

COUNCIL WORK SESSION

SEPTEMBER 17, 2018

6:00 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF PLANNING COMMISSION APPOINTMENT**
(8/6/18 – 9/4/18) - Interviews
- **DISCUSSION OF DEER MANAGEMENT REVIEW**
(9/4/18)
- **DISCUSSION OF STREET PARKING – Sidewalk Clearing**
(9/4/18)
- **DISCUSSION OF BHS SUPERINTENDENT'S ADVISORY COUNCIL**
- **DISCUSSION OF AIRBNB**
- **DISCUSSION OF BUDGET DATES**
- **EXECUTIVE SESSION – (Personnel / Economic Development / Litigation) (1 hour)**

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, September 17, 2018 at 6:07 p.m.

Present: Council Members: Mayor Stan Koci, Heather Rhoades, Victor Fluharty, Sandy Spinks, Walter Genutis, Paula Mizsak and Donald Saunders Absent: None. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello and Building Commissioner Calvin Beverly.

Residents: Charles Mowery, 51 Ennis Avenue and George Green, 58 Pinecrest Drive for Planning Commission interviews plus Beth Housiaux-Stewart and Jeff Asbury.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There was a slight change to the Regular Meeting minutes of September 4, 2018 regarding Ordinance No. 9623; Mr. Genutis voted "no" for passage and there were no changes to the Work Session.

ORDINANCE NO. 9631-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL OF ALL PHASE FOR THE SERVICE GARAGE GENERATOR INSTALLATION AND DECLARING AN EMERGENCY

Mr. Mallis previously explained the expenditure would be paid using the NOPEC funds. He had two additional quotes which he chose not to submit for Council's review.

ORDINANCE NO. 9636-18 AN ORDINANCE AMENDING ORDINANCE NO. 9546-17 CONCERNING SECTION 913.02 "SEWER RATES" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES AND DECLARING AN EMERGENCY

Mr. Gambosi previously explained the monthly minimum charge of twenty four dollars and forty-six cents (\$24.46) would start January 1, 2019. The charges were increased to two and sixty-seven one-hundredths cents (\$0.0267) and four and one one-hundredths cents (\$0.0401) starting January 1, 2019. The sewer fund was not doing well enough to support certain expensive projects. He talked about the various repairs/upgrades that needed to be done at the WWTP per the EPA. The City continued to work with the EPA on a plan utilizing grant monies, Issue 2 money as well at the Port Authority and the County. Discussion was held how the loss of water had improved. It was determined the 9% increase would be enough but it was important for the City to score well to received grant monies.

ORDINANCE NO. 9637-18 AN ORDINANCE AMENDING ORDINANCE NO. 9547-17 CONCERNING SECTION 913.03 "RATE REDUCTION FOR SENIOR CITIZENS AND THE PERMANENTLY DISABLED" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES AND DECLARING AN EMERGENCY

Mr. Gambosi previously explained starting January 1st each eligible senior citizen and the permanently disabled persons would pay a monthly minimum sewer service charge of seventeen dollars and twelve cents (\$17.12). Water in excess of 300 cubic feet used each month for a senior citizen would pay: For the first 100 cubic feet of water in excess of such 300 cubic feet, a charge of one and seventy-sixth one-hundredths cents (\$0.0176) and for each cubic foot of water in excess of the first 100 cubic feet would be charged two and sixty-five one-hundredths cents (\$0.0265).

ORDINANCE NO. 9638-18 AN ORDINANCE REPLACING ORDINANCE NO. 7780-05 RELATING TO WATER RATES AND DECLARING AN EMERGENCY

Mr. Gambosi previously explained the changes were as follows: No later than December 15th of every year, starting in 2019, the water rates would become effective January 1st of the subsequent year. The City of Cleveland had passed a Master Meter Water Increase to \$35.05 for 2019 and \$36.69 from the current rate of \$33.35 a corresponding 5.0975% for 2019 and 4.6790% increase for 2020. His suggested an increase in the

water rates in the amount of .0975% for the year 2019. Starting January 1, 2019, the base rate for customer having meters of the following sizes were established as follows:

		<u>2019 Minimum Monthly Charge</u>	<u>2018 Current Charge</u>
5/8" or 3/4"	meter	\$28.47	\$28.44
1"	meter	39.06	39.02
1-1/4"	meter	45.35	45.31
1-1/2"	meter	57.81	57.75
2"	meter	70.31	70.24
3"	meter	132.82	132.69
4"	meter	195.28	195.09
6"	meter	429.61	429.19
8"	meter	570.25	569.69

ORDINANCE NO. 9640-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF INTENT ("LOI") WITH GARDINER TO INITIATE AN INVESTMENT GRADE AUDIT AND DECLARING AN EMERGENCY

Mr. Mallis previously explained to retain Gardiner to conduct an Investment Grade Audit so as to create a proposal for an Energy Based Performance Solution ("EBPS") to calculate energy/operational savings for the City at a cost of \$17,127.

There was no New Business on the agenda this evening.

DISCUSSION OF PLANNING COMMISSION APPOINTMENT - (8/6/18 – 9/4/18) - Interviews
Art Dickard's term was expiring in September and Mr. Dickard had previously requested to be reappointed. Council and the Administration conducted interviews with Charles Mowery, 51 Ennis Avenue and George Green, 58 Pinecrest Drive for the Planning Commission position. Council did not make a decision this evening.

DISCUSSION OF DEER MANAGEMENT REVIEW - (9/4/18)
Mr. Mallis previously passed out a report prepared by Sergeant Bergansky dated April 17, 2018 for the 2017/2018 winter season for Council review. The deer management took place on six (6) separate days culling 20 deer at a total cost of \$1,436. The culling period statics were gathered annually September to September. He supported the deer culling efforts with not more than 30 permits/tags. The Administration continued to work on different locations because of the amount of deer in certain locations but the areas had to be a safe area to cull. It was determined the venison was being consumed by either needy residents or the food bank. Some of Council felt the deer were already starving because they had started eating plants they normally wouldn't. Beth Housiaux-Stewart, 93 Avalon disagreed with the Administration and Council regarding deer culling and felt the deer weren't starving; it was called Survival of the Fittest. She questioned why there were nine (9) bucks culled because to control the deer population the does needed to be culled not bucks. It was determined most of Council supported the ongoing efforts of the deer management program.

DISCUSSION OF STREET PARKING – Sidewalk Clearing - (9/4/18)
Mr. Mallis previously explained both of these were ongoing issues; however, the problem was going to be how to manage and implement them. He knew 50% of the residents would be happy and 50% would be unhappy; however, he felt it had to be all or none; the City could not pick and choose. Mayor Koci questioned why this issue was on the agenda again. He felt the problems with parking on City streets was going to be addressed by increasing the fines per Ordinance 9623-18 and he thought this issue was resolved two years ago. After a discussion, it was clarified the Administration and Council were not

considering a City-wide parking ban for all of the City streets as it was done in Bedford Heights. A couple other suggestions/thoughts to discuss/consider were: 1) allow parking during the weekends and no parking on the weekdays, 2) no parking on narrow and/or dead end streets, 3) no parking in cul-de-sacs for safety reasons, and 4) the possibility to allow the Auxiliaries to write tickets instead of overwhelming the Officers. If someone was parked in the street and there was an issue the resident could call Dispatch for an Officer. There was a difference of opinion regarding the need for this topic. Mrs. Rhoades felt the topic was legit because of the decision of no parking on Noran Circle and the recent discussions regarding possibly no parking on Washington Street. She also felt the residents needed to have input regarding Work Session discussion topics. Some of Council was not in favor of posting discussion topics on the Bedford Neighborhood Watch website because of the possible misinformation and it wasn't necessary to upset the residents for no reason. No decision was made by Council this evening.

Mrs. Rhoades had previously explained the Codified Ordinances needed to be reviewed and the snow removal could be enforced like the grass cutting and if the snow was not removed the City would contract with a company to remove the snow and the City would bill and assess the property owner. She felt this was a Quality of Life issue with more people walking places. Mrs. Mizesak explained years ago the City maintained the sidewalks which didn't work out well because the residents were upset because it sometimes damaged their lawns. Another problem was the snow plow contractors who were plowing snow on neighbor's properties and/or into the street. No decision was made by Council this evening; this was for discussion purposes and was forwarded to the October 1st Work Session.

DISCUSSION OF BHS SUPERINTENDENT'S ADVISORY COUNCIL

Mayor Koci said Council needed to appoint someone to attend their meetings. Mrs. Rhoades and Mr. Fluharty both showed interest in attending on behalf of Council. It was determined Mr. Fluharty would attend and if he couldn't Mrs. Rhoades would be his backup.

DISCUSSION OF AIRBNB

Mrs. Rhoades passed out nine pages of information for Council to review. Mayor Koci requested this topic be moved to the October 1, 2018 Work Session in order to give Council time to digest the information due to time constraints.

DISCUSSION OF BUDGET DATES –

It was determined October 22nd and 29th, November 5th, 19th, and 26th and December 3rd.

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

At 7:20 p.m., Bedford City Council, City Manager Mike Mallis, Finance Director Frank Gambosi and Law Director John Montello went into an executive session to discuss Personnel 121.22 (B) (1) / Economic Development / Litigation.

Executive Session adjourned at 8:00 p.m.

Work Session adjourned at 8:05 p.m.


Clerk of Council
Mayor – President of Council

REGULAR MEETING

**BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA**

DATE: SEPTEMBER 17, 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 September 4, 2018
 - b. Approval of Minutes of the Regular Meeting of September 4, 2018
5. **PRESENTATIONS** –
6. **OLD BUSINESS** – (9631 1st Rdg: 8/6/18 – 2nd Rdg: 9/4/18) (9636-9640 1st Rdg: 9/4/18)
 - a. Ordinance No. 9631-18 contract w/All Phase Service Co. for the Service Garage generator installation (\$4,900)
 - b. Ordinance No. 9636-18 amend #9546-17 §913.02 “Sewer Rates
 - c. Ordinance No. 9637-18 amend #9547-17 §913.03 “Rate Reduction Senior Citizens & Permanently Disabled”
 - d. Ordinance No. 9638-18 amend #7780-05 Water Rates
 - e. Ordinance No. 9640-18 execute Letter of Intent w/Gardiner for the Investment Grade Audit (\$17,127)
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**

None.
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, September 17, 2018. 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: Genutis, Fluharty, Saunders, Rhoades, Spinks, Koci, Mizesak. Absent: None.

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

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

ORDINANCE NO. 9631-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL OF ALL PHASE SERVICE COMPANY FOR THE SERVICE GARAGE GENERATOR INSTALLATION PLACED ON FIRST READING AUGUST 6, 2018 AND SECOND READING SEPTEMBER 4, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Fluharty to place Ordinance No. **9631-18** on third and final reading and passed.

Mr. Mallis explained he recently received two additional quotes and recommended All Phase Service for the installation of the new generator both which will be paid by NOPEC.

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

ORDINANCE NO. 9636-18 AN ORDINANCE AMENDING ORDINANCE NO. 9546-17 CONCERNING SECTION 913.02 “SEWER RATES” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES PLACED ON FIRST READING SEPTEMBER 4, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis seconded by Spinks to place Ordinance No. **9636-18** on second reading.

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

ORDINANCE NO. 9637-18 AN ORDINANCE AMENDING ORDINANCE NO. 9547-17 CONCERNING SECTION 913.03 “RATE REDUCTION FOR SENIOR CITIZENS AND THE PERMANENTLY DISABLED” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES PLACED ON FIRST READING SEPTEMBER 4, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Rhoades to place Ordinance No. **9637-18** on second reading.

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

ORDINANCE NO. 9638-18 AN ORDINANCE REPLACING ORDINANCE NO. 7780-05 RELATING TO WATER RATES PLACED ON FIRST READING SEPTEMBER 4, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9638-18** on second reading.

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

ORDINANCE NO. 9640-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF INTENT (“LOI”) WITH GARDINER TO INITIATE AN INVESTMENT GRADE AUDIT PLACED ON FIRST READING SEPTEMBER 4, 2018 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Fluharty to place Ordinance No. **9640-18** on third and final reading and passed.

Mr. Mallis explained to retain Gardiner to conduct an Investment Grade Audit so as to create a proposal for an Energy Based Performance Solution (“EBPS”) to calculate energy/operational savings for the City at a cost of \$17,127. This audit included all the City owned buildings.

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

City Manager Michael Mallis explained a Deer Management presentation on September 20th, October 6th was the Children’s Fall Festival. He commended Lt. Brian Harting who was assisting in the rescue efforts from the recent hurricane Florence in North Carolina. He explained Leak Seekers would be testing for water leaks throughout the City. There was a pre-construction meeting with Dominion for the Lincoln project which would start by the end of October. He urged the residents to report any damage made by Dominion. He announced the railroad crossing at West Grace will be closed on September 24th. He said there had been questions raised of who was responsible for additional or new street lights installation. He explained First Energy had a process after being contacted by the City. The City would be assessed for the additional lights and in some situations trees would have to be cut down. He explained the City was in the final stretch in finishing up the Ellenwood Recreation Center.

No report from Law Director John Montello and Councilman Genutis.

Finance Director Frank Gambosi explained the Finance Department was taking new training and the Tax Department continued on collections. He was considering a new program for Tax Collections.

Councilman Fluharty wished his daughter and son both a happy birthday; they were born one year apart. He announced the 1973 Class Reunion was happening this weekend.

Councilman Saunders hoped the notice that would be given to the residents for the Dominion project would be timely instead of the day before the project. Mr. Mallis would follow up. Mr. Saunders had been very pleased with the efforts of the Leak Seekers finding water leaks. He reported there were student speeders in the Talbot and Ennis area. He reminded those in Ward 5 and Ward 6 that the Board of Elections moved the City Hall and Southeast Cuyahoga County Public Library voting polls to the Ellenwood Center. He supported absentee voting ballots.

Councilwoman Rhoades displayed Bedford's pink azalea mum which the Garden Club was selling for \$5. The Bedford Downtown Alliance continued to plan for 2019 and the next meeting was September 26th at 7:00 p.m. hopefully at the Bedford Falls Café.

Councilwoman Spinks was pleased with the recent Weekend of the Pooka event and the Friday night meal and wine paring. She thanked several people who volunteered/assisted with the event including set ups and teardowns. It was clarified anybody going door to door needed to get approval from the Police Department which would supply these solicitors a City badge for the safety of the residents; political and religious solicitors did not have to apply at the Police Department.

Councilwoman Mizsak asked if the grids could be installed at the railroad tracks instead of railroad ties. She reported the railroad tie located at the Lake Erie Wheeling tracks was in poor shape. She wondered if the Service Department looked at the road condition on Greencliff. She asked if the male who drove into the Bayberry condo was a resident or charged. Mr. Mallis said he was charged but he was not sure if he was a resident. She explained September 17th was Constitution Day and Citizenship Day signed in 1787.

Mayor Koci welcomed Mr. Bender to the Council meeting and best wishes to his wife Garnet. He thanked everyone for their well-wishing in the passing of his mother-in-law. He mentioned the Google Maps vehicle was driving around town.

Mayor Koci stated for the record there was no New Business on the agenda this evening.

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

Jeff Asbury, 71 Eldred, explained solicitors had to apply at the Police Department and if a solicitor came to your door and did not have a City Police Department badge the non-emergency number 440-232-1234 should be called to report the solicitor.

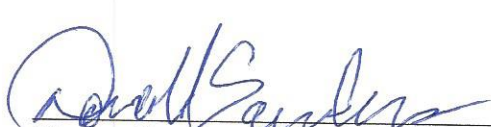
Barb McDaniels, 186 Center Road pointed out the dangerous curve on Broadway Avenue before the Rockside intersection needed to be painted.

Kathy Williams, 491 Lamson Avenue asked for the status on the Forensic Audit concerning the Water Department investigation. Mr. Gambosi explained the State of Ohio was handling the investigation. Mrs. Williams asked if the audit had been paid for by the City. Mr. Gambosi replied yes, the City paid the State. Mrs. Williams was unclear why the payment to the State was not in Ordinance form.

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

Meeting adjourned at 8:49 P.M.


Clerk of Council


Mayor - President of Council