

COUNCIL WORK SESSION

MONDAY, APRIL 18, 2016

6:00 P.M. PROMPT

- **DISCUSSION OF DEER CULLING COSTS**
- **EXECUTIVE SESSION** – (Personnel – Discipline / Economic Development – St. Peter Chanel property)
- **DISCUSSION OF AGENDA**
- **DISCUSSION OF SUMMER DATES** (Charter – Section 7 “Meetings” – June/July/August)

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

Bedford, Ohio

April 18, 2016

Bedford City Council met in a Work Session at Bedford City Hall on Monday, April 18, 2016 at 6:13 p.m.

Present: Council Members: Walter Genutis, Greg Pozar, Don Saunders, Marilyn Zolata, Paula Mizesak, Mayor Stan Koci [joined at 6:15 p.m.], Sandy Spinks [joined at 6:15 p.m.]. Absent: None. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Sergeant Dennis Bergansky, Clerk of Council Lorree Villers.

DISCUSSION OF DEER CULLING COSTS

Mr. Mallis said he had provided the deer culling information to Council in their recent memo. He clarified the one figure should read \$3,011. He explained some of the equipment used for the program was not purchased; some of the Officers hunted and brought in their own hunting equipment, plus, he was not sure what direction Council wanted to go for the next season. There was no overtime charged for the Officers who participated in the program; the Officers/Sergeants rearranged their schedules accordingly to cover the program and their normal duties/shifts.

Sergeant Bergansky explained Bedford definitely had a deer population problem; the residents were feeding them like pets and the deer did not have wild instincts anymore. Discussion was held on how the ODNR issued licenses; Mr. Pozar felt the ODNR should issue more licenses to allow additional deer to be culled because of the current population problems. It was determined hunting season started in September and ended in February; however, ODNR determined whether it was bow or gun. Discussion was held that all the surrounding cities should participate for the next couple years in the same program or a similar program to thin the population. It was impossible to know exactly how many deer were killed/wounded from vehicle accidents because not all were reported. It was mentioned some of the community's deer population was affected by the CHD virus a few years ago but their population was starting to grow/multiply again. Sergeant Bergansky stated the deer had become very tame. One day he saw three groups of deer gather within five minutes totaling 29 deer at the WWTP. Another day a group of eight deer gathered at the WWTP and when one was taken down/shot the other seven just stood in place and didn't run away as they should have. He was not a big fan of bow hunting; the thought of a deer running across three or so residential yards and possibly upsetting a resident was a concern. He added ODNR didn't shoot any coyotes during their deer culling program. Mr. Mallis said on May 9, 2016 the City would have a representative from the Metroparks informing/educating residents on deer and coyotes. It was determined the Administration and Council needed to revisit this issue at the end of summer to see if everyone wanted to continue the program.

Motion made by Pozar and seconded by Zolata to go into an executive session to discuss Personnel – Discipline / Economic Development – St. Peter Chanel property. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Saunders, Spinks, Zolata. Nays: None. Motion carried unanimously.

At 6:36 p.m., Bedford City Council went into an executive session to discuss Personnel – Discipline. At 7:00 p.m., City Manager Mallis, Finance Director Gambosi and Law Director Montello joined the executive session. Executive session adjourned at 7:49 p.m.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session and the Regular Meeting of April 4, 2016.

ORDINANCE NO. 9376-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TIM LALLY CHEVROLET TO PURCHASE ONE (1) 2016 CHEVROLET 2500HD 2WD REGULAR CAB PICKUP TRUCK PLACED ON FIRST READING ON APRIL 4, 2016

Mayor Koci felt the purchase should stay local and not outside the City. Council decided to amend the ordinance to allow the purchase be made at Jay Buick GMC on Rockside Road to purchase one (1) 2016 Sierra 2500HD 2WD Regular Cab Pickup Truck in the amount of \$26,442.50 at slightly a higher price.

Mr. Gambosi pointed out the next three (3) pieces of legislation were in conjunction with one another and would go through the three (3) reading process mainly because there was an assessment increase.

1) RESOLUTION NO. 2502-16 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME

2) ORDINANCE NO. 9379-16 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME

3) ORDINANCE NO. 9380-16 BEING AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE STREET AND PUBLIC PLACES OF THE CITY OF BEDFORD, OHIO BY LIGHTING OF THE SAME IN ACCORDANCE WITH RESOLUTION NO. 2502-16 AND ORDINANCE NO. 9379-16

Discussion of the Regular Meeting agenda was concluded.

Motion to accept the Planning Commission recommendation of April 5, 2016 for Motorcars ACURA, 18123 Rockside Road, Bedford - Dick Marcellino / Doty & Miller Architects who is seeking to construct two additions to the existing structure: 3,490 square foot Showroom addition and 3,150 square foot Service Area

Council did not have any concerns with the Commission's recommendation; however, the recommendation was contingent on the findings at the April 26, 2016 Board of Zoning & Appeals.

Motion to accept the Planning Commission recommendation of April 5, 2016 for Al & Ann Boroski, 209 Broadway Avenue, Bedford who is seeking clarification regarding City of Bedford Codified Ordinance §1938.02 (a) (2) regarding the minimum 50,000 square feet requirement for a used car dealership

Council thought they needed to review the information in more depth and this recommendation would be tabled this evening until Council had an opportunity to discuss it further.

Motion to accept the Planning Commission recommendation of April 5, 2016 for Bill Zukie, 1401 King Road, Hinckley, Ohio representing Rockside Limited Partnership (Enterprise Rent-A-Car) located at 19550 Rockside Road who is seeking to update the exterior store front and construct a new vestibule - §1305.09 Building Plan Review

Council did not have any concerns with the Commission's recommendation.

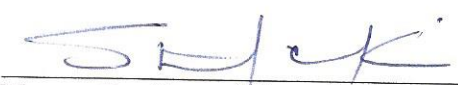
DISCUSSION OF SUMMER DATES (Charter - Section 7 "Meetings" – June/July/August)

Council agreed to take the suggestion of Clerk Villers and schedule the summer session meeting dates on the first Monday of the month and if there was a need to conduct additional/other business a special meeting would be scheduled on the third Monday of the month.

Motion by Spinks and seconded by Genutis to adjourn work session. Vote – Yeas: Koci, Mizsak, Genutis, Pozar, Saunders, Spinks, Zolata. Nays: None. Motion carried unanimously.

Work Session adjourned at 7:57 p.m.


Clerk of Council


Mayor - President of Council

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 4, 2016
 - b. Approval of Minutes of the Regular Meeting of April 4, 2016
5. **PRESENTATIONS**
6. **OLD BUSINESS** (1st Rdg 4/4/16)
 - a. Ordinance No. 9376-16 purchase of 2016 Chevrolet Pickup Truck from Tim Lally (\$24,950)
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Ordinance No. 9378-16 contract w/Automatic Door Company for WWTP exterior roll up door (\$10,650)
 - b. Resolution No. 2502-16 declaring the necessity to improve certain streets by lighting same
 - c. Ordinance No. 9379-16 to proceed with the improvement of certain streets by lighting same
 - d. Ordinance No. 9380-16 levying special assessments for the improvement of the street and public places by lighting
 - e. Motion to accept the Planning Commission recommendation of April 5, 2016 for Motorcars ACURA, 18123 Rockside Road, Bedford - Dick Marcellino / Doty & Miller Architects who is seeking to construct two additions to the existing structure: 3,490 square foot Showroom addition and 3,150 square foot Service Area (BZA 4/26/16) (roll call)
 - f. Motion to accept the Planning Commission recommendation of April 5, 2016 for Al & Ann Boroski, 209 Broadway Avenue, Bedford who is seeking clarification regarding City of Bedford Codified Ordinance §1938.02 (a) (2) regarding the minimum 50,000 square feet requirement for a used car dealership (roll call)
 - g. Motion to accept the Planning Commission recommendation of April 5, 2016 for Bill Zukie, 1401 King Road, Hinckley, Ohio representing Rockside Limited Partnership (Enterprise Rent-A-Car) located at 19550 Rockside Road who is seeking to update the exterior store front and construct a new vestibule - §1305.09 Building Plan Review (roll call)
9. **HEARING OF CITIZENS**
10. **ADJOURNMENT**

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Bedford, Ohio

April 18, 2016

Bedford City Council met in Regular Session at Bedford City Hall on Monday, April 18, 2016. 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: Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Absent: None.

Motion made by Zolata and seconded by Genutis to approve the minutes of the Work Session Meeting of April 4, 2016. The roll was called. Vote – Yeas: Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously. [Councilwoman Zolata should have abstained.]

Motion made by Mizesak and seconded by Pozar to approve the minutes of the Regular Meeting of April 4, 2016. The roll was called. Vote – Yeas: Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously. [Councilwoman Zolata should have abstained.]

ORDINANCE NO. 9376-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TIM LALLY CHEVROLET TO PURCHASE ONE (1) 2016 CHEVROLET 2500HD 2WD REGULAR CAB PICKUP TRUCK PLACED ON FIRST READING ON APRIL 4, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizesak to amend Ordinance No. 9376-16 to change the dealership name to Jay Buick GMC and the amount to \$26,442.50 to read as follows:

ORDINANCE NO. 9376-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JAY BUICK GMC TO PURCHASE ONE (1) 2016 SIERRA 2500HD 2WD REGULAR CAB PICKUP TRUCK AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9376-16** on third and final reading and passed.

Mr. Mallis explained this item was budgeted to replace a 1998 pickup. This purchase was from a local business working with Jay Buick GMC.

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

The Administration and Council said kind words in respect to the recent passing of Robert Schroeter; everyone thanked him for his dedication to Bedford and the numerous duties he served.

City Manager Michael Mallis announced the Wards 4 & 6 meeting was April 25, 2015 at 7:00 p.m., he invited everyone to join the Rotary Pancake breakfast this weekend, the residents would receive a Heritage Home Program flyer, June was noticed as Free Permit Month, April 22, 2016 would be Arbor Day event with the schools and the Circus was not coming to Bedford on the Meadowbrook property.

No report from Law Director John Montello and Councilman Genutis.

Finance Director Frank Gambosi announced the Rotary Pancake Breakfast was April 24, 2016 and urged everyone to attend and participate. He said the recent Tax season was now over and it was very busy.

Councilwoman Mizesak announced National History Day was April 30, 2016 at Ellenwood and the Historical Society was awarded a \$100,000 grant to be used for Phase 2 at the church; thanks to Kenny Yuko and John Barnes.

Councilman Pozar spoke about a letter from First Energy Easy Cool Rewards Program and an article he found that spoke about how to hack the power grid through home air conditioners. Smart Meters could be purchased in order to allow an agency to control your air conditioning during the summer months. He assured everyone he was not going to join the program.

Councilman Saunders reported the many residents/landscaping companies who blew the grass clippings into the street over the weekend. He wondered if the streets were being monitored on the weekends and he suggested the residents be educated on the issue. He warned the residents this was the year for the 17 year locust.

Councilwoman Zolata was thrilled the home at 88 John Street was recently demolished; she and the neighbors were delighted. She reminded everyone to attend the Bedford Garden Club Plant Sale on May 6th and 7th.

Councilwoman Spinks reminded everyone April 22nd was Earth Day; she noticed at the Cuyahoga County Fairgrounds the City of Bedford was well represented on being "green". She pointed out the after winter debris and branches that were throughout Ward 1. She told the residents the rubbish company would not pick up unwrapped mattresses and asked the residents to inform their new neighbors that Bedford had a leash law for dogs.

Mayor Koci said he had the honor to work with Bob Schroeter in the Fire Department. He was dedicated and brave and served on the Civil Service Commission, Lions Club and President of the Historical Society.

ORDINANCE NO. 9378-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AUTOMATIC DOOR COMPANY TO PURCHASE ONE (1) EXTERIOR MOUNTED ROLL UP DOOR AND INSTALLATION AT THE WASTE WATER TREATMENT PLANT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Pozar seconded by Saunders to place Ordinance No. **9378-16** on third and final reading and passed.

Mr. Mallis explained this budgeted item was to purchase one exterior mounted roll up door with installation at the Waste Water Treatment Plant to accommodate the new sludge truck; the truck and door were two different sizes.

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

RESOLUTION NO. 2502-16 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME WAS READ BY TITLE ONLY AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizensak to place Resolution No. **2502-16** on first reading.

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

ORDINANCE NO. 9379-16 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY WAS READ BY TITLE

Motion made by Spinks seconded by Genutis to place Ordinance No. **9379-16** on first reading.

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

ORDINANCE NO. 9380-16 BEING AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE STREET AND PUBLIC PLACES OF THE CITY OF BEDFORD, OHIO BY LIGHTING OF THE SAME IN ACCORDANCE WITH RESOLUTION NO. 2502-16 AND ORDINANCE NO. 9379-16 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizensak seconded by Pozar to place Ordinance No. **9380-16** on first reading.

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

Motion by Spinks and seconded by Zolata to accept the Planning Commission recommendation of April 5, 2016 for Motorcars ACURA, 18123 Rockside Road, Bedford - Dick Marcellino / Doty & Miller Architects who is seeking to construct two additions to the existing structure: 3,490 square foot Showroom addition and 3,150 square foot Service Area (BZA 4/26/16)

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

Motion by Spinks and seconded by Genutis to table the Planning Commission recommendation of April 5, 2016 for Al & Ann Boroski, 209 Broadway Avenue, Bedford who is seeking clarification regarding City of Bedford Codified Ordinance §1938.02 (a) (2) regarding the minimum 50,000 square feet requirement for a used car dealership

The roll was called. Vote – Yeas: Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously. Mayor Koci said Council needed to have further discussion on this request.

Motion by Saunders and seconded by Mizensak to accept the Planning Commission recommendation of April 5, 2016 for Bill Zukie, 1401 King Road, Hinckley, Ohio representing Rockside Limited Partnership (Enterprise Rent-A-Car) located at 19550 Rockside Road who is seeking to update the exterior store front and construct a new vestibule - §1305.09 Building Plan Review

The roll was called. Vote – Yeas: Mizensak, Genutis, Pozar, Saunders, Zolata, 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.

Richard Jones, 104 Columbus Road, expressed his concern regarding the main contractor that was working on the bridge because "he" admitted in open court to paying bribes. The two people paid were in prison and the County awarded them the contract. The second contractor was in a physical relationship with a Cuyahoga County Councilwoman with a history of defrauding Bedford, the County, RTA and the City of Cleveland. He considered them a fake company, not a real company and not a real minority company brought to the attention a dozen times and their work was dangerous. He contacted Channel 19 regarding this company because of the dangerous work they performed known as "Perk" (Mark and Fred Perkins) concrete company. He asked Chantel Brown and she laughed in his face and asked him if what he wanted (it-out) was a part time job. He felt Chantel Brown and Marcia Fudge should represent more than the Warrensville area; someone needs to stand up to these Representatives.

Beth Housiaux-Steward, 93 Avalon Avenue, spoke about her recent public record request where she asked for a comprehensive list regarding the deer program. She listed 19+ items she thought the report should have had in it. She felt if this was the report; it was not complete. She stated she was confused whether this was the actual report or if it was just the response to her public record request. She requested a comprehensive report addressing all the information.

Arlene Orlando, 98 Talbot Avenue, added to the previous request that it was important to be able to measure the success and the report was lacking scientific data. She asked why the City would repeat the program without checking out other data. She suggested the City apply for a sterilization grant and Bedford should be put on the map for innovation.

Dave Wolfe, 25 Henry Street, Vinyl Groove, 675 Broadway Avenue, directing this concern to Ward 5 Councilman Pozar regarding the sloppy drug dealing and pot smoking in the establishment next door to his business for the past year. Mr. Pozar said undercover Police Officers were watching the establishment and Council did not interfere in police business and were being monitored accordingly. Mr. Wolfe witnessed gallon bags of marijuana and pharmaceuticals being handed off daily/weekly.

Matt Stewart, 703 Lincoln Avenue, Spirit Apothecary, 664 Broadway Avenue, stated some of his customers witnessed the drug transactions at the location next to the Vinyl Groove. He called the Police Department about what his customers had told him and all they did was drive by; which was unfortunate. He pointed out the poor condition of some of the downtown businesses, 8-10 year old signs, broken windows, stone facades in poor condition, filthy awnings, peeling awnings and so on. He did a walk through today and would provide a detailed list to the City Manager. He also suggested art work be displayed in the vacant store fronts. Mayor Koci said he was working on this idea. Mr. Wolfe added there was no police presence to enforce the parking problem and ticket the violators; some people were parking in these spots and getting on the RTA. He, again, suggested parking meters. Mr. Mallis explained the Police Department recently purchased a motorcycle to target mainly downtown; however, it would be utilized elsewhere if necessary. It was also pointed out not both sides of Broadway had signs posted for 2 hour parking. People were also double parking to use the ATM machine instead of finding a parking spot.

Mr. Wolfe pointed out that the tattoo business that was a neighboring business to the Vinyl Groove had been seen throwing biohazard materials (needles, gloves) in the rubbish containers located on Broadway Avenue. The tattoo business was placing sharp biohazard needles in the newspaper delivery bag. He called the Health Department and reported her.

Mr. Pozar explained the Administration and Council continually addressed/discussed parking issues downtown which included discussion of parking meters. The Police Department involvement would be

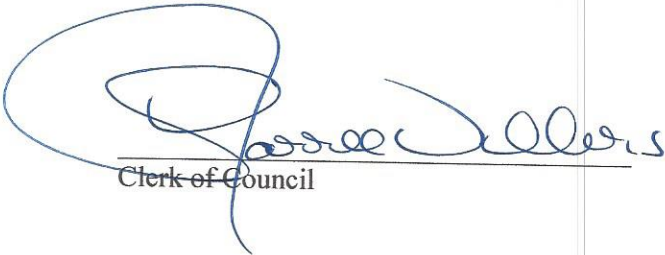
addressed between the City Manager's Office and the Chief to determine what actions were necessary; recently a motorcycle was purchased to assist with the complaints. He agreed there needed to be adequate Parking Signs installed for the customers and business owners. Mr. Pozar asked Mr. Beverly about the signs and facades in the downtown area. Mr. Beverly explained the two Inspectors repeatedly canvassed the downtown area where the landowner was contacted. Two new ordinances were recently passed to address the out of town business owners so they could be responsible for their properties.

Bob Diederich, 137 Santin Circle, said he talked to Andy Mizensak who told him the Town Hall was being covered because of the recent vandalism. Mrs. Mizensak clarified it was the Historical Museum; she referred to a fender bender that occurred the other day where the Police was called. The Resource Officers were unarmed but properly trained for protocol. The Resource Officers monitored the buildings because the buildings had been vandalized. The City and the Historical Society worked together on any issues involving this property even though it was a private entity. Mr. Diederich asked what the status was regarding the old Taylor Chair property. Mr. Mallis explained the City recently met with a developer but nothing was finalized. There was a difference of opinion whether the property should be developed residential or commercial with a restaurant. The thought was to construct a restaurant on the old Moonglow property. The City was focused on what was the best use for the area. Mr. Diederich asked what the status was for the ACURA dealership. Mr. Mallis explained the topic was before the Planning Commission on April 5, 2016 and still needed to be discussed at the April 26th Board of Zoning. The final decision would be contingent on the approval of the Board of Zoning & Appeals of April 26, 2016 subject to compliance with all city codes and ordinances. Mr. Diederich asked for clarification of Al & Ann Boroski's item that was tabled and why it was tabled. Mayor Koci replied the request was for a used car dealership and the reason it was tabled was because Council wanted to further review the request.

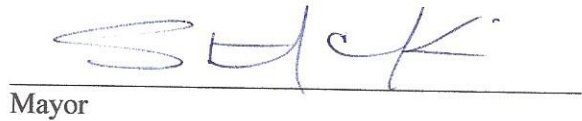
Sarah Walker, 16 Eldred Avenue, understood the need to increase the swimming pool fees. In 2015 her cost was \$80 and in 2016 it would be \$240. She suggested a discount if a resident signed up for all three sessions. She still planned to enroll her daughters this season.

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

Meeting adjourned at 9:02 P.M.



Clerk of Council



Mayor