

COUNCIL WORK SESSION

AUGUST 1, 2016

5:45 P.M. PROMPT

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF CRIMINAL ACTIVITY NUISANCES, COSTS OF ENFORCEMENT**
(§511.12)

- **DISCUSSION OF FIXED ASSET (CAPTIAL ASSET) POLICY**

- **EXECUTIVE SESSION**
(Personnel / Litigation / Economic Development – Chanel, Meadowbrook, Taylor and Willis properties)

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, August 1, 2016 at 5:50 p.m.

Present: Council Members: Mayor Stan Koci, Marilyn Zolata, Walter Genutis, Sandy Spinks, Greg Pozar, Don Saunders, Paula Mizesak. Absent: None. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Clerk of Council Lorree Villers. Also in attendance: Building Commissioner Calvin Beverly, Beth Housiaux-Steward, 93 Avalon Avenue, [Absent: Law Director John Montello]

Council had no changes to the minutes of the Work Session and the Regular Meeting of July 5, 2016.

Mayor Koci decided since the Ward family hadn't been contacted he would hang the Paul G. Ward, Jr. Way street sign after school started. This would allow someone to contact the family.

ORDINANCE NO. 9403-16 AN ORDINANCE ENACTING SECTION 549.20 ENTITLED "FLYING MODEL AIRCRAFT" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD
Mr. Mallis talked about the recent shooting in Dallas where a drone was used to find the shooter. After discussion it was determined to "table" this item until it could be further investigated because there was new information from the OML and FAA that needed to be reviewed and considered. Someone from the Police Department would be at the September Work Session to address any questions or concerns.

ORDINANCE NO. 9405-16 AN ORDINANCE AMENDING ORDINANCE NO. 9358-16 PASSED JANUARY 19, 2016 ESTABLISHING PAY RANGES AS SUBSEQUENTLY AMENDED
Mr. Mallis said the one position would be temporary; not permanent. The part-time Receptionist/Office Clerk position would be considered a "floater" and learn certain tasks in the Water Department, Receptionist and Building Department. Months ago when Wal-Mart closed, he chose not to hire a part-time person for the Building Department because of budget issues. The pay would start at \$14.00 with a maximum of \$20.00 as stated in the ordinance. Mr. Mallis mentioned the Job Description would need to be re-written.

The Interim Purchasing Clerk position Mr. Mallis and Mr. Gambosi felt in lieu of paying someone overtime at time and a half it was better to give someone a plus rate of \$3.00 per hour. Mr. Mallis said some of this was discussed in the last meeting's executive session. Mayor Koci and Mr. Saunders felt the Interim Purchasing Clerk position should not be listed in the ordinance for Council's consideration. Mayor Koci said the \$3.00 plus rate decision was up to the City Manager; not Council. He said it has always been that a plus rate was for someone who was performing the duties of a higher paying job rate not a lower paying part-time position with less duties. He figured there wouldn't be a need for overtime at time and a half. Mr. Gambosi said that wasn't true, Ms. Parina had to come in on a Saturday to get caught up. Mrs. Zolata asked if the \$3.00 plus rate would continue after the part-time Receptionist/Office Clerk was hired. Mr. Gambosi replied no, the Interim Purchasing Clerk was a temporary position until someone was hired and the \$3.00 plus rate would not continue. He added this position was a non-union position and the Union said union employees could not do non-union positions. Mr. Mallis added Mrs. Hollo, Ms. Parina and Ms. Villers were the only non-union positions at City Hall. Mr. Gambosi added Ms. Parina was the one that was trained for this specific position which she didn't want to do. It was determined Council was going to amend the ordinance to remove the temporary Interim Purchasing Clerk position and leave the \$3.00 per hour plus rate for Ms. Parina up to the City Manager as it should be. Mr. Mallis noted there were about five or six union employees that were not happy about the \$3.00 plus rate. Council would amend the ordinance at the Regular Meeting this evening and place it on second reading.

ORDINANCE NO. 9406-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR DELINQUENT WATER BILLS IN THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY

Mr. Gambosi explained these assessments were for those who did not pay their water bills for this six month period. Mrs. Zolata questioned why some of the vacant homes were the same amount as last time and hadn't increased. Mr. Gambosi explained water assessments were addressed twice a year and once the costs were assessed and placed on their tax duplicate the amount started over at zero. Mr. Saunders noted 26 Ennis needed demolished.

ORDINANCE NO. 9407-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR GRASS CUTTING ON VARIOUS LOTS IN THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 AND DECLARING AN EMERGENCY

Mr. Gambosi requested this be read as a first reading this evening. The exhibit was incomplete because it did not reflect the July billings. Mr. Genutis inquired about duplexes and if the letter mirrored the rubbish information. Mr. Gambosi replied, yes. Mr. Saunders asked if the letters were mailed certified. Mr. Gambosi replied, yes.

ORDINANCE NO. 9408-16 AN ORDINANCE AMENDING ORDINANCE NO. 9333-15 LOCAL BOARD OF TAX REVIEW AS MANDATED BY SECTION 178.18 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AND DECLARING AN EMERGENCY

Mr. Gambosi explained the previous ordinance needed amended for the vacant position. This appointee was discussed and approved last month.

ORDINANCE NO. 9409-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPIDERCAT MARKETING INC. FOR PUBLICATION OF INFORMATION ON BEDFORD LOCAL NEWS WEBSITE RELATED TO THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF BEDFORD AND DECLARING AN EMERGENCY

Mr. Mallis explained this was for a six month trial period. Mayor Koci questioned why Council needed to approve the contract. Mr. Mallis said because of the dollar amount. Mr. Saunders hoped someone was going to find out if the school would contribute in some of the costs since the website would cover school news and information. It was determined the City would decide after the trial period.

ORDINANCE NO. 9410-16 AN ORDINANCE AMENDING ORDINANCE NO. 9197-14 DESIGNATING HUNTINGTON BANK, INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK AND FIRST MERIT BANK FOR THE ACTIVE FUNDS AND HUNTINGTON BANK, INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK, FIRST MERIT BANK AND FIFTH-THIRD BANK FOR THE INTERIM FUNDS AND DECLARING AN EMERGENCY

Mr. Gambosi explained these banks made application to the City to become the public depository for the active and interim funds of the City and Council was the Governing Board by virtue of Subsection 1, Section 135.01 of the Ohio Revised Code. This was amended every five years to allow the City and the banks to work together.

ORDINANCE NO. 9411-16 AN ORDINANCE AMENDING SECTION 1311.18 OF THE BUILDING CODE ENTITLED "CERTIFICATE TO BE FURNISHED BY SELLER" OF THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY

Mr. Mallis explained the amendments for the point of sale inspections needed addressed because of a recent lawsuit filed against the City. It would also allow the City to go through the Court if necessary. He explained the City would use this ordinance to file a motion in Court. He had talked to three real estate agents who felt if the inspections stopped it would be one of the worst things that could happen. It was important to keep the Bedford housing stock up so the homes would hold their values. Mr. Genutis had a difference of opinion; he felt some the items that were listed per the inspections were ridiculous and an added unnecessary expense. Some of the costs to complete the list of violations were overwhelming. He

knew of one situation where the costs were \$20,000 in repairs. A lot of the homes in Bedford were older homes and had problems. He pointed out his home was 90+ years old with moisture problems and a family member would not be able to sell their home. Mrs. Spinks stated 41 Tudor was a good example to consider when discussing this topic; that situation has been an overwhelming nightmare. The mortgage crisis, the real estate values, the increase and decrease of the housing stock were touched on. Mr. Mallis talked about some of the surrounding communities that stopped their inspections which were currently experiencing decline in housing stock. The decrease in housing stock was very noticeable leaving Bedford and entering neighboring communities.

Mr. Beverly explained the City currently used the 2012 State Property Maintenance Code to do inspections which was adopted by Council. Mr. Genutis felt not all the Amendments listed in the lawsuit were addressed: He read the following: "If a warrant is issued, no owner, occupant, or agent thereof shall fail or neglect, upon presentation of a warrant, to properly permit entry therein by the code official or his/her duly authorized designee for the purpose of inspection and examination pursuant to this section and consistent with the terms of the warrant. If the court declines to issue a warrant, or if no warrant is sought, the inspection shall still take place but the scope thereof shall be limited to such areas as are in plain view. A limited-scope inspection conducted pursuant to this paragraph shall be considered an "inspection" for purposes of Chapter 1311 and all other provisions of Title 3 pertaining to the pre-sale inspection program set forth in this section. No criminal penalty shall attach, nor shall any certificate of occupancy be denied, solely by reason of the owner's, occupants, or agent's refusal to consent to a full inspection." Discussion was held about addressing electric and plumbing safety issues, community standards, appearance from the street only and not the interior of the home, used to stop house flippers and protecting the buyers. Mr. Beverly said the City was using the National Standards.

The next three (3) rezoning ordinances were discussed and approved by the Planning Commission at their June 7, 2016 Regular meeting and the July 19, 2016 Public Hearing.

ORDINANCE NO. 9412-16 BEING AN ORDINANCE REZONING THE ST. PETER CHANEL HIGH SCHOOL KNOWN AS P.P. NO. 811-29-031 PROPERTY LOCATED AT 480 NORTHFIELD ROAD DESCRIBED HEREIN FROM "R-3" TO "R-2" CLASSIFICATION AND DECLARING AN EMERGENCY

Mr. Beverly explained the property was designated with a dual zoning designation to accommodate St. Peter Chanel High School which was no longer open. The Planning Commission recommended the property be rezoned from "R-3" to "R-2" as it was in the public interest and was consistent with the overall zoning map.

ORDINANCE NO. 9413-16 AN ORDINANCE REZONING THE WALSH BUILDING KNOWN AS P.P. NO. 811-30-013 LOCATED AT 466 NORTHFIELD ROAD DESCRIBED HEREIN FROM "R-3" TO "B-1" CLASSIFICATION AND DECLARING AN EMERGENCY

Mr. Beverly explained several parcels were designated "R-3" to "B-1" which have been consolidated into one parcel by the Cuyahoga County Appraisal Department. The Planning Commission recommended the property be rezoned from "R-3" to "B-1" that the entire parcel be zoned "B-1" as it was in the public interest and was consistent with the overall zoning map.

ORDINANCE NO. 9414-16 AN ORDINANCE REZONING THE NORTHFIELD ROAD PLAZA PROPERTY KNOWN AS P.P. NOS. 811-30-017 AND ABUTTING PARCEL 811-30-020 ON WILLARD AVENUE LOCATED AT 468 NORTHFIELD ROAD DESCRIBED HEREIN FROM "R-3" TO "B-1" CLASSIFICATION AND DECLARING AN EMERGENCY

Mr. Beverly explained several parcels were designated "R-3" to "B-1" with zoning designations of which have been consolidated into one parcel No. 811-30-017 by the Cuyahoga County Appraisal Department. The Planning Commission recommended that the entire parcel be zoned "B-1". Parcel No. 811-30-020

located on Willard Avenue abuts parcel No. 811-30-017 which would be rezoned from "R-3" to "B-1". The rezoning from "R-3" to "B-1" was in the public interest and was consistent with the overall zoning map.

ORDINANCE NO. 9415-16 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH UTILITY SALES AGENCY OF AMERICA FOR RESIDENTIAL WATER METER REPLACEMENT PROJECT BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY

Mr. Mallis explained the City advertised for bids for the replacement of residential water meter project. The City determined the lowest, responsive and responsible bidder was Utility Sales Agency of America; the City Engineer's estimate was \$540,000. The only change was the company would not be using Licensed Plumbers but rather Certified Technicians; he was not sure what the difference was but background and reference checks would be done prior to the Technicians entering the resident's homes. It was uncertain about the prevailing wages.

ORDINANCE NO. 9416-16 AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) 2017 FORD F-450 REGULAR CAB, 4X2 DUMP TRUCK WITH STAINLESS STEEL DUMP BODY AND 9 FOOT PLOW THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

Mr. Mallis explained this item was budgeted last year to purchase one (1) 2017 Ford F-450 Regular Cab, 4x2, dump truck with stainless steel dump body and nine foot snow plow through the State Cooperative Purchasing Program replacing a 1995 dump truck.

The motions for the Planning Commission and Assessment Equalization Board were previously discussed and would be approved this evening.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF CRIMINAL ACTIVITY NUISANCES, COSTS OF ENFORCEMENT (§511.12)

Mr. Mallis explained the Fire and Police Departments were experiencing several calls for mental disabled children/young adults. Mentally disabled children/young adults were not listed in the codified ordinances as a violation and couldn't be billed for the numerous calls. The City was not being insensitive by any means but it was getting to the point that it was causing a problem because of the numerous calls. The caretaker could not control the two young adults she was watching and continually called 911. Police and/or Fire respond and professionally address the situation no matter how long it took but the thought was it should be the responsibility of the caretaker/parent if the problem continued. A major concern was if the calls continued to happen and there was a more serious or different situation there would not be adequate Police and/or Fire available. One home had a troubled teen where the mother could not control/handle. This was the same teen that K9 Mike found months back who left her home; there has been 12+ calls to this address of recent. The other home the caretaker could not control the two young adults she was caring for. A suggestion was to call ODJFS to see if there was a program or some type of assistance that could help. The Administration did not know if these types of calls could be billed or addressed similar to Section 511.12 Criminal Activity Nuisances. The situations were also different because they were not all considered underage children. It was determined Law Director Montello would have to research the topic and advise the Administration and Council of the correct action to take.

DISCUSSION OF FIXED ASSET (CAPTIAL ASSET) POLICY

Mr. Gambosi touched on yellow highlighted areas that he felt needed to be amended (see attached). He didn't feel Bedford needed to go as far as the Shaker Heights sample in the packet but he submitted it as an example. This policy could assist with the lot splits in Bedford. Council did not have any questions

regarding the amendments. This item would be further discussed at the September 6th Work Session and considered by legislation.

Motion made by Zolata and seconded by Mizesak to go into an executive session to discuss Personnel / Litigation / Economic Development – Chanel, Meadowbrook, Taylor and Willis properties. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

At 7:30 p.m., Bedford City Council, City Manager Mallis and Finance Director Gambosi went into an executive session to discuss Personnel / Litigation / Economic Development – Chanel, Meadowbrook, Taylor and Willis properties.

At 8:02 p.m., Bedford City Council recessed Executive Session to attend the Regular Council Meeting.

At 9:30 p.m., Council reconvened Executive Session with Bedford City Council, City Manager Mallis and Finance Director Gambosi. Mr. Pozar was not able to reconvene with the rest after the Regular Meeting.

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

Work Session adjourned at 10:15 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 July 5, 2016
- b. Approval of Minutes of the Regular Meeting of July 5, 2016

5. PRESENTATIONS - Paul G. Ward, Jr. Way

6. OLD BUSINESS (1st Rdg: 7/5/16)

- a. Ordinance No. 9403-16 enacting §549.20 entitled "Flying Model Aircraft"
- b. Ordinance No. 9405-16 amend Ord. 9358-16 Pay Ordinance (Interim Purchasing Clerk)

7. REPORTS

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

8. NEW BUSINESS

- a. Ordinance No. 9406-16 levy assessments for delinquent water bills
- b. Ordinance No. 9407-16 levy assessments for grass cutting on various lots in the City of Bedford
- c. Ordinance No. 9408-16 amend Ord. No. 9333-15 Local Board of Tax Review members §178
- d. Ordinance No. 9409-16 contract w/SpiderCat Marketing (\$9,000/6 months)
- e. Ordinance No. 9410-16 amend Ordinance No. 9197-14 designating bank depositories
- f. Ordinance No. 9411-16 amend §1311.18 "Certificate to be Furnished by Seller"
- g. Ordinance No. 9412-16 rezoning property described herein from "R-3" to "R-2" classification located at 480 Northfield Road (Permanent Parcel 811-29-031)
- h. Ordinance No. 9413-16 rezoning property described herein from "R-3" to "B-1" classification located at 466 Northfield Road (811-30-013/811-30-014/811-30-015/811-30-016 Walsh Building Property)
- i. Ordinance No. 9414-16 rezoning property described herein from "R-3" to "B-1" classification located at 468 Northfield Road (811-30-017/811-30-018/811-30-019/811-30-020 (Willard Ave.) Plaza Property)
- j. Ordinance No. 9415-16 contract w/Utility Sales Agency of America for residential water meters (\$247,039.92)
- k. Ordinance No. 9416-16 contract w/Valley Ford Truck, Inc for F-450 dump truck (\$62,799.57)
- l. Motion to re-appoint Harvey Dzomba to the Planning Commission (4 yr term)
- m. Motion to appoint Linda Rozier to the Assessment Equalization Board

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, Ohio

August 1, 2016

Bedford City Council met in Regular Session at Bedford City Hall on Monday, August 1, 2016. Mayor Koci called the meeting to order at 8:04 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Spinks, Koci, Mizsak, Genutis, Pozar, Saunders, Zolata. Absent: None.

Motion made by Mizsak and seconded by Pozar to approve the minutes of the Work Session Meeting of July 5, 2016. The roll was called. Vote – Yeas: Spinks, Koci, Mizsak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Zolata to approve the minutes of the Regular Meeting of July 5, 2016. The roll was called. Vote – Yeas: Spinks, Koci, Mizsak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Mayor Koci said the presentation this evening would be postponed until September 6, 2016 meeting.

ORDINANCE NO. 9403-16 AN ORDINANCE ENACTING SECTION 549.20 ENTITLED “FLYING MODEL AIRCRAFT” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING JULY 5, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Genutis to table Ordinance No. **9403-16**.

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

ORDINANCE NO. 9405-16 AN ORDINANCE AMENDING ORDINANCE NO. 9358-16 PASSED JANUARY 19, 2016 ESTABLISHING PAY RANGES AS SUBSEQUENTLY AMENDED PLACED ON FIRST READING JULY 5, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizsak seconded by Saunders to amend Ordinance No. **9405-16** to eliminate the Interim Purchasing Clerk position.

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

Motion made by Mizsak seconded by Saunders to place Ordinance No. **9405-16** on second reading.

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

City Manager Michael Mallis reported the Dominion East Ohio Gas Company project continued; however, another replacement gas line project would start next week for the Northfield Road towards Union Street and Egbert Road. The West Grace railroad crossing project would start in August and would be closed for two weeks. He urged residents to look into the Help Loan Program if they were going to do any home remodeling project. He commended all the residents in their efforts in recycling, the percentage has increased.

No reports from Law Director John Montello, Finance Director Frank Gambosi and Councilman Pozar.

Birthday wishes went out to Mayor Koci. Mr. Genutis commended Mayor Koci on his dedication to the City of Bedford.

Councilwoman Spinks talked about her experience at the pre-NLC workshop downtown Cleveland where several Mayors attended from all over the United States. She mentioned that RTA was going to increase their rates twenty-five cents. She announced the kick-off of the Weekend of the Pooka would be at Catered Elegance with the Cleveland Ballet on September 16th, on August 13th she would be promoting Bedford at an event on West 25th Street and the Hoop it Up program would be August 15th-19th from 1:00 p.m. to 5:00 p.m. at Ellenwood.

Councilwoman Mizsak talked about World Ranger Day event on the City Square where she was impressed by the K9 present called Snipper who participated in the event. She asked if there was a tenant for the Just Friends building. Mr. Mallis did not know all the particulars but there was an interested party. Mrs. Mizsak announced August 13th was the Historical Society Flea Market and August 17th was the City of Bedford's Party in the Park.

Councilman Saunders hoped someone was monitoring the Dominion gas line replacement project when it came to the historical brick roads, specifically Tarbell. He announced the Lion's Homecoming Festival was celebrating their 90th year; it was the oldest festival in the State of Ohio. He explained Phil's Convenient Store on Columbus Road would be circulating petitions in Ward 6 for Sunday liquor sales. If there were enough signatures the issue would be on the November ballot. He urged everyone to participate in the August 8th Red Cross blood drive at Ellenwood. He felt the apron at the former Just Friends entrance should be reduced in size when replaced by Dominion; it should be pulled back from the intersection.

Councilwoman Zolata was pleased with the increase in recycling. She announced the Parties in the Park time had changed to 6:30 p.m. She asked what the name was for the new gas station located at 1483 Broadway Avenue and if they were having a grand opening. Mr. Mallis replied, Gasway Service Station and he did not know the exact date.

Mayor Koci thanked Ms. Daunch for the organizing of the recent Plein Air Art Show; he hoped it would continue.

ORDINANCE NO. 9406-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR DELINQUENT WATER BILLS IN THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizsak seconded by Pozar to place Ordinance No. **9406-16** on third and final reading and passed.

Mr. Gambosi explained per the ORC the City was allowed to assess two times a year for delinquent water bills.

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

ORDINANCE NO. 9407-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR GRASS CUTTING ON VARIOUS LOTS IN THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Spinks to place Ordinance No. **9407-16** on first reading.

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

ORDINANCE NO. 9408-16 AN ORDINANCE AMENDING ORDINANCE NO. 9333-15 LOCAL BOARD OF TAX REVIEW AS MANDATED BY SECTION 178.18 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9408-16** on third and final reading and passed.

Mr. Gambosi explained per the ORC the City had to appoint three members to this Board.

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

ORDINANCE NO. 9409-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPIDERCAT MARKETING INC. FOR PUBLICATION OF INFORMATION ON BEDFORD LOCAL NEWS WEBSITE RELATED TO THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Saunders, Zolata. Nays: Pozar. Motion carried.

Motion made by Mizesak seconded by Spinks to place Ordinance No. **9409-16** on third and final reading and passed.

Mayor Koci explained this was an online local newspaper called “bedfordlocal.news” which should be up and running shortly. This would be contracted out and not managed by any employees.

The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Saunders, Zolata. Nays: Genutis, Pozar. Motion carried.

ORDINANCE NO. 9410-16 AN ORDINANCE AMENDING ORDINANCE NO. 9197-14 DESIGNATING HUNTINGTON BANK, INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK AND FIRST MERIT BANK FOR THE ACTIVE FUNDS AND HUNTINGTON BANK,

INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK, FIRST MERIT BANK AND FIFTH-THIRD BANK FOR THE INTERIM FUNDS AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9410-16** on third and final reading and passed.

Mr. Gambosi explained this list was updated every five years under ORC Chapter 135 designating banks.

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

ORDINANCE NO. 9411-16 AN ORDINANCE AMENDING SECTION 1311.18 OF THE BUILDING CODE ENTITLED “CERTIFICATE TO BE FURNISHED BY SELLER” OF THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Pozar, Saunders, Zolata. Nays: Genutis. Motion carried.

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9411-16** on third and final reading and passed.

Mr. Mallis explained the amendments would allow the City to obtain an administrative warrant to allow the City to inspect the interior of a home under certain parameters listed in the ordinance.

Motion made by Pozar seconded Saunders to reduce the escrow deposit requirements to 100%. Clerk Villers clarified the amendment would be in Section 1311.18 (a).

The roll was called. Vote – Yeas: Spinks, Mizesak, Genutis, Pozar, Saunders, Zolata. Nays: Koci. Motion carried.

The roll was called as previously amended. Vote: Spinks, Koci, Mizesak, Pozar, Saunders, Zolata. Nays: Genutis. Motion carried.

Mayor Koci said the amendment was a good point and could be amended again when the Administration and Council had ample time to discuss it in further detail.

ORDINANCE NO. 9412-16 BEING AN ORDINANCE REZONING THE ST. PETER CHANEL HIGH SCHOOL KNOWN AS P.P. NO. 811-29-031 PROPERTY LOCATED AT 480 NORTHFIELD ROAD DESCRIBED HEREIN FROM "R-3" TO "R-2" CLASSIFICATION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9412-16** on third and final reading and passed.

Mr. Mallis explained the parcel was zoned differently to allow the priests to live in the building when it was a school. The diocese and potential buyer were made aware of the rezoning to “R-2”.

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

Mr. Mallis explained the rezoning request for the next two ordinances was for the parcels at the rear; not the parcels where the buildings sat. When Cuyahoga County did the lot split years ago they rezoned the lots as “R-3”. The lots would be rezoned from “R-3” to “B-1” in an effort to clean up the zoning map to conform to the County.

ORDINANCE NO. 9413-16 AN ORDINANCE REZONING THE WALSH BUILDING KNOWN AS P.P. NO. 811-30-013 LOCATED AT 466 NORTHFIELD ROAD DESCRIBED HEREIN FROM “R-3” to “B-1” CLASSIFICATION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizsak seconded by Saunders to place Ordinance No. **9413-16** on third and final reading and passed.

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

ORDINANCE NO. 9414-16 AN ORDINANCE REZONING THE NORTHFIELD ROAD PLAZA PROPERTY KNOWN AS P.P. NOS. 811-30-017 AND ABUTTING PARCEL 811-30-020 ON WILLARD AVENUE LOCATED AT 468 NORTHFIELD ROAD DESCRIBED HEREIN FROM "R-3" to "B-1" CLASSIFICATION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9414-16** on third and final reading and passed.

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

ORDINANCE NO. 9415-16 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH UTILITY SALES AGENCY OF AMERICA FOR RESIDENTIAL WATER METER REPLACEMENT PROJECT BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Saunders seconded by Mizensak to place Ordinance No. 9415-16 on third and final reading and passed.

Mr. Mallis explained this bid was for approximately 5,000 residential water meters. The installation would be by Certified Technicians; not Licensed Plumbers. The City Engineer's estimate was approximately \$542,000 and the lowest bid was \$247,039.92; 55% below the City Engineer's estimate. The bid should decrease slightly since Licensed Plumbers were not being used for the project. All of the technicians were required to have background checks. Clarification was made this company's bid was to install the meters. The meters were extra cost that was awarded to a different company.

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

ORDINANCE NO. 9416-16 AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) 2017 FORD F-450 REGULAR CAB, 4X2 DUMP TRUCK WITH STAINLESS STEEL DUMP BODY AND 9 FOOT PLOW THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM 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: Spinks, Koci, Mizensak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Saunders to place Ordinance No. 9416-16 on third and final reading and passed.

Mr. Mallis explained the dump truck was budgeted for 2016 replacing a 1995 truck.

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

Motion made by Pozar seconded by Saunders to re-appoint Harvey Dzomba to the Planning Commission (4 yr. term) The roll was called. Vote – Yeas: Spinks, Koci, Mizensak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Zolata to appoint Linda Rozier to the Assessment Equalization Board. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. 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.

Mike Hulett, 37 Charles Street, expressed his thoughts and concerns regarding Historic downtown Bedford, pedestrians, parking, crime, the crosswalk, positive experiences with the safety forces, the decline of the neighborhoods in Bedford and the surrounding communities. Mr. and Mrs. Hulett, owners of The Broadway Cyclery announced they would like to donate to the City of Bedford a Police bicycle. He offered to maintain free of labor costs on all the Police bicycles at no cost as long as their business remains in Bedford. (See attached) Mr. Mallis thanked Mr. and Mrs. Hulett for their generosity. He explained there had been several tickets written since the addition of the Police Department motorcycle.

Heather Rhodes, 241 Center Road, previously at 57 Wandle Avenue, wanted information regarding the lawsuit against the City in reference to Ordinance No. 9411-16. Mayor Koci felt the passage of this ordinance would help with the lawsuit; however, the City could not comment on pending litigation. Ms. Rhodes pointed out the law firm who was handling the lawsuit had won others. Mayor Koci was aware of the firm. He felt they were more interested in making a point than they were improving things. Ms. Rhodes witnessed and was upset that the City was allowing the property values decrease because of the point of sale inspections. She felt the point of sale inspections were not accomplishing what the City intended. She understood the City needed to maintain the property values but she was not sure the point of sale was accomplishing that and she hadn't seen any proof. Mr. Mallis would not discuss pending litigation; however, the suit was not entirely against the point of sale. He said overall over the last two years Bedford's property values had increased, the 2008 housing market crash has been a factor, three real estate agencies supported the point of sale inspections. Ms. Rhodes said she heard just the opposite of Mr. Mallis's points. Ms. Rhodes suggested the Administration and Council seriously focus on point of sale inspections.

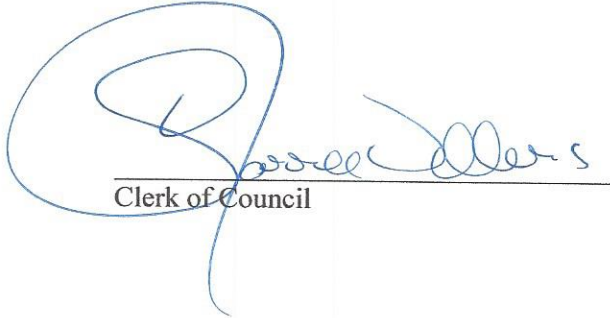
Ms. Rhodes understood the Administration and Council had been making on-line marketing decisions without a lot of knowledge. She offered her services as a consultant free of charge. She runs a website that receives 70 million visitors annually and had worked with Fortune 500 companies. She was not impressed with: the City's website, the social media and she personally would have not recommended SpiderCat Marketing Inc. as an option had she been the City's consultant.

Jeff Duber, 134 Harriman, asked if the City trimmed tree lawn low branches. Mr. Mallis replied, typically not but it depended on the situation. Mayor Koci explained the City no longer trimmed tree lawn low branches; it was now the homeowner's responsibility. Mr. Duber talked about a homeless person who illegally squatted in his daughter's vacant home. His daughter, the property owner, removed the squatter's belongings from her home. The homeless person upon his return threatened the neighbor because he wanted his belongings. The neighbor did call the police to make them aware. Mr. Duber felt if squatting was a problem in Bedford the Police Department needed to address it. Mr. Mallis was aware of the situation of the couple squatting. He did not believe it was a City wide problem. The Administration and Council went over and above to help this individual and he did the exact opposite to help himself. The individual's family doesn't even want to help him because of his behavior. Mr. Duber was sure there would have been two different results if he or his daughter had confronted this individual.

Mayor Koci announced the Work Session would reconvene in 10 minutes.

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

Meeting adjourned at 9:15 P.M.



Clerk of Council



Mayor - President of Council