

COUNCIL WORK SESSION

JULY 2, 2018

6:00 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF WEBSITE**
(2/20/18 – 3/5/18 – 6/4/18 Work Sessions)
- **DISCUSSION OF AMENDING CHAPTER 1315 “REGISTRATION OF FORECLOSED, FORFEITED, OR VACANT PROPERTIES”**
(Amending Ord. #9369-16) (6/4/18)
- **DISCUSSION OF BOARD OF ZONING APPEALS APPOINTMENT**
(Kristi Glasier re-appointment)
- **EXECUTIVE SESSION** – (Personnel / Economic Development / Litigation) – (45 mins)

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, July 2, 2018 at 6:06 p.m.

Present: Council Members: Mayor Stan Koci, Heather Rhoades, Victor Fluharty, Sandy Spinks, Paula Mizesak and Donald Saunders Absent: Walter Genutis. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Building Commissioner Calvin Beverly and Assistant Finance Director Jennifer Howland.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There were no changes to the Work Session and Regular Meeting minutes of June 4, 2018.

ORDINANCE NO. 9613-18 AN ORDINANCE AMENDING ORDINANCE NO. 7819-06, SECTION 1913.07 (B) ENTITLED "MINIMUM DESIGN REQUIREMENTS FOR RESIDENTIAL OR COMMERCIAL BUILDINGS AND STRUCTURES AND RELATED PARKING LOTS, DRIVES, WALKS, EQUIPMENT AND APPURTENANCES" AND DECLARING AN EMERGENCY

It was determined the amendments to Section 1913.07 (b) of the Residential Code of Ohio allowed residents to establish rain barrels and rain gardens under certain conditions. All roofs of every structure shall be maintained weather-tight and shall be equipped with gutters and downspouts. Downspouts shall be connected to a public storm sewer, however, one or more downspout(s) may be diverted into an approved rain barrel or other structural storage container, provided that the overflow from such appurtenance is directed into the public storm sewer. Rain barrels or other structural storage containers shall be covered at all times and incorporate a drainage system that directs any overflow into the public storm sewer system. The installation of rain barrels or other structural storage containers shall be subject to the review and approval of the Building Commissioner, and shall conform to the standards set forth by the City for such devices. No branches, shrubbery, or other overgrowth is permitted to encroach or come into contact with roof areas. All roof, gutter, and downspout replacements must match the original gutter(s) or downspout(s) or be replaced completely. Rain barrels shall not be permitted anywhere in the front of a house or garage. Rain barrels may be permitted in the side yard and behind the garage only under certain conditions approved by the Building Commissioner. As an alternative to the requirement that downspouts be connected to the public storm sewer system, one or more downspouts may be directed into an approved rain garden. Such rain garden shall be subject to review and approval of the Building Commissioner and the City Engineer, and shall be constructed in accordance with the latest edition of the *Rain Garden Manual for Homeowners*. No rain garden shall be constructed until a permit has been obtained. Tinkers Creek Watershed requested the City's Codified Ordinances be amended to clarify the issue. Mr. Mallis explained it was not necessary for the City to amend the Codified and this ordinance could be failed this evening. Council decided to read it as a second reading.

RESOLUTION NO. 2525-18 BEING A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES FOR THE YEAR 2018 COLLECTED IN 2019 PURSUANT TO SECTION NO. 321.34 OF THE REVISED CODE OF THE STATE OF OHIO, AND DECLARING AN EMERGENCY

Mr. Gambosi explained this was taxes levied in 2018 collected in 2019 per the ORC.

ORDINANCE NO. 9614-18 AN ORDINANCE ADOPTING THE CITY OF BEDFORD LAW ENFORCEMENT TRUST FUND INTERNAL CONTROL EXPENDITURE POLICY ("POLICY") TO CONFORM WITH THE REQUIREMENTS OF THE OHIO REVISED CODE, TO CLARIFY PROCEDURES AND DECLARING AN EMERGENCY

Mr. Gambosi explained the policy caught by the Auditors described the general types of allowable expenditures, including but limited to a purchase of a Police Dog including drug related offenses pursuant to the ORC.

ORDINANCE NO. 9615-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL WITH WALT KUCHARSKI SEPTIC SERVICE, INC. FOR WWTP SLUDGE REMOVAL AND DECLARING AN EMERGENCY

Mr. Mallis explained WWTP Superintendent recommended this contractor for additional sludge removal to complete the Digester Improvement. He explained the sludge consistency was like peanut butter.

ORDINANCE NO. 9616-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL WITH NORTHEAST OHIO TRENCH FOR SINKHOLE REPAIR ON UNION AND NORTHFIELD STREETS AND DECLARING AN EMERGENCY

Mr. Mallis explained the Service Director and the City's Engineer recommended this contractor for repairs concerning the Sunoco Gas Station sinkhole located at Union and Northfield Streets in the amount of \$21,905. The hole was about the size of a small car and was near the diesel tanks and needed addressed.

ORDINANCE NO. 9617-18 AN ORDINANCE ENACTING NEW CHAPTER 906 ENTITLED "USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES" OF THE CITY OF BEDFORD CODE AND DECLARING AN EMERGENCY

Mr. Mallis explained this would be effective July 31st. This HB amended the ORC to provide: that municipalities must permit wireless service providers, cable providers, video service providers, and their designated agents to attach small cell wireless facilities to municipally owned support structures located in the right-of-way, including on utility poles, traffic signals, and street lights and to construct, maintain, modify, operate, or replace a wireless support structure in the right-of-way. The City wished to regulate small cell facilities, new wireless support structures, and the persons and entities who desire to construct, operate, and maintain such facilities in the City limits. Mr. Montello explained there was a set of Guidelines that would be attached to this ordinance that was in the process of being reviewed by Mr. Ciuni. Mr. Gambosi had concerns with Section 906.12 which read: Facilities Operator shall provide written notice to the City of its intent to discontinue use of any Facilities. The notice shall include the date the use will be discontinued. If Facilities are not removed within three hundred sixty five (365) days from the date the use was discontinued, the Facilities shall be considered a nuisance and the City may remove the Facilities at the expense of the Facilities Operator. In the event that Facilities are damaged, the Facilities Operator shall promptly repair the damaged Facilities. Damaged Facilities shall be repaired no later than thirty (30) days after obtaining written notice that the Facilities were damaged. If the damaged Facilities are not repaired within thirty (30) days, then the damaged Facilities shall be considered a nuisance and the City may repair or remove the Facilities at the expense of the Facilities Operator. Mr. Montello noted this mirrored the Right-of-way codification. Mayor Koci explained these were the size of a refrigerator hanging on a pole not to exceed 40 feet.

ORDINANCE NO. 9618-18 AN ORDINANCE AMENDING ORDINANCE NO. 9538-17 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2018 AND DECLARING AN EMERGENCY

Mr. Gambosi explained the General Fund increases/decreases in appropriations for 2018 were as follows: The Police Department decreased amount of \$64,800 was to account for the reduced capital payment necessary for 2018 due to other entities joining the Dispatch Center. The increase of \$25,000 in Auditor deductions was mainly for election expenses from 2017 voting costs. The transfers of funds were being decreased due to timing of hiring differences with Police Department and the Safety Forces Levy Fund of \$38,000 and overtime was up year to date. Transfers in from General Fund reserve funds line item #111 of \$150,000 was to cover the loss of revenues from US Bank Mortgage closing. Fund 205 SEALE Fund's appropriation was to allow for the expenditure of confiscated funds in the amount of \$20,618.79. Fund 207 Enforcement & Education Fund's appropriation was to allow current funds to be spent if necessary. Fund 213 Grants Fund was for the O.J.P. Bullet Proof Vest Grant expenditures which needed additional funding in the amount of \$686. The OCJS Taser Acquisition Grant expenditures were \$6,534.67 and not \$6,354.67 as approved in Ordinance No. 9599-18 and needed to be amended for the additional \$180. The

Juvenile Diversion Fund received fees of \$1,320 and this allows appropriation of the same. The Foodbank accepted a donation of \$75 from an individual for food purchases. Fund 219 Safety Forces Levy fund had staggered hiring's for employment to bring shift levels up and the delay caused a savings of \$38,000; however, overtime has climbed and needs to be reviewed. Fund 403 Capital Improvements Fund's appropriation was to account for the Police cars purchased and a new one to replace the Explorer that was involved in the accident costing \$30,253.16, and the MDT's needed for the cars half was in 2018 in the amount of \$8,076.15.

ORDINANCE NO. 9619-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 129 GREENCROFT AVENUE (P.P. NO. 811-02-020) A NUISANCE, ORDERING ACTION AND DECLARING AN EMERGENCY

Mr. Mallis and Mr. Beverly explained the property located at 129 Greencroft Avenue has two large uprooted trees in the rear yard that could be a hazard.

ORDINANCE NO. 9620-18 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 188 GREENCROFT (P.P. NO. 811-04-048) ORDERING ACTION AND DECLARING AN EMERGENCY

Mr. Mallis explained the property and structures located at 188 Greencroft Avenue was in need of significant repairs. The Building Commissioner determined the front porch was in structural failure, the dwelling was in need of a new roof, the roof on the garage needed structural repairs and new roofing.

ORDINANCE NO. 9621-18 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT THE CONTRACT WITH RONYAK PAVING, INC. BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY

Mr. Mallis explained the City advertised for bids for the 2018 Street Improvement Program. The lowest, responsive and responsible bidder was awarded to Ronyak Paving in an amount not to exceed \$410,000. The Department of Public Works would reimburse the City \$25,000 for the crack sealing of Columbus and Rockside Roads. There was discussion of all the County roads that were in need of repair.

ORDINANCE NO. 9622-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL WITH 64 SECONDS FOR GIS AND ASSET MANAGEMENT PROGRAM AND DECLARING AN EMERGENCY

Mr. Mallis explained this was for the GIS and Asset Management Program for the water and sewer distribution systems in the amount of \$11,668.82 and would be funded by the water fund. Mrs. Rhoades suggested someone should make sure the system could keep with the changes from Apple. Mr. Mallis would verify whether it was compatible with Apple and report back to Council. Council determined this would be read as a first reading.

ORDINANCE NO. 9623-18 AN ORDINANCE AMENDING CHAPTER 351 ENTITLED "PARKING GENERALLY" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD BY ENACTING NEW SECTION 351.21 ENTITLED "WAIVER OF PARKING VIOLATIONS" AND DECLARING AN EMERGENCY

Mr. Mallis explained this was for the increasing problem of illegal parking in the City. The actions were to amend the waiver amount for certain violations and the time from in which the waiver would be paid. The new Section 351.21 entitled "Waiver of Parking Violations" to read as follows: Any parking tickets issued under Chapter 351, including but not limited to night parking, parking in prohibited areas and parking on lawns, may be waived within seventy two (72) hours by paying a fine of Twenty Five Dollars (\$25). If not paid within seventy two (72) hours the waiver fine shall be increased to Fifty Dollars (\$50). Additional fines up to One Hundred and Fifty Dollars (\$150) and costs will be imposed if Court action is necessary. The waiver amount for handicapped parking violations is Two Hundred Fifty Dollars (\$250). Council had no issues with the amendments and it would be read as a first reading.

Motion to accept the Planning Commission recommendation of June 19, 2018 for Charles Miller, Architect, 3368 Mayfield Road, Cleveland Heights, representing Gus Kafantaris, owner of Chris's Restaurant, 84 Broadway Avenue is proposing to construct a 96 square foot addition on the south end to enclose a new walk-in-cooler (Ref: §1305.09) Council had no issues with the recommendation.

DISCUSSION OF WEBSITE (2/20/18 – 3/5/18 – 6/4/18 Work Sessions)

Mr. Mallis previously submitted quotes to Council in one of the City Manager's Friday memos for review. Discussion was held regarding Proud City and a possible demonstration at an upcoming meeting. Mrs. Rhoades explained Proud City was very familiar with various municipal government needs and would do a live testing before the website would go live. It was noted there was an additional \$1,500 annual fee for host and support. Mr. Gambosi had concerns with the needs of the Tax Department filing and credit card payments.

DISCUSSION OF AMENDING CHAPTER 1315 "REGISTRATION OF FORECLOSED, FORFEITED, OR VACANT PROPERTIES" (Amending Ord. #9369-16) (6/4/18)

The previous amendments were:

1315.04 FEES.

(a) The **initial** fee for notice of a foreclosed, forfeited, or vacant property is two hundred and fifty dollars (\$250.00). The fee shall be paid at the time of notification.

(b) Any person, as defined in Section 1315.01(a), who fails to file a complaint of foreclosure, forfeited, or vacancy form with the Building Official within ten days as required in Section 1315.02 shall be charged a late filing fee in the amount of seven hundred fifty dollars (\$750.00).

(c) If the property remains the same, the fee shall be increased in year two (2) to Three Hundred Fifty Dollars (\$350.00) and the owner and/or the responsible party shall be required to obtain and maintain the property in accordance with an exterior maintenance inspection from the Building Department.

(d) If the property remains the same for a third straight year the fee shall be increased to Five Hundred Dollars (\$500.00) and the owner and/or the responsible party shall be required to obtain an additional exterior maintenance inspection as well as an interior inspection by both Fire and Building Departments.

(e) If the owner, occupant, or agent thereof does not consent to the proposed inspection, the Code Official may appear before any Judge in a court of competent jurisdiction and seek an administrative search warrant to allow an inspection. Any such application shall be made within ten (10) calendar days after the non-consent. The application for the warrant shall specify the basis upon which the warrant is being sought and shall include a statement that the inspection will be limited to a determination whether there are violations of the code provisions identified in this section. The court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall be issued:

- (1) Eyewitness account of violation;
- (2) Citizen complaints;
- (3) Tenant complaints;
- (4) Plain view violations;
- (5) Violations apparent from city records;
- (6) Property deterioration;
- (7) Age of property;
- (8) Nature of alleged violation;
- (9) Condition of similar properties in the area;
- (10) Documented violations on similar properties in the area;
- (11) Passage of time since last inspection;
- (12) Previous violations on the property.

1315.05 PURPOSE.

This Chapter is adopted to establish a program for identifying and registering said properties within the City that may present a fire hazard, which may provide temporary occupancy by transients, that may detract from private and/or public efforts to rehabilitate or maintain surrounding buildings, and that may present a hazard to the health, safety and welfare of the public. Through a registration, inspection, and monitoring process, vacant commercial and industrial buildings will be kept weather tight and secure from trespassers, will provide safe entry to Police Officers and Firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding buildings, and will not otherwise present a public hazard so that the health, safety and welfare of the public is served by these regulations.

1315.06 REPORTS.

The City shall maintain a list of those properties that have been foreclosed, forfeited, or vacant and shall provide Council with an annual report at the first Council meeting in September of each year.

It was determined the following would be considered for amendments at the next Work Session: Mr. Genutis' previous suggestion for waiver for a family property, definitions of commercial and residential vacancies, Mr. Montello would check on liability insurance if applicable, collection by the assessment process and fees.

DISCUSSION OF BOARD OF ZONING APPEALS APPOINTMENT

(Kristi Glasier re-appointment)

Prior to the meeting Clerk Villers noted there were no other interested residents for this Board and Mrs. Glasier requested a re-appointment. Council approved the re-appointment.

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

At 7:39 p.m., Bedford City Council, City Manager Mike Mallis, Finance Director Frank Gambosi and Assistant Finance Director Jennifer Howland went into an executive session to discuss Personnel 121.22 (B) (1) / Economic Development / Litigation.

Executive Session adjourned at 7:58 p.m.

Work Session adjourned at 7:59 p.m.


Clerk of Council
Mayor – President of Council

REGULAR MEETING**BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA****DATE: JULY 2, 2018****AGENDA****TIME: 8:00 P.M.**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of June 4, 2018
 - b. Approval of Minutes of the Regular Meeting of June 4, 2018
5. **PRESENTATIONS**
6. **OLD BUSINESS** – (1st Rdg: 6/4/18)
 - a. Ordinance No. 9613-18 amend 1913.07 (b) entitled “Minimum Design Requirements for Residential or Commercial Buildings and Structures and related Parking Lots, Drives, Walks, Equipment and Appurtenances” (Rain barrels/rain gardens)
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Resolution No. 2525-18 request County Auditor to advance taxes from tax levy proceeds for 2018 collected in 2019
 - b. Ordinance No. 9614-18 adopting Law Enforcement Trust Fund Internal Control Expenditure Policy
 - c. Ordinance No. 9615-18 proposal w/Walt Kucharski Septic Service for WWTP (\$37,950)
 - d. Ordinance No. 9616-18 proposal w/Northeast Ohio Trench for Union and Northfield sinkhole (\$21,905)
 - e. Ordinance No. 9617-18 enact Chapter 906 “Use of Public Ways for Small Cell Wireless facilities and Wireless Support Structures”
 - f. Ordinance No. 9618-18 amend Ordinance No. 9538-17 making additional appropriations
 - g. Ordinance No. 9619-18 declaring 129 Greencroft a nuisance (#811-02-020)
 - h. Ordinance No. 9620-18 condemn property and structures located at 188 Greencroft (#811-04-048) (Ref: #9541-17)
 - i. Ordinance No. 9621-18 award bid to Ronyak Paving, Inc. for the 2018 Road Program (\$375,967.50)
 - j. Ordinance No. 9622-18 proposal w/64 Seconds Waterpoint Network for GIS & Asset Program (\$11,668.82)
 - k. Ordinance No. 9623-18 amend Chapter 351 enacting Section 351.21 “Waiver of Parking Violations”
 - l. Motion to accept the Planning Commission recommendation of June 19, 2018 for Charles Miller, Architect, 3368 Mayfield Road, Cleveland Heights, representing Gus Kafantaris, owner of Chris’s Restaurant, 84 Broadway Avenue is proposing to construct a 96 square foot addition on the south end to enclose a new walk-in-cooler (Ref: §1305.09)
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, July 2, 2018. Mayor Koci called the meeting to order at 8:02 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Rhoades, Spinks, Koci, Mizesak, Fluharty, Saunders. Absent: Genutis.

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

Motion made by Mizesak seconded by Rhoades to approve the minutes of the Work Session Meeting of June 4, 2018. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Fluharty to approve the minutes of the Regular Meeting of June 4, 2018. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Fluharty, Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9613-18 AN ORDINANCE AMENDING ORDINANCE NO. 7819-06, SECTION 1913.07 (B) ENTITLED “MINIMUM DESIGN REQUIREMENTS FOR RESIDENTIAL OR COMMERCIAL BUILDINGS AND STRUCTURES AND RELATED PARKING LOTS, DRIVES, WALKS, EQUIPMENT AND APPURTENANCES” PLACED ON FIRST READING JUNE 4, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Rhoades to place Ordinance No. **9613-18** on second reading.

Mr. Mallis explained previously the City had been working with Tinkers Creek Watershed and the Codified Ordinance Section 1913.07 (b) needed amended. The Residential Code of Ohio allowed residents to establish rain barrels and rain gardens under certain conditions. All roofs of every structure shall be maintained weather-tight and shall be equipped with gutters and downspouts. Downspouts shall be connected to a public storm sewer, however, one or more downspout(s) may be diverted into an approved rain barrel or other structural storage container, provided that the overflow from such appurtenance is directed into the public storm sewer. Rain barrels or other structural storage containers shall be covered at all times and incorporate a drainage system that directs any overflow into the public storm sewer system. The installation of rain barrels or other structural storage containers shall be subject to the review and approval of the Building Commissioner, and shall conform to the standards set forth by the City for such devices. No branches, shrubbery, or other overgrowth is permitted to encroach or come into contact with roof areas. All roof, gutter, and downspout replacements must match the original gutter(s) or downspout(s) or be replaced completely. Rain barrels shall not be permitted anywhere in the front of a house or garage. Rain barrels may be permitted in the side yard and behind the garage only under certain conditions approved by the Building Commissioner. As an alternative to the requirement that downspouts be connected to the public storm sewer system, one or more downspouts may be directed into an approved rain garden. Such rain garden shall be subject to review and approval of the Building Commissioner and the City Engineer, and shall be constructed in accordance with the latest edition of the *Rain Garden Manual for Homeowners*. No rain garden shall be constructed until a permit has been obtained.

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

Council and the Administration wished everyone a Happy 4th of July and invited them to the parade.

City Manager Michael Mallis reported the last of the Officers would be hired soon and training continued. The Police bike patrol was out and about, the City missed the CDBG funding so Ellenwood and Kenyon

would not be resurfaced, the recent power outages were posted on the City's website and social media with some helpful tips, the Good Neighbor Guide and Welcome packets were available, the BCDC grant for downtown store front improvements were underway and he thanked those who assisted in the recent Krick Road property sale of approximately \$600,000 that appraised at \$270,000.

Law Director John Montello gave kudos to Mr. Mallis who also worked on the sale of the Krick Road property.

Finance Director Frank Gambosi announced the City received its 27th CAFR award with no comments from the auditors; he gave kudos to those who helped make it happen. Only 5% of the cities received this award.

Councilwoman Rhoades encouraged residents to volunteer to deliver the Welcome packets and the Welcome packet was being delivered to households only not LLC's. She was pleased with the new Historical Society website to promote events and receive donations. She thanked the Bedford Downtown Alliance's for the recent downtown clean-up efforts, announced the DART assessment report would be available soon for the downtown improvements. Those who participated in the June Bedford Challenge earned a free tea from the Concoctions Apothecary store.

Councilwoman Spinks thanked Councilwoman Rhoades for the downtown clean-up. She talked about several residents who were piling rubbish on the tree lawn over the weekends and the rubbish collection for Ward 1 was on Wednesdays. Mr. Mallis said call City Hall during office hours and call Dispatch after office hours. She suggested checking on the elderly during the hot summer days.

Councilwoman Mizzsak told a story about the bikers she spoke to who thought the Bedford side of the Metroparks was the best path to bike. She said the Kimble flyer placed in the water bill insert was helpful. She requested more Police, Dog Warden, Auxiliary presence in Ward 4. She pointed out there were high grass violators in her ward, the Greencliff curbs were in bad shape and the vacant homes needed occupied. Her thoughts of the day were: it was the 183rd day of the year with 182 days remaining, 177 shopping days until Christmas and she asked for prayers for the Mentor Officer who was killed in the line of duty and his family.

Councilman Fluharty talked about how some of the residents were getting out of hand with the fireworks. He urged the residents to call the non-emergency number 232-1234 to report their neighbors if they were lighting fireworks.

Councilman Saunders questioned the State's new law permitting fireworks; Mr. Montello did not know. Mr. Saunders pointed out the seasonal parties were excessive, violating parking laws, the noise could be heard three blocks away, unwanted loud music and calling the Dispatch Center has proven to be of no help. There was no Party in the Park for the July 4th holiday.

Mayor Koci noticed the increase of litter throughout the City and urged everyone to stop littering. He requested in the evening hours the Officer Patrols pay special attention to those who were in violation of parking on the lawns.

RESOLUTION NO. 2525-18 BEING A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES FOR THE YEAR 2018 COLLECTED IN 2019 PURSUANT TO SECTION NO. 321.34 OF THE REVISED CODE OF THE STATE OF OHIO, 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 resolution three different days.

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

Motion made by Mizesak seconded by Saunders to place Resolution No. **2525-18** on third and final reading and passed.

Mr. Gambosi explained the Revised Code provided that any money in the County Treasury, to the account of the City and lawfully applicable to the purpose of the current fiscal year be drawn upon by request.

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

ORDINANCE NO. 9614-18 AN ORDINANCE ADOPTING THE CITY OF BEDFORD LAW ENFORCEMENT TRUST FUND INTERNAL CONTROL EXPENDITURE POLICY (“POLICY”) TO CONFORM WITH THE REQUIREMENTS OF THE OHIO REVISED CODE, TO CLARIFY PROCEDURES AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizesak seconded by Rhoades to place Ordinance No. **9614-18** on third and final reading and passed.

Mr. Gambosi explained the policy described the general types of allowable expenditures, including but limited to a purchase of a Police Dog to combat crime including drug related offenses pursuant to the ORC.

The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: Saunders. Motion carried.

ORDINANCE NO. 9615-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL WITH WALT KUCHARSKI SEPTIC SERVICE, INC. FOR WWTP SLUDGE REMOVAL AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9615-18** on third and final reading and passed.

Mr. Mallis explained WWTP Superintendent Rick Soltis recommended this contractor for additional sludge removal to complete the Digester Improvement. He described the sludge as a peanut butter consistency.

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

ORDINANCE NO. 9616-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL WITH NORTHEAST OHIO TRENCH FOR SINKHOLE REPAIR ON UNION AND NORTHFIELD STREETS AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Fluharty seconded by Spinks to place Ordinance No. **9616-18** on third and final reading and passed.

Mr. Mallis explained Service Director Clint Bellar and the City's Engineer recommended said contractor for repairs of the large sinkhole located at Union and Northfield Streets as the lowest proposal in the amount of \$21,905. The hole was about the size of a small car.

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

ORDINANCE NO. 9617-18 AN ORDINANCE ENACTING NEW CHAPTER 906 ENTITLED "USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES" OF THE CITY OF BEDFORD CODE 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: Rhoades, Spinks, Koci, Mizzsak, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Fluharty to place Ordinance No. **9617-18** on third and final reading and passed.

Mr. Montello explained this Substitute House Bill 478 would be effective July 31, 2018. This House Bill amended ORC to provide several things: that municipalities must permit wireless service providers, cable providers, video service providers, and their designated agents to attach small cell wireless facilities to municipally owned support structures located in the right-of-way, including on utility poles, traffic signals, and street lights and to construct, maintain, modify, operate, or replace a wireless support structure in the right-of-way. The City wished to regulate small cell facilities, new wireless support structures, and the persons and entities who desire to construct, operate, and maintain such facilities in the City limits.

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

ORDINANCE NO. 9618-18 AN ORDINANCE AMENDING ORDINANCE NO. 9538-17 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Rhoades seconded by Saunders to place Ordinance No. **9618-18** on third and final reading and passed.

Mr. Gambosi explained the General Fund increases/decreases in appropriations for 2018 were as follows: The Police Department decreased amount of \$64,800 was to account for the reduced capital payment necessary for 2018 due to other entities joining the Dispatch Center. The increase of \$25,000 in Auditor reductions was mainly for election expenses from 2017 voting costs. The transfers of funds were being decreased due to timing of hiring differences with Police Department and the Safety Forces Levy Fund of \$38,000 and overtime was up year to date. Transfers in from General Fund reserve funds line item #111 of \$150,000 was to cover the loss of revenues from US Bank Mortgage closing. Fund 205 SEALE Fund's appropriation was to allow for the expenditure of confiscated funds in the amount of \$20,618.79. Fund 207 Enforcement & Education Fund's appropriation was to allow current funds to be spent if necessary. Fund 213 Grants Fund was for the O.J.P. Bullet Proof Vest Grant expenditures which needed additional funding in the amount of \$686. The OCJS Taser Acquisition Grant expenditures were \$6,534.67 and not \$6,354.67 as approved in Ordinance No. 9599-18 and needed to be amended for the additional \$180. The Juvenile Diversion Fund received fees of \$1,320 and this allows appropriation of the same. The Foodbank accepted a donation of \$75 from an individual for food purchases. Fund 219 Safety Forces Levy fund had staggered hiring's for employment to bring shift levels up and the delay caused a savings of \$38,000; however, overtime has climbed and needs to be reviewed. Fund 403 Capital Improvements Fund's appropriation was to account for the Police cars purchased and a new one to replace the Explorer that was involved in the accident costing \$30,253.16, and the MDT's needed for the cars half was in 2018 in the amount of \$8,076.15.

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

ORDINANCE NO. 9619-18 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 129 GREENCROFT AVENUE (P.P. NO. 811-02-020) A NUISANCE, ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Fluharty to place Ordinance No. **9619-18** on third and final reading and passed.

Mr. Mallis explained the property located at 129 Greencroft Avenue has two large uprooted trees in the rear yard that could be a hazard.

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

ORDINANCE NO. 9620-18 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 188 GREENCROFT (P.P. NO. 811-04-048) ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9620-18** on third and final reading and passed.

Mr. Mallis explained the property and structures located at 188 Greencroft Avenue was in need of significant repairs. The Building Commissioner determined the front porch was in structural failure, the dwelling was in need of a new roof, the roof on the garage needed structural repairs and new roofing.

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

ORDINANCE NO. 9621-18 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT THE CONTRACT WITH RONYAK PAVING, INC. BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizesak seconded by Rhoades to place Ordinance No. **9621-18** on third and final reading and passed.

Mr. Mallis explained the City advertised for bids for the 2018 Street Improvement Program. The lowest, responsive and responsible bidder was awarded to Ronyak Paving. The Department of Public Works of the County of Cuyahoga shall reimburse the City \$25,000 for the crack sealing of Columbus and Rockside Roads.

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

ORDINANCE NO. 9622-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL WITH 64 SECONDS FOR GIS AND ASSET MANAGEMENT PROGRAM AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Fluharty to place Ordinance No. **9622-18** on first reading.

Mr. Mallis explained this was for the GIS and Asset Management Program for the water and sewer distribution systems in the amount of \$11,668.82.

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

ORDINANCE NO. 9623-18 AN ORDINANCE AMENDING CHAPTER 351 ENTITLED “PARKING GENERALLY” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD BY ENACTING NEW SECTION 351.21 ENTITLED “WAIVER OF PARKING VIOLATIONS” AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Rhoades to place Ordinance No. **9623-18** on first reading.

Mr. Mallis explained this was for the increasing problem of illegal parking in the City. The actions were to amend the waiver amount for certain violations and the time from in which the waiver would be paid. The amendments were to read as follows:

Any parking tickets issued under Chapter 351, including but not limited to night parking, parking in prohibited areas and parking on lawns, may be waived within seventy two (72) hours by paying a fine of Twenty Five Dollars (\$25.00). If not paid within seventy two (72) hours the waiver fine shall be increased to Fifty Dollars (\$50.00). Additional fines up to One Hundred and Fifty Dollars (\$150.00) and costs will be imposed if Court action is necessary. The waiver amount for handicapped parking violations is Two Hundred Fifty Dollars (\$250.00).

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

Motion made by Spinks seconded by Fluharty to re-appoint Kristi Glasier to the Board of Zoning Appeals. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Fluharty, Saunders. Nays: None. Motion carried unanimously.

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

Former Councilwoman Zolata, 1265 Broadway, thanked the City for the unexpected official dedication of Zolata Park on June 12th. A few years ago the property was donated by the Tiburski family and was completed last year as a park through a grant. There was a ceremony acknowledging the new park as “Zolata Park” to honor former council members Andrew and Marilyn Zolata who both served many years on Council.

Pamela Pinkney-Butts, 518 Northfield Road, talked about Praise and Worship in the Park and Peace in the Park. She considered several people in Bedford as her Bedford friends.

Dave Przybys, 43 First Street, handed Mr. Mallis a document signed by 28 residents who wanted adequate street lights on their street. Recently there was a fight and those who were in the street could not be seen/identified because of the lack of lights and it was a safety issue.

Sarah Gnoddie, Southeast Cuyahoga County Public Library listed several programs and showcases soon to be offered at the library. As a resident she announced she would not be participating in the parade after 27 years of volunteering.

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

Meeting adjourned at 9:04 P.M.



Clerk of Council



Mayor - President of Council