

COUNCIL WORK SESSION

MONDAY, APRIL 4, 2016

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**

- **EXECUTIVE SESSION** – (Personnel / Economic Development)

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 4, 2016 at 6:30 p.m.

Present: Council Members: Mayor Stan Koci, Paula Mizensak, Sandy Spinks, Walter Genutis, Greg Pozar, Don Saunders. Absent: Marilyn Zolata. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Clerk of Council Lorree Villers.

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 March 21, 2016 and the Wards 1 & 2 Meeting of March 14, 2016. Mr. Pozar asked for clarification regarding the taxes collected and distributed from auto sales on the Bedford Automile. Mr. Gambosi said he would have the information for the upcoming April 11, 2016 Wards 3 & 5 meeting to inform everyone as to where the money was distributed as it was important to inform the public.

ORDINANCE NO. 9365-16 AN ORDINANCE AMENDING ORDINANCE NO. 8830-11 "MUNICIPAL SWIMMING POOL" SECTION 1103.01 ENTITLED "FEES" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING ON MARCH 7, 2016 AND SECOND READING ON MARCH 21, 2016 AND DECLARING AN EMERGENCY
The Administration and Council agreed the increases were necessary and there wasn't much resistance from the residents for these fee increases. It was apparent budgetary concerns dictated the increase.

ORDINANCE NO. 9366-16 AN ORDINANCE ENACTING SECTION 1105.04 ENTITLED "RECREATION PROGRAM REGISTRATION FEES" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING ON MARCH 7, 2016 AND SECOND READING ON MARCH 21, 2016 AND DECLARING AN EMERGENCY
The Administration and Council agreed the increases were necessary and there was only a few residents that voiced their opinion after the last meeting. Mayor Koci explained some of the coaches were interested in organizing fundraisers to assist with the costs. Mr. Gambosi stated the fees didn't come close to covering the costs. For example the umpires were paid \$28,000 each per season and this did not include the upkeep of the fields, supplies and so on. It was understood that taxes were used for these types of things so the children could participate in the various sports but another factor to consider was the decreasing real estate in Bedford. Discussion was held to hold off on increasing the fees; however, Mr. Pozar stated the increases had to be done due to the budgetary concerns. Even with the increases, Bedford was still lower than the surrounding communities. The decision was made to amend the ordinance to read the effective date would be May 1, 2016 which would only affect the upcoming fall sports moving forward and would allow parents to address their budgets accordingly.

ORDINANCE NO. 9373-16 AN ORDINANCE AMENDING ORDINANCE NO. 9304-15 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ROTH CONSTRUCTION COMPANY FOR 775 LINCOLN STREET AND DECLARING AN EMERGENCY
Mr. Mallis explained the City got its asking price and the items that needed to be addressed were from a water line break which was reimbursed through the insurance company and a couple items Mr. Beverly pointed out. It was determined the costs were minimal.

ORDINANCE NO. 9374-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE AUDITOR OF THE STATE OF OHIO FOR THE PERFORMANCE OF THE 2015 CITY OF BEDFORD AUDIT AND DECLARING AN EMERGENCY
Mr. Gambosi explained the State controls the audit process and this was a reasonable price for the agreement.

ORDINANCE NO. 9375-16 AN ORDINANCE TERMINATING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND MILANO MONUMENTS LLC. (HEREINAFTER REFERRED TO AS "OWNER") AND DECLARING AN EMERGENCY

Mr. Mallis explained Milano Monuments did not move forward so it was time to terminate the agreement. Mr. Gambosi explained the termination had no effect on the city and it basically had "much to do about nothing".

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 AND DECLARING AN EMERGENCY

Mr. Mallis explained this vehicle had been discussed during the budget discussions and it would replace the 1998 truck that was in very poor condition. Discussion was held that Lally should not be awarded the purchase because of their recent departure from Bedford. There was a purchasing rule that if the price was within 10% of the lowest or suggested price then the City could purchase the item at the higher price. Mayor Koci felt the purchase should stay local and not outside the City. It was determined this ordinance would be read as a first reading this evening allowing discussion with Mr. Bellar on the purchase. Council may choose to amend the ordinance during the second reading to allow the purchase to be made from a different dealership at a slightly higher price.

ORDINANCE NO. 9377-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RUSH TRUCK CENTERS TO PURCHASE ONE (1) 2017 INTERNATIONAL 4400 SBA 4X2 TRUCK WITH 12' DUMP BODY AND DECLARING AN EMERGENCY

Mr. Mallis explained this truck purchase was necessary. The current vehicle was not highway road worthy back and forth to Barberton, Ohio; however, it would be utilized around town on various projects.

Discussion of the Regular Meeting agenda was concluded.

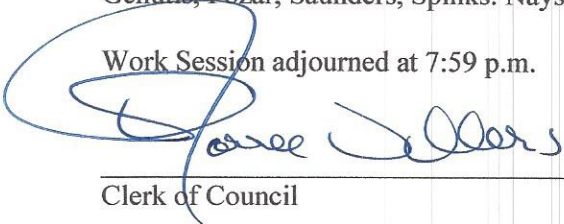
Mayor Koci asked Council to think about having the regular council meetings all year as scheduled instead of taking one meeting off during the summer session. He suggested Council and the Administration start considering different avenues to market Bedford in the near future. Concerns were raised of the cost because of the budgetary situation the City was experiencing. No decision was made of what direction to go.

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


At 7:40 p.m., Bedford City Council, City Manager Mallis, Finance Director Gambosi and Law Director Montello went into an executive session to discuss Personnel / Economic Development. Executive session adjourned at 7:54 p.m.

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

Work Session adjourned at 7:59 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 21, 2016
- b. Approval of Minutes of the Regular Meeting of March 21, 2016
- c. Approval of Minutes of the Wards 1 & 2 Meeting of March 14, 2016

5. PRESENTATIONS

6. OLD BUSINESS (1st Rdg 3/7/16 – 2nd 3/21/16)

- a. Ordinance No. 9365-16 amend Ord. No. 8830-11, §1103.01 Municipal Swimming Pool Fees
- b. Ordinance No. 9366-16 enacts §1105.04 Recreation Program Registration Fees/Playground

7. REPORTS

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

8. NEW BUSINESS

- a. Ordinance No. 9373-16 amend Ord. No. 9304-15 contract w/Roth Construction for 775 Lincoln (\$3,449.46)
- b. Ordinance No. 9374-16 letter of arrangement with the Auditor of State (\$34,645)
- c. Ordinance No. 9375-16 terminate Ord. No. 8909-11 Milano Monuments, LLC. CRA
- d. Ordinance No. 9376-16 purchase of 2016 Chevrolet Pickup Truck from Tim Lally (\$24,950)
- e. Ordinance No. 9377-16 purchase of 2017 International Dump Truck from Rush Truck Centers (\$109,683)

9. HEARING OF CITIZENS

10. ADJOURNMENT

Bedford City Council met in Regular Session at Bedford City Hall on Monday, April 4, 2016. Mayor Koci called the meeting to order at 8:07 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Koci, Mizsak, Genutis, Pozar, Saunders, Spinks. Absent: Zolata.

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

Motion made by Spinks and seconded by Genutis to approve the minutes of the Work Session Meeting of March 21, 2016. The roll was called. Vote – Yeas: Koci, Mizsak, Genutis, Pozar, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Pozar to approve the minutes of the Regular Meeting of March 21, 2016. The roll was called. Vote – Yeas: Koci, Mizsak, Genutis, Pozar, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Genutis and seconded by Spinks to approve the minutes of the Wards 1 & 2 Meeting of March 14, 2016. The roll was called. Vote – Yeas: Koci, Mizsak, Genutis, Pozar, Spinks. Nays: None. Abstain: Saunders. Motion carried.

ORDINANCE NO. 9365-16 AN ORDINANCE AMENDING ORDINANCE NO. 8830-11 “MUNICIPAL SWIMMING POOL” SECTION 1103.01 ENTITLED “FEES” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING ON MARCH 7, 2016 AND SECOND READING ON MARCH 21, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9365-16** on third and final reading and passed.

Mr. Mallis explained the fees were for individuals, family rates and swim team for residents and non-residents; the survey included 10 surrounding communities.

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

ORDINANCE NO. 9366-16 AN ORDINANCE ENACTING SECTION 1105.04 ENTITLED “RECREATION PROGRAM REGISTRATION FEES” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING ON MARCH 7, 2016 AND SECOND READING ON MARCH 21, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Pozar to amend Ordinance No. 9366-16 to make the effective date May 1, 2016.

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

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

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

Motion made by Mizesak seconded by Pozar to place Ordinance No. **9366-16** on third and final reading and passed.

Mr. Mallis explained the fees were for all the sports programs which were in need of being increased; however; Bedford continued to be the lowest in the area. Mayor Koci explained some of the coaches were going to organize fundraisers to offset the costs. Even with the increase the fees did not cover the costs. Mr. Pozar and Mr. Gambosi explained the applicants paid only 15% of the costs and the City paid 85%. The City needed to revisit all the fees associated with the City business and address them accordingly. Mr. Pozar referred to the recent situation Lorain found themselves in financially and decisions needed to be there as they needed to be made regarding Bedford's financials/budget.

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

Council and the Administration all thanked and appreciated the efforts of Rick Backo who recently retired after his excellent 30 years of service.

City Manager Michael Mallis announced the Tax Department was open this Saturday, April 9, 2016 from 9:00 a.m. to 1:00 p.m. The residential water meter project bids were underway and would be moving forward as a two (2) year project for the 4,400+ homes. He explained the 450 grass cutting letters recently mailed were chosen by zero or very low water usage. This was the City being proactive in addressing the potential grass cutting issues. He urged those who received the letter to read it very closely. He announced the Columbus Road Cuyahoga County project would continue in hopes that it would be open for the July 4th parade; there was significant work that needed to be done. The project would start Monday, April 11, 2016. He thanked Schirmer Construction for their efforts in working on the bridge in hopes it would be completed for the holiday parade. Mayor Koci and Councilman Saunders suggested the neighboring communities and businesses be aware of the dates.

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.

Councilwoman Mizesak spoke about the successful Student Government Day exercise at the Bedford Municipal Court which demonstrated the three different types of government.

Councilman Pozar explained the Ward meetings were very similar to the State of the City Address which both informed those of the City's financials and important business. Wards 3 & 5 will be Monday, April 11, 2016 at 7:00 p.m. He spoke about an article that made people feel younger and that was by "gardening". He urged Councilman Genutis to focus on organizing and encourage involvement in a new downtown market.

Councilman Saunders questioned whether the City was going to do some type of spring cleanup. Neighbors were raking their leaves to the tree lawn for pickup. He noticed the chipper service was circulating the City cleaning up branches. He asked the residents be notified as to the City's intent.

Councilwoman Spinks announced the Bedford Historical Society's annual spring open house was April 10, 2015 starting at 2:00 p.m. to 5:00 p.m. displaying art and other items of interest. She urged everyone to attend the next FriDates concert at the Church of the Nazarene. She was pleased with the Chagrin Valley Art Center's recent event. There were six pictures displayed at the show taken in Bedford's downtown area which would be shown all over the world.

Mayor Koci urged the residents to support the Cleveland Ballet at their first public performance on May 14 and 15, 2016 at the Ohio Theater Playhouse Square priced very reasonable. He offered the residents to review the Cuyahoga County Health report he recently received in the mail.

ORDINANCE NO. 9373-16 AN ORDINANCE AMENDING ORDINANCE NO. 9304-15 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ROTH CONSTRUCTION COMPANY FOR 775 LINCOLN STREET AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Pozar 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, Pozar, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Genutis seconded by Spinks to place Ordinance No. **9373-16** on third and final reading and passed.

Mr. Mallis explained there were some additional costs to the original contract amount so the costs needed to be increased by \$3,449.46 due to water damage and items that needed to be addressed per Mr. Beverly.

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

ORDINANCE NO. 9374-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE AUDITOR OF THE STATE OF OHIO FOR THE PERFORMANCE OF THE 2015 CITY OF BEDFORD AUDIT 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: Koci, Mizensak, Genutis, Pozar, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Saunders to place Ordinance No. **9374-16** on third and final reading and passed.

Mr. Gambosi explained this was the City's annual audit at a reasonable cost.

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

ORDINANCE NO. 9375-16 AN ORDINANCE TERMINATING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND MILANO MONUMENTS LLC. (HEREINAFTER REFERRED TO AS "OWNER") AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9375-16** on third and final reading and passed.

Mr. Mallis explained this incentive was offered to Milano Monuments when they planned to build a new building. They did not move forward with the project and there were no plans to start construction. There was no loss to the City in terminating this agreement.

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

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 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizens seconded by Saunders to place Ordinance No. 9376-16 on first reading.

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

ORDINANCE NO. 9377-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RUSH TRUCK CENTERS TO PURCHASE ONE (1) 2017 INTERNATIONAL 4400 SBA 4X2 TRUCK WITH 12' DUMP BODY 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: Koci, Mizens, Genutis, Pozar, Saunders, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9377-16** on third and final reading and passed.

Mr. Mallis explained the WWTP was very much in need of this vehicle as the current truck was not highway safe and would be utilized elsewhere for City business.

The roll was called. Vote – Yeas: Koci, Mizens, Genutis, Pozar, Saunders, Spinks. 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.

Frank Houdek, 717 High Street, showed a list of addresses where residents had oversized vehicles parked in their front yards; however, he was not going to submit the list. He felt the City should address the oversized vehicles in the same manner as grass cutting. Mr. Mallis informed Mr. Houdek the Police Department was aware of the issue and was addressing it.

James (Tony) Boersma, [Henry Greene], 788 Wellman Street, questioned if the City was going to give away free mulch again. Mr. Mallis said he would look into it because the final decision hadn't been made. Mr. Boersma thought the City should revisit the section of the Codified Ordinances that address chickens within City limits. He thought since other communities were allowing chickens, Bedford should. He questioned if the company working on the Columbus Road Bridge would be penalized if it wasn't completed on time. This project was a Cuyahoga County project not the City of Bedford so the County addressed penalties accordingly; however, there were performance guidelines that needed to be met. Mr. Boersma announced April 16, 2016 was National Record Store Day and residents should visit the downtown Bedford record store. Mayor Koci announced the name of the store was the Vinyl Groove.

Maladedeane Hudson, 874 Archer Road, questioned the Columbus Road Bridge project. Mayor Koci explained this specific project was controlled and run by Cuyahoga County not the City. Mrs. Hudson asked if the water bills were going to increase with the replacement of the new water meters. It was explained the rates may increase 3%-5% only because the new meter would be reading accurately/correctly. Mrs. Hudson pointed out there were several dead trees in her area. It was explained if the tree was in the tree lawn it was the City's responsibility; however, if the trees were on private property it was the homeowner's responsibility. If the tree was a safety issue then it may be a different situation. Mrs. Mizesak pointed out if the tree was on park land then it would not be cut down or removed. The park kept their lands in a natural state.

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

Meeting adjourned at 8:57 P.M.


Clerk of Council


Mayor