Krick Road Unit rear Walton Hills; seven clean acres and eleven acres monitored by the EPA. The City would continue to dump clean fill at the rear two acres at no cost to the City for the next 10 years. The sale price was more than double the appraised value which was a good deal for the City.

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

**Motion made by Saunders seconded by Rhoades to re-appoint John Powers to the Planning Commission.**

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

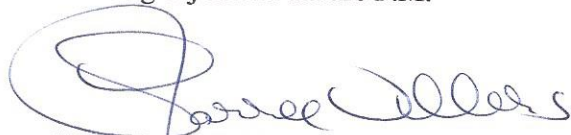
Mayor Koci said that concluded the business portion of the meeting and asked if anyone in the audience had any comments.

Reverend Pamela Pinkney-Butts, 518 Northfield Road, referred to information she gave a landlord who was canceling their contract with housing subsidies so those who have Section 8 or CMHA or any type of housing subsidies would not be able to rent from Adams & Balog in Bedford. She thought the City should look into the insurance of the newly purchased vehicles. Mr. Gambosi previously reviewed such information. Ms. Pinkney-Butts said those who were in the faith community of the church was available with guidance with properties as referenced in Ordinance Nos. #9591 and #9592. She gave condolences to the Zolata family and those who were just bombed. She said the bombing would affect the Country's relations, the water, earth and plants. She was working on getting prayer back in the schools. She asked the Administration to get involved in HB 260 against assault weapons and review the 13<sup>th</sup> amendment.

Barb McDaniels, 186 Center Road, was not pleased with the clay that was used to fill the tree lawn near her home. She talked about her trip to Bedford, England and thought they should be treated the same. She complimented Data Basics on their lovely spring garden.

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

Meeting adjourned at 9:28 P.M.

  
Clerk of Council

  
Mayor - President of Council