

COUNCIL WORK SESSION

APRIL 2, 2018

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF PLANNING COMMISSION POSITION**
Re-appointment of John Powers
- **EXECUTIVE SESSION** – (Personnel / Economic Development / Litigation)

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, April 2, 2018 at 6:33 p.m.

Present: Council Members: Mayor Stan Koci, Donald Saunders, Sandy Spinks, Walter Genutis, Victor Fluharty and Paula Mizsak. Absent: Heather Rhoades. 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 March 19, 2018 and Wards 1 & 4 meeting of March 26, 2018.

ORDINANCE NO. 9571-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TIM LALLY CHEVROLET TO PURCHASE ONE (1) 2018 4X4 CHEVROLET PICKUP TRUCK FOR THE WATER DEPARTMENT PLACED ON FIRST READING MARCH 19, 2018 AND DECLARING AN EMERGENCY

Mr. Mallis previously explained this item was budgeted for the purchase of a 2018 4x4 Chevrolet Pickup Truck for the efficient operation of the Water Department in a total amount of \$26,877 which was the lowest of the quotes. This truck would replace the 109,233 mile 1996 Ford Pickup which has a rotted frame and body. It was determined per the 2016 Purchasing Policy which stated: *"Department Directors, Chiefs, and City Council may consider buying materials, services and supplies from businesses located within the City if costs were within 10% of outside business quotes or bids."* The amendments were to change the dealership to Jay Buick GMC in the increased amount total of \$28,115.60.

ORDINANCE NO. 9572-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK, INC TO PURCHASE ONE (1) 2018 4X4 FORD PICKUP TRUCK FOR THE WATER DEPARTMENT PLACED ON FIRST READING MARCH 19, 2018 AND DECLARING AN EMERGENCY

Mr. Mallis previously explained this item was budgeted for the purchase of a 2018 4x4 Ford Pickup Truck for the Water Department in the total amount of \$25,215.00. This would replace the 2005 ¾ ton Utility Truck which truck and utility bed are in poor condition. It was determined per the 2016 Purchasing Policy which stated: *"Department Directors, Chiefs, and City Council may consider buying materials, services and supplies from businesses located within the City if costs were within 10% of outside business quotes or bids."* The amendments were to change the dealership to Jay Buick GMC in the amount total of \$27,367.21.

ORDINANCE NO. 9573-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK, INC TO PURCHASE ONE (1) 2018 ¾ TON 4X4 FORD PICKUP TRUCK AND ONE (1) 2018 F-450 FORD DUMP TRUCK WITH PLOW FOR THE SERVICE DEPARTMENT PLACED ON FIRST READING MARCH 19, 2018 AND DECLARING AN EMERGENCY

Mr. Mallis previously explained this item was budgeted for the purchase of a 2018 ¾ ton 4x4 Ford Pickup Truck in the amount of \$28,610.00 and a 2018 F-450 Ford Dump Truck with a plow in the amount of \$64,223.55 both for the Service Department. This purchase would replace the 2000 GMC ¾ ton Pickup Truck and the 2000 GMC 3500HD Dump Truck both which were in poor condition. It was determined per the 2016 Purchasing Policy which stated: *"Department Directors, Chiefs, and City Council may consider buying materials, services and supplies from businesses located within the City if costs were within 10% of outside business quotes or bids."* The amendments were to remove the pickup truck and purchase the F-450 through Valley Ford Truck, Inc. in the same amount of \$64,223.55.

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 DECLARING AN EMERGENCY

It was determined this ordinance would be read as a second reading this evening.

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 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 agreed to place this item on second reading.

ORDINANCE NO. 9582-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JAY BUICK GMC TO PURCHASE ONE (1) 2018 4X4 ¾ TON GMC PICK-UP TRUCK FOR THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY

Mr. Mallis explained this was the pickup that was removed from Ordinance No. 9573-18 which had to be separated because of the dealership. The purchase was for a 2018 4x4 ¾ Ton GMC Pick-up Truck for the Service Department in the amount of \$30,204.66 that would replace the 2005 ¾ ton Utility Truck which truck and utility bed are in poor condition.

ORDINANCE NO. 9583-18 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AC LAWN CARE & LANDSCAPING BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY

Mr. Mallis explained bid advertisement was posted accordingly and the bids collected determine the lowest, responsive and responsible bidder which was AC LawnCare & Landscaping which was recommended by the Service Director for the Treelawn and Lot Maintenance.

ORDINANCE NO. 9584-18 AN ORDINANCE AMENDING CHAPTER 178 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD TO ENACT A NEW SECTION, 178.27 ENTITLED "NET PROFITS OPT-IN" TO CORRESPOND WITH THE OPT-IN PROVISIONS OF CHAPTER 718 OF THE OHIO REVISED CODE, REPEALING CERTAIN ORDINANCES, AND DECLARING AN EMERGENCY

Mr. Gambosi and Mr. Montello previously explained House Bill 49 changed certain requirements in Chapter 718 of the ORC to permit non-individual taxpayers to "opt-in" to permit the state to collect the municipal net profits tax. The City was a party to the case of *ATHENS CITY ET AL – vs – OHIO STATE TAX COMMISSIONER ET AL, CASE NO. 17 CV 010258*, and was challenging the constitutionality of certain provisions of House Bill 49, especially the state's collection of the municipal net profits tax. The trial court in the *ATHENS* case ruled against the plaintiffs' (and the City's) position and the plaintiffs have appealed the trial court's decision. It was the intention of Council not to waive any of the authority of the City, but to continue to challenge the constitutionality of Ohio House Bill 49 until a final, unappealable decision was made. In order to avoid the risk of having a taxpayer challenging the validity of the Bedford income tax code based upon state law provisions that have gone into effect, but in the event that the offending provisions of Ohio House Bill 49 were ruled unconstitutional, the City intends to continue to collect its own income tax pursuant to authority granted by the Ohio Constitution. This was the way of the State telling the Cities that they had lost. Mr. Montello explained this was the result of a lawsuit that was

pending and the City was required to follow the State laws; the repeal was unsuccessful so the City had to adopt the provisions. Mr. Gambosi explained this was in regards of the net profits.

ORDINANCE NO. 9585-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT BETWEEN THE CITY OF BEDFORD AND FIREFIGHTERS LOCAL 1683 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS ADOPTING THE TERMS OF THE ATTACHED CONTRACT AND ORDERING THEM INTO EFFECT AND DECLARING AN EMERGENCY

Mr. Mallis explained the firefighter's negotiations were completed and it was basically the same as the Police contract 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.

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" AND DECLARING AN EMERGENCY

Mr. Beverly explained the enactment of letter "j" under Certification of Inspection:

(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.

ORDINANCE NO. 9587-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 401 WEST GLENDALE (P.P. #812-23-006) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY

Mr. Beverly explained the property and structures located at 401 West Glendale were declared dangerous, unsafe, unsanitary, and unfit for human habitation or occupancy and should be condemned. The one owner had passed away but the other was found living in Parma Heights and was contacted by the Administration.

Motion to accept the Planning Commission recommendation of March 20, 2018 regarding Third Sun Solar, LLC 762 W. Union Street, Athens, Ohio representing owner Dick Marcellino of Motorcars Acura/Volvo Arm Performance Group, LLC located at 18123 Rockside Road is proposing to install a roof top mount 411 panel solar photovoltaic electric energy system

Mr. Mallis explained he was impressed with the forward thinking of a roof top mount 411 panel solar photovoltaic electric energy system. Council did not have any issues with the recommendation.

Motion to accept the Planning Commission recommendation of March 20, 2018 regarding a conceptual approval of Mazda of Bedford / Qua Inc. 11 Broadway Avenue, Bedford is proposing to build an Automobile Dealership new / used sales and service located at Meadowbrook Tract #3 Rockside Road and Northfield (P.P. #811-24-001)

Council did not have any issues with the recommendation.

Motion to accept the Board of Zoning Appeals recommendation of March 27, 2018 regarding Byron Greene, 660 Columbus Road was approved by Planning Commission and Council to build a 30' x 40' pole barn garage per §1913.07 and is now seeking relief from §1927.04 of the Codified Ordinances of the City of Bedford for a height regulation variance (PP #813-30-007) (PC 12/5/17 – Reg C 12/18/17)

Mr. Beverly submitted for Council review a hand drawing with six (6) pictures, the 2013 Residential Code of Ohio, Section 324.1 "Post Frame Accessory Structures" and his memo written to City Manager Mallis dated March 28, 2018 advising Mr. Mallis of his objections of the March 27, 2018 Board of Zoning meeting recommendation. Mr. Beverly explained his memo in detail of how the project unfolded and he stressed his dissatisfaction with the Board and its decision/recommendation. (See attached documents for clarification) Mr. Beverly would explain to Mr. Greene that he would have to hire a structural engineer for the project. Council understood Mr. Beverly's position on the issue and for safety reasons would turn down the Board's recommendation.

DISCUSSION OF PLANNING COMMISSION POSITION

Re-appointment of John Powers

Mr. Beverly was in favor of keeping Mr. Powers on the Commission because of his knowledge.

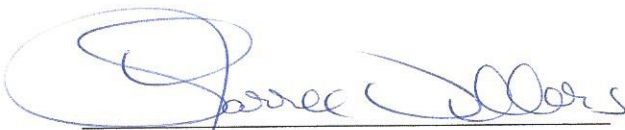
Motion made by Genutis seconded by Spinks to go into executive session to discuss Personnel 121.22 (B) (1) / Economic Development / Litigation. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

At 7:39 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 Mizesak seconded by to adjourn executive session. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. 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

1. **CALL TO ORDER**2. **PLEDGE OF ALLEGIANCE**3. **ROLL CALL**4. **APPROVAL OF MINUTES**

- a. Approval of Minutes of the Work Session of March 19, 2018
- b. Approval of Minutes of the Regular Meeting of March 19, 2018
- c. Approval of Minutes of the Wards 1 & 4 of March 26, 2018

5. **PRESENTATIONS**6. **OLD BUSINESS** – (1st Rdg: 3/19/18) – (Amended: 3/19/18 Wk Session)

- a. Ordinance No. 9571-18 purchase one 2018 4x4 Chevrolet Pickup Truck from Tim Lally (\$26,877)
- b. Ordinance No. 9572-18 purchase one 2018 4x4 Ford Pickup Truck from Valley Ford Truck (\$25,215)
- c. Ordinance No. 9573-18 purchase one 2018 ¾ Ton Ford Pickup & one F-450 Dump Truck w/plow from Valley Ford Truck (\$92,833.55)
- d. Ordinance No. 9574-18 amend §915.03 “Removal Requirements” & §915.10 “Containers, Newspapers and Trimmings”
- e. Ordinance No. 9577-18 accept the titles to parcels of land obtained through the CCLRC

7. **REPORTS**

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

8. **NEW BUSINESS**

- a. Ordinance No. 9582-18 purchase one 2018 ¾ Ton 4x4 GMC Pick-up from Jay Buick GMC (\$30,204.66)
- b. Ordinance No. 9583-18 authorize contract w/AC Lawncare & Landscaping for Treelawn and Lot
- c. Ordinance No. 9584-18 amend Chapter 178 enacting new §178.27 “Net Profits Opt-in”
- d. Ordinance No. 9585-18 contract w/Firefighters Local 1683 International Association of Firefighters
- e. Ordinance No. 9586-18 amend Ord. #9473-17 §1311.29 “Certificate of Rental License and Inspection” enacting new §1311.29 (j)
- f. Ordinance No. 9587-18 declaring 401 W. Glendale a nuisance and therefore condemning (#812-23-006)
- g. Motion to accept the Planning Commission recommendation of March 20, 2018 regarding Third Sun Solar, LLC 762 W. Union Street, Athens, Ohio representing owner Dick Marcellino of Motorcars Acura/Volvo Arm Performance Group, LLC located at 18123 Rockside Road is proposing to install a roof top mount 411 panel solar photovoltaic electric energy system

- h. Motion to accept the Planning Commission recommendation of March 20, 2018 regarding a conceptual approval of Mazda of Bedford / Qua Inc. 11 Broadway Avenue, Bedford is proposing to build an Automobile Dealership new / used sales and service located at Meadowbrook Tract #3 Rockside Road and Northfield (P.P. #811-24-001) (roll call)
- i. Motion to accept the Board of Zoning Appeals recommendation of March 27, 2018 regarding Byron Greene, 660 Columbus Road was approved by Planning Commission and Council to build a 30' x 40' pole barn garage per §1913.07 and is now seeking relief from §1927.04 of the Codified Ordinances of the City of Bedford for a height regulation variance (PP #813-30-007) (PC 12/5/17 – Reg C 12/18/17)

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, April 2, 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: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Absent: Rhoades.

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

Motion made by Spinks seconded by Fluharty to approve the minutes of the Work Session Meeting of March 19, 2018. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to approve the minutes of the Regular Meeting of March 19, 2018. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Fluharty to approve the minutes of Wards 1 & 4 Meeting of March 26, 2018. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously.

Mayor Koci explained per the 2016 Purchasing Policy: *“Department Directors, Chiefs, and City Council may consider buying materials, services and supplies from businesses located within the City if costs were within 10% of outside business quotes or bids”* which applied to Ordinances Nos. 9571-18, 9572-18 and 9582-18. Council wished to support the local dealerships at an increased amount. Mr. Mallis explained the following vehicles were budgeted and replacing vehicles that were in very poor condition and unsafe to drive.

ORDINANCE NO. 9571-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TIM LALLY CHEVROLET TO PURCHASE ONE (1) 2018 4X4 CHEVROLET PICKUP TRUCK FOR THE WATER DEPARTMENT PLACED ON FIRST READING MARCH 19, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizesak to amend Ordinance No. 9571-18 to replace Tim Lally Chevrolet with Jay Buick GMC in the increased amount total of \$28,115.60.

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

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: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously.

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

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

ORDINANCE NO. 9572-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK, INC TO PURCHASE ONE (1) 2018 4X4 FORD PICKUP TRUCK FOR THE WATER DEPARTMENT PLACED ON FIRST READING MARCH 19, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Fluharty seconded by Spinks to amend Ordinance No. 9572-18 to replace Valley Ford Truck, Inc. with Jay Buick GMC in the increased amount total of \$27,367.21.

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

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

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

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

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

ORDINANCE NO. 9573-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK, INC TO PURCHASE ONE (1) 2018 ¾ TON 4X4 FORD PICKUP TRUCK AND ONE (1) 2018 F-450 FORD DUMP TRUCK WITH PLOW FOR THE SERVICE DEPARTMENT PLACED ON FIRST READING MARCH 19, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Fluharty to amend Ordinance No. 9573-18 to remove the purchase of one (1) 2018 ¾ Ton 4x4 Ford Pickup Truck in the amount of \$28,610.00. (Ref: Ordinance No. 9582-18)

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

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

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

Motion made by Genutis seconded by Fluharty to place Ordinance No. **9573-18** on third and final reading and passed.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Fluharty, Saunders, Spinks. 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 DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Saunders to place Ordinance No. 9574-18 on second reading.

The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. 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 DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9577-18** on second reading.

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

City Manager Michael Mallis announced: Shred Day was May 19th, April 9th was Wards 3 & 5 and Bedford continued to be listed as Tree City USA. The street sweeper and chipper service would start soon and 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 Administration was in contact with ODOT regarding the Northfield Bridge repairs; there needed to be a better solution than the City paying for all the repairs.

No reports from Law Director Montello and Councilman Genutis.

Finance Director Frank Gambosi announced the Tax Department would be open to assist filers April 7th and 14th from 9:00 a.m. to 1:00 p.m. and he explained that he continued to monitor how the income tax increase affected the City.

Councilwoman Mizesak was pleased with the recent Ward meeting. She explained it was acceptable to place rubbish cans at the curb after 4:00 p.m. prior to the day of rubbish collection but the residents needed to remove the empty containers within 24 hours. She asked for a response regarding the 3:00 p.m. parking issue at Glendale School. Mr. Mallis explained the school was aware but there was no solution. She pointed out there was litter on Edgewood and Turney toward Lee Road South that needed to be cleaned up and hoped the Diversion Program could clean the areas. Mr. Mallis would contact the Police Department regarding the scheduling of the Diversion Program.

Councilman Fluharty talked about the basement flooding in his Ward and he was thankful of the quick response from the Service/Water Department regarding this ongoing issue.

Councilman Saunders pointed out there was a 30 inch main water line in the area of Broadway and Union Streets where Dominion experienced issues. He told Mr. Mallis the residents in this area were complaining about the noise from Dominion during the evening hours. Mr. Mallis pointed out Dominion was not working every evening and work has ceased because of the water leak. It was understood the reason Dominion was working during the evening hours was because of the heavy traffic on Broadway Avenue during the daytime hours. It was determined Dominion only worked a few evenings; it was not every evening. Discussion was held that there needed to be three flaggers in the area for safety reasons. Mr. Saunders talked about the poor condition of Ennis hill, Nordham and Elm Streets. Mr. Mallis explained every street would be looked at after the seasonal weather broke.

Councilwoman Spinks announced it was National Autism month, April 8th was the Historical Society Open House from 2:00 p.m. to 5:00 p.m. along with the Bedford Garden Club art fence unveiling at 2:30 p.m. She talked about the ongoing speeders and stop sign violators on Grand Boulevard.

Mayor Koci explained the reason the City Square flag was a tad lower was because the flag was getting damaged by the nearby tree that needed trimmed.

ORDINANCE NO. 9582-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JAY BUICK GMC TO PURCHASE ONE (1) 2018 4X4 ¾ TON GMC PICK-UP TRUCK FOR THE SERVICE DEPARTMENT 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: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9582-18** on third and final reading and passed. (Ref: Ordinance No. 9573-18).

Mr. Mallis explained this was the pickup from Ordinance No. 9573-18 which had to be separated because of the dealership. The purchase was for a 2018 4x4 ¾ Ton GMC Pick-up Truck for the Service Department at an increased total amount of \$30,204.66. This would replace the 2005 ¾ ton Utility Truck which truck and utility bed are in poor condition.

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

ORDINANCE NO. 9583-18 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AC LAWN CARE & LANDSCAPING BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Fluharty to place Ordinance No. **9583-18** on third and final reading and passed.

Mr. Mallis explained this was a two year contract and was for the various City owned properties, medians, right-of-ways and those residents who do not maintain their property.

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

ORDINANCE NO. 9584-18 AN ORDINANCE AMENDING CHAPTER 178 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD TO ENACT A NEW SECTION, 178.27 ENTITLED "NET PROFITS OPT-IN" TO CORRESPOND WITH THE OPT-IN PROVISIONS OF CHAPTER 718 OF THE OHIO REVISED CODE, REPEALING CERTAIN ORDINANCES, 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: Koci, Mizensak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizensak to place Ordinance No. **9584-18** on third and final reading and passed.

Mr. Montello explained this was the result of a lawsuit that was pending and the City was required to follow the State laws; the repeal was unsuccessful so the City had to adopt the provisions. Mr. Gambosi explained this was in regards of the net profits.

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

ORDINANCE NO. 9585-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT BETWEEN THE CITY OF BEDFORD AND FIREFIGHTERS LOCAL 1683 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS ADOPTING THE TERMS OF THE ATTACHED CONTRACT AND ORDERING THEM INTO EFFECT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizensak seconded by Saunders to place Ordinance No. **9585-18** on third and final reading and passed.

Mr. Mallis explained the City completed negotiations with the Local 1683 International Association of Firefighters in a three year contract. The changes were: 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, SERB Report, insurance and wages.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Fluharty, Saunders, Spinks. 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" AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9586-18** on first reading.

Mr. Mallis attended a seminar from the interring suburbs that focused on the major issue of property tax delinquencies. He explained the end result was the County was there to help and not allowing landlords to rent a home if there they were delinquent on their property taxes.

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

ORDINANCE NO. 9587-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 401 WEST GLENDALE (P.P. #812-23-006) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BT TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9587-18** on third and final reading and passed.

Mr. Mallis explained the property was vacant and in deplorable condition for years and was unsafe.

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

Motion made by Genutis seconded by Spinks to accept the Planning Commission recommendation of March 20, 2018 regarding Third Sun Solar, LLC 762 W. Union Street, Athens, Ohio representing owner Dick Marcellino of Motorcars Acura/Volvo Arm Performance Group, LLC located at 18123 Rockside Road is proposing to install a roof top mount 411 panel solar photovoltaic electric energy system

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

Motion made by Mizesak seconded by Saunders to accept the Planning Commission recommendation of March 20, 2018 regarding a conceptual approval of Mazda of Bedford / Qua Inc. 11 Broadway Avenue, Bedford is proposing to build an Automobile Dealership new / used sales and service located at Meadowbrook Tract #3 Rockside Road and Northfield (P.P. #811-24-001)

The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously. Applicant was not present.

Motion made by Fluharty seconded by Genutis to accept the Board of Zoning Appeals recommendation of March 27, 2018 regarding Byron Greene, 660 Columbus Road was approved by Planning Commission and Council to build a 30' x 40' pole barn garage per §1913.07 and is now seeking relief from §1927.04 of the Codified Ordinances of the City of Bedford for a height regulation variance (PP #813-30-007) (PC 12/5/17 – Reg C 12/18/17)

The roll was called. Vote – Yeas: Genutis. Nays: Koci, Mizesak, Fluharty, Saunders, Spinks. Motion failed. Applicant was not present.

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, was thankful for the assistance from the Administration and gave congratulations to those who worked on the community development grant. She told Mr. Saunders she honored her agreement that she previously spoke to him about. She appreciated Mrs. Spinks supporting National Autism Day. She had concerns regarding the way Bedford UH was being run as far as private contracts for the doctors. She said the rubbish needed addressed at the bus stops.

Sarah Gnoddie, Southeast Branch Library, listed upcoming various programs and announced it was also National Poetry Month.

Beth Housiaux-Stewart, 93 Avalon, agreed Dominion needed adequate flagmen. She pointed out Berkshire had a large pothole that needed fixed. She talked about the hanging wires at 110 Talbot that had been there for a few weeks and the tree bark that covered the sidewalk which she felt was dangerous. Mr. Saunders said they were Spectrum cable wires and were not electrical and the owner was allowing the bank to foreclose on the home.

Jerry Pittas, 19 Elm Street, gave a "shout out" to the Service Department who responded quickly regarding a water line break.

Rich Palcisko, 167 Best Street, felt it would be best when a resident had an issue at their home they were given something in writing that explained who was responsible for what. He felt Superintendent Shawn Frances needed to address residents in a better fashion. He also added there was an old refrigerator in the front yard at 171 Best Street.

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: Koci, Mizesak, Genutis, Fluharty, Saunders, Spinks. Nays: None. Motion carried unanimously.

Meeting adjourned at 9:10 P.M.


Clerk of Council
Mayor - President of Council