

COUNCIL WORK SESSION

MONDAY, JULY 1, 2019

6:00 P.M. PROMPT

- DISCUSSION OF AGENDA

- EXECUTIVE SESSION
 - PERSONNEL – Clerk of Council

 - ECONOMIC DEVELOPMENT

 - LITIGATION

PLEASE TURN OFF ALL CELL PHONES BEFORE MEETING
(Council Minutes and Agendas posted at www.bedfordoh.gov)

Bedford, Ohio

July 1, 2019

Bedford City Council met in a Work Session at Bedford City Hall on Monday, July 1, 2019 at 6:09 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Vic Fluharty, Paula Mizsak, Don Saunders. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Clerk of Council Pro Tem Michelle Hollo. Also Present: City Engineer Joe Ciuni. Absent: Heather Rhoades.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of June 3, 2019, the Regular Meeting of June 3, 2019, and the Special Work Session of June 10, 2019.

Mayor Koci stated he would be presenting a Certificate of Congratulations to the Fire Department regarding the recent ISO rating.

Under Old Business, Ordinance Nos. 9683-19, 9684-19, and 9685-19 are the rezoning ordinances. In response to an inquiry, Mr. Mallis stated the YMCA building was included from the start in this rezoning. Property owners and potential businesses are following this rezoning. There is a business in the process of occupying the former Walmart. Mr. Mallis requested these three ordinances be passed on emergency.

Ordinance No. 9698-19, a contract with Senior Transportation Connection (STC) is on third reading. A couple Council members shared various concerns they have received from residents. Mr. Mallis said there is misinformation being shared with residents. The City is keeping the cost at \$1.00 each way and will accommodate current dialysis van riders. The City is looking to add group trips such as Marc's, Walmart, and Giant Eagle which we are not able to offer now because of the dialysis trips. Mr. Mallis said the STC drivers require more training than City staff and there are background checks.

Councilman Saunders stated he has a concern regarding the quality of the vehicles. Mr. Mallis responded STC has approximately 60 vans, two main hubs and the van drivers offer door-to-door service. STC also has contracts with affluent communities. There is a subcontracting clause in the agreement in the event of an unforeseen circumstance, but STC stated they have never subcontracted. The length of the contract is six months with a 90-day notice to terminate. The City is keeping one van and possibly selling the second van. The van would be utilized for special events. We would look at future grants to subsidize the service. Councilman Genutis stated he is against it as he feels bad for the employee who will be losing his job, although he does understand the benefit and decision making behind this.

Ordinance No. 9699-19 declares 429 Center Road a nuisance and condemning the property. Mr. Mallis said the property has been vacant for many years and the City has been cutting the grass. The house was recently broken into and we secured it. We need action from the bank that owns this property.

Ordinance No. 9700-19 is a proposal from J.D. Striping and Service for \$19,810.86. Mr. Mallis said the City contracted this work out last year and it worked well because it gets done sooner. It will be finished before leaf season. Mr. Ciuni stated the EPA requires the use of water base paint now.

Ordinance No. 9701-19 is a contract with Fabrizi Trucking and Paving for the Union Street Waterline project. Mr. Ciuni has been in communication with the County Public Works Department and they committed to repaving Union Street from Taylor to Northfield in 2020. ODOT is looking at bridge work

in 2022 so our project would stop before and after the bridge. Mr. Mallis said the waterline is from the 1930's and there was a break on Friday. The City applied for a DOPWIC Issue II grant, but did not receive it. When applying for this grant, the City offered a match of \$1 million for the waterline. The waterline needs to be replaced before the County repaves the road next year.

Ordinance No. 9702-19 authorizes payment to Johnson Romito for an indigent cremation. The County Coroner's office notified us of the deceased indigent resident. The City has a newly created form and procedure to assess indigent cases.

Ordinance No. 9703-19 is a contract with Sirna Construction for the 2019 Sidewalk Repair Program. The Service Department received two quotes for this contract. The City will identify the sidewalks we are responsible for such as tree roots and dig jobs. We will also identify any areas that are the residents' responsibility with a different color. The resident will be offered the opportunity to replace the sidewalks at the City's quoted price. A letter will be sent to affected residents and the resident would be required to work with the contractor. At this time, it is not the plan to make the repairs and assess property owners.

Ordinance No. 9704-19 authorizes a change order with Roynak Paving for the 2018 Street Improvement project. Unexpected catch basin and base pavement repairs were needed on Powers Road totaling around \$4,400.00. Mr. Ciuni stated there was pavement failure after the road was grounded out. This change order will close out last year's contract.

Ordinance No. 9705-19 amends the current ordinance regarding overtime compensation. The only change will be to add Clerk of Council to the list of Administrative personnel earning one hour of compensation for one hour worked instead of 1.5 hours. The Clerk of Council will have a flex schedule.

Ordinance No. 9706-19 is a contract with Nerone and Sons for an emergency repair to stabilize the Wood Creek Bank by the Waste Water Treatment Plant. Mr. Mallis explained there are serious erosion issues and trees have fallen and taken the hillside. The erosion is within 10 feet of a main 30-inch sewer line that goes to the plant. If not corrected, the line would not be stabilized, could fail and dump 2 million gallons of sewage waste daily into Wood Creek. Two quotes were received for emergency work with Nerone and Sons being the best and lowest at \$18,700. The work was authorized to begin last week and was finished in 2 ½ days. The final cost is actually \$10,450. Mr. Ciuni said the area was surveyed in February and recently surveyed again. We are losing hillside and the fallen trees have created a dam forcing water into the bank. It is necessary to spend \$10,000 to shore-up and stabilize so that the permanent repair can be made. Mr. Ciuni is working on an application with the Army Corp of Engineers and an application for a loan program through Ohio Water Development Authority (OWDA). Mr. Gambosi explained to Council how the loan rate is determined, how funds are released, and there would be a 20-year loan amortization schedule. Mr. Mallis stated that the City tried to obtain a grant for emergency funds from the EPA. The EPA did not consider it an emergency because the pipe did not fail. The estimated cost to permanently fix this is \$700k-\$800k. The repayment would be made from the sewer fund and not the general fund.

Resolution No. 2536-19 is the resolution to apply for the loan through OWDA previously discussed.

Resolution No. 2537-19 is a contract with Cuyahoga County Department of Public Works for sewer maintenance. There is \$10,000 budgeted for sewer maintenance this year. Last year, the County cleaned out one side of the sewers on Gould. This year, the sewers on the other side of Gould would be cleaned out. Once it is determined how much money is left after being billed for Gould, the next section to be cleaned would be determined.

Discussion of the Regular Meeting agenda was concluded.

Motion made by Fluharty and seconded by Spinks to go into an executive session to discuss personnel – Clerk of Council, economic development and litigation.

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

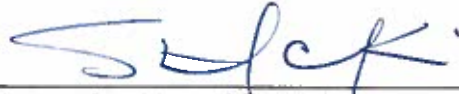
At 6:57 p.m., Bedford City Council, City Manager Mallis, Finance Director Gambosi and Law Director Montello went into an executive session to discuss personnel – Clerk of Council, economic development and litigation.

Motion made by Saunders and seconded by Genutis to adjourn Work Session. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Work Session adjourned at 7:45 p.m.



Clerk of Council – Pro Tem



Mayor – President of Council

REGULAR MEETING

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

DATE: July 1, 2019

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 3, 2019
 - b. Approval of Minutes of the Regular Meeting of June 3, 2019
 - c. Approval of Minutes of the Special Work Session of June 10, 2019
5. **PRESENTATIONS**
 - a. Fire Department - ISO
6. **OLD BUSINESS** – (Reg C 1st Rdg – 4/15/19, Newspaper Ad – 4/17/19, PC Public Hearing – 5/21/19, Reg C 2nd Rdg – 6/3/19 – 3rd Rdg 7/1/19)
 - a. Ordinance No. 9683-19 rezoning property described herein from “B-3” to “M-U” classification located at Northfield & Rockside Roads (Reg C Tabled: 5/6/19-5/20/19 – Amended: 5/21/19 PC PH) (811-23-001 / 811-23-002 / 811-24-001 / 811-24-002 / 811-24-003 / 811-26-001 / 811-27-001 / 811-27-002 / 811-27-004 / 813-01-001 / 813-01-002 / 813-02-002 / 813-02-003 / 813-02-004 / 813-03-006 / 813-03-007 / 813-04-061 / 813-04-062 / 813-04-063)
 - b. Ordinance No. 9684-19 rezoning property described herein from “B-3” to “R-3” classification located at 22800 Rockside / 22737-69 Rockside / 22850 Rockside / 300 Bartlett (Reg C Tabled: 5/6/19-5/20/19 – Amended: 5/21/19 PC PH) (813-02-001 / 813-03-002 / 813-03-004 / 813-03-005)
 - c. Ordinance No. 9685-19 repeal Ord. #7914-07 Chapter 1939 “B-3” replacing with Chapter 1939 entitled “M-U” (Reg C Tabled: 5/6/19-5/20/19 – Amended: 5/21/19 PC PH)
 - d. Ordinance No. 9698-19 contract w/Senior Transportation Connection (\$40,000) (Rdgs: 5/20/19-6/3/19)
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Ordinance No. 9699-19 declaring a nuisance and condemn 429 Center Road (PP #811-13-062)
 - b. Ordinance No. 9700-19 accept proposal from J. D. Striping & Service (\$19,810.86)
 - c. Ordinance No. 9701-19 contract with Fabrizi Trucking & Paving for Union Street Waterline (\$1,256,258.55)
 - d. Ordinance No. 9702-19 authorize payment to Johnson Romito for Indigent Cremation (\$450.00)
 - e. Ordinance No. 9703-19 contract with Sirna Construction for 2019 Sidewalk Repair Program (\$25,000.00)
 - f. Ordinance No. 9704-19 authorize change order with Ronyak Paving
 - g. Ordinance No. 9705-19 amending Section 151.08 (a) Compensation for Overtime Work
 - h. Ordinance No. 9706-19 contract with Nerone & Sons for Wood Creek Bank Stabilization (\$18,700.00)
 - i. Resolution No. 2536-19 agreement with the Ohio Water Development Authority
 - j. Resolution No. 2537-19 contract with Cuyahoga County Department of Public Works
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

July 1, 2019

Bedford City Council met in regular session at Bedford City Hall on Monday, July 1, 2019. Mayor Koci called the meeting to order at 8:00 P.M. The meeting was opened by pledging allegiance to the flag.

Motion made by Fluharty and seconded by Genutis to appoint Michelle Hollo as Clerk of Council Pro Tem. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously. Mayor Koci stated that Lorree Villers resigned.

The roll was called. Present: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Absent: Rhoades.

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

Motion made by Mizesak and seconded by Saunders to approve the minutes of the Work Session of June 3, 2019. The roll was called. Vote – Yeas: Spinks, Koci, Genutis, Fluharty, Saunders. Nays: None. Abstain: Mizesak. Motion carried.

Motion made by Genutis and seconded by Spinks to approve the minutes of the Regular Meeting of June 3, 2019. The roll was called. Vote – Yeas: Spinks, Koci, Genutis, Fluharty, Saunders. Nays: None. Abstain: Mizesak. Motion carried.

Motion made by Mizesak and seconded by Saunders to approve the minutes of the Special Work Session of June 10, 2019. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty. Nays: None. Abstain: Saunders. Motion carried.

Mayor Koci presented a Certificate of Achievement to Chief Dave Nagy and Assistant Chief Shawn Solar congratulating the Bedford Fire Department for earning the classification as an ISO Class 2 Fire Department. Out of 42,000 Fire Departments surveyed, only 4.8 percent receive the rating of Class 2. Chief Nagy stated this rating affects residents' and businesses' insurance. In addition to firefighter training, other departments are part of the evaluation. Water Department for water supply, Dispatch Center for response quickness, and Service Department for maintenance of equipment are factored in the evaluation. Mutual aid agreements increase the number of people to operate safely.

ORDINANCE NO. 9683-19, an ordinance rezoning certain property located near the intersection of Northfield and Rockside Roads from the “B-3 Shopping Center District” to the “M-U Mixed-Use District” classification placed on first reading April 15, 2019, heard at the Planning Commission Public Hearing May 21, 2019, placed on second reading June 3, 2019 was read by title only. Motion made by Spinks and seconded by Fluharty to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Saunders to place Ordinance No. 9683-19 on third and final reading and passed.

City Manager Mallis explained Ordinance Nos. 9683-19, 9684-19 and 9685-19. This is regarding the Meadowbrook Shopping Center which was previously zoned retail B-3. One ordinance is to repeal that

zoning and replace Chapter B-3 with a mixed-use zoning district. The City hired a third-party planner to do a land analysis of the 90 acres from Bartlett and Rockside to the former TJ Maxx site and provide recommendations for rezoning and best uses for the area. The City retained outside legal counsel to guide through the process of developing the mixed-use zoning district. Mixed-use ranges from office, light manufacturing, new car sales and other options. Two parcels are being rezoned to R-3 multi-family because there are existing apartment buildings there. The City and Planning Commission would have authority to control what goes in this district. There is a tentative deal pending on the Walmart building that is based on this rezoning. There is an interested party in the 12 vacant acres at Bartlett and Rockside. The former YMCA parcel is included in the rezoning and there are interested parties in this land. Mayor Koci stated Mazda is building a new dealership, Bureau of Motor Vehicles has relocated, and the State License Bureau, a kidney dialysis business, and Simon's grocery store will be moving in.

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

ORDINANCE NO. 9684-19, an ordinance rezoning certain property located at Bartlett and Rockside Roads from the B-3 Shopping Center District to R-3 One to Six Family Residence Districts and M-U Mixed-Use District placed on first reading April 15, 2019, heard at the Planning Commission Public Hearing May 21, 2019, placed on second reading June 3, 2019 was read by title only. Motion made by Saunders and seconded by Mizesak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No. 9684-19 on third and final reading and passed.

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

ORDINANCE NO. 9685-19, an ordinance repealing and replacing existing Chapter 1939, entitled "B-3 Shopping Center Districts" with a new Chapter 1939 entitled "M-U Mixed-Use District" of the Codified Ordinances of the City of Bedford placed on first reading April 15, 2019, heard at the Planning Commission Public Hearing May 21, 2019, placed on second reading June 3, 2019 was read by title only. Motion made by Spinks and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Saunders to place Ordinance No. 9685-19 on third and final reading and passed.

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

ORDINANCE NO. 9698-19, an ordinance authorizing the City Manager to enter into a contract with Senior Transportation Connection and declaring an emergency placed on first reading May 20, 2019, placed on second reading June 3, 2019 was read by title only. Motion made by Saunders and seconded by Mizesak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No. 9698-19 on third and final reading and passed.

Mr. Mallis stated this is the contract for providing transportation for seniors age 60 and over. The City is not going to cut any services but will expand and offer seniors more options to utilize a van service. There will be no changes in utilization, cost will remain \$1.00 each way for transportation, and the City is looking to establishing group trips to Walmart, Giant Eagle and Marc's. This is a six-month contract. Mr. Saunders has concerns regarding condition of vehicles. Mr. Montello stated the contract can be terminated by either party with a 90-day notice.

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

City Manager Mallis reported the parade is Thursday, July 4th, at 10:00 a.m. on Columbus Road. The City arborist will be on High Street to evaluate trees and do trimming. We continue to work with the County regarding sewer maintenance. Last year, the County cleaned half of Gould. This year the County cleaned the opposite side of Gould. Once we determine how much is left of the \$10,000 that was budgeted for this year, the County will be sent to work on Eldred. Gardiner did an energy audit for all municipal buildings and put together a list of items for improvements. The City received \$100,000 in grant funding through NOPEC to pay for some of these improvements. The YMCA is under the City's control and the intent is to sell it. K-9 training will occur there this week. The City received approximately \$400,000 in grant funding for demolitions. The Land Bank will handle these demolitions on our behalf but we have to abide by their timeline. Notices to Proceed have been signed for 295 Columbus, 34 Union (already razed), 401 W. Glendale, 500 Columbus, garage at 83 Henry, and 90 W. Grace. The City will assume responsibility for the demolition of 188 Greencroft using remaining NSP grant funds. There was an article in Crain's that Xellia plans to move drug production and manufacturing and establish the bag system at the Bedford facility which will bring jobs.

No report from Law Director Montello.

Finance Director Gambosi congratulated Chief Nagy on the ISO rating accomplishment. The Tax Department sent out non-filer letters.

Councilwoman Spinks stated the job at times is difficult. The Council and Administration have to make difficult decisions. Mrs. Spinks votes thinking of all of the residents. She has worked with seniors for 42 years and this subject is very dear to her heart. This was a hard decision, but it is what is best for the residents and seniors and will provide more services and choices to go places.

Councilwoman Mizensak spoke of her recent absences at meetings. She thanked those who wished her well. Mrs. Mizensak recently gave a Proclamation to resident Lottie Adler who turned 100 years old on June 23. Mrs. Adler is a 35-year resident. Mrs. Mizensak has been through the Ward and the yards look great. Animal Control is limited on traps.

Councilman Genutis congratulated the Fire Department on the ISO rating accomplishment. The main job of the City Council is to evaluate the operations of the City, to assess the best use for taxpayers' money and be an oversight of the City operations on behalf of the residents.

Councilman Fluharty congratulated the Fire Department on the ISO rating accomplishment, thanked the Service Department for patching Northfield Road and taking care of the sinkhole across from Sunoco. He cautioned the use of fireworks and stated to call the Police Department.

Councilman Saunders reported that there were five car carrier trucks parked on Broadway with two being parked on the curve which is a hazard. They were parked from Harrison to Rockside. Mr. Saunders requested we inform the car dealers that we have an ordinance prohibiting them at certain dealerships and advise the dealers not to park them all at one time. The catch basin south on Northfield Road by the recycle center is collapsing. At the end of Logan, the Service Department spent a week to reconnect a sanitary sewer connection at 245 Logan. The road ends at the curb and questioned if the property owner is sharing the cost. He stated the homeowner's policy should show a reduction in fire protection and if not to call the insurance agent. He is pleased to see progress on demolition of problem houses. There is a recall on fireworks because they have been loaded improperly. Mr. Saunders thanked the Fire Department for their efforts and thanked those who sent condolences when his mother passed away. He spoke of his mother's involvement with the Bedford Garden Club. The parade starts at the Library and goes to Bedford Heights Community Center.

Mayor Koci wished resident Dick Bender a Happy 90th Birthday. Mr. Bender stated he has been a resident for 45 years.

ORDINANCE NO. 9699-19, an ordinance declaring the property and structure located at 429 Center Road, PP #811-13-062, a nuisance and therefore condemning the property ordering action and declaring an emergency was read by title only. Motion made by Mizensak and seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No. 9699-19 on third and final reading and passed.

Mr. Mallis stated this house is bank-owned, has been vacant for many years, the City has been cutting the grass for several years and was recently secured due to people breaking in.

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

ORDINANCE NO. 9700-19, an ordinance authorizing the City Manager to accept the proposal of J.D. Striping and Service Inc. for longline striping of streets in the City and declaring an emergency was read by title only. Motion made by Fluharty and seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizensak to place Ordinance No. 9700-19 on third and final reading and passed.

Mr. Mallis stated two quotes were received. J.D. Striping was for \$19,810.86 and A&A Safety \$23,561.40. This is budgeted.

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

ORDINANCE NO. 9701-19, an ordinance authorizing the City Manager to enter into a contract with Fabrizi Trucking and Paving Company, Inc. for the Union Street Waterline Replacement being the lowest, responsive and responsible bidder and declaring an emergency was read by title only. Motion made by Saunders and seconded by Mizensak to suspend the rule requiring the reading of said ordinance on

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

Motion made by Fluharty and seconded by Spinks to place Ordinance No. 9701-19 on third and final reading and passed.

Mr. Mallis stated the City applied for a \$2.2 million grant that would cover the waterline through the historic district down Union toward St. Mary's. Included in the grant application was resurfacing of Broadway, electrical repairs and new curbs. As part of the application, the City committed \$1 million for waterline repairs. The City did not receive the grant. The County is planning to repave Union Street in 2020. We will replace the waterline from Broadway to approximately St. Mary's before the repaving of Union. The County is redoing the stone bridge in 2022 so our project will stop before and after the bridge.

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

ORDINANCE NO. 9702-19, an ordinance authorizing the City of Bedford to pay for the cremation expenses of Ben Gray and declaring an emergency was read by title only. Motion made by Spinks and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizensak to place Ordinance No. 9702-19 on third and final reading and passed.

Mr. Mallis reported the City was contacted by County Morgue reporting resident Mr. Gray passed away and the County Morgue advised us he was indigent. Johnson Romito will handle cremation.

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

ORDINANCE NO. 9703-19, an ordinance authorizing the City Manager to enter into a contract with Sima Construction, Inc. for the 2019 Sidewalk Repair Program and declaring an emergency was read by title only. Motion made by Fluharty and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizensak to place Ordinance No. 9703-19 on third and final reading and passed.

Mr. Mallis reported the City would be identifying sidewalks that are damaged or lifted by tree roots and dig jobs that the City is responsible to replace. Letters will go out to residents in the area being worked in offering them the opportunity to contract with Sima to replace walks at the City price. Mr. Mallis stated two quotes were received. Sima Construction was for \$8.15 per square foot and F.P. Allega \$10.00 per square foot.

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

ORDINANCE NO. 9704-19, an ordinance authorizing Change Order #1 with Ronyak Paving, Inc. for the 2018 Street Improvement Program and declaring an emergency was read by title only. Motion made by Saunders and seconded by Mizesak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No. 9704-19 on third and final reading and passed.

Mr. Mallis stated there was base and catch basin work that needed to be done on Powers Road. The increase in the 2018 contract is \$4,453.35.

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

ORDINANCE NO. 9705-19, an ordinance amending Ordinance No. 9677-19 regarding Section 151.08(a) of the administrative code entitled Compensation for Overtime Work of the City of Bedford, Ohio and declaring an emergency was read by title only. Motion made by Spinks and seconded by Fluharty to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 9705-19 on third and final reading and passed.

Mayor Koci stated the ordinance is remaining the same with the exception of adding Clerk of Council to the administrative employees who earn one hour of compensation instead of 1.5 hours.

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

ORDINANCE NO. 9706-19, an ordinance authorizing the City Manager to contract with Nerone and Sons, Inc. for emergency repairs to the Waste Water Treatment Plant to commence the Wood Creek Bank Stabilization and declaring an emergency was read by title only. Motion made by Saunders and seconded by Mizesak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No. 9706-19 on third and final reading and passed.

There are erosion issues at Wood Creek. The area was surveyed in February and our Engineer recently surveyed again. We are losing hillside. Fallen trees have created a dam which shifted the water and has continued to take the hillside. The erosion is within 10 feet of a main 30-inch sewer line that goes to the plant. If not corrected, the line would not be stabilized, could fail and dump 2 million gallons of sewage waste daily. For short-term solution, two quotes were received for emergency work from Nerone for \$18,700 and Independence Excavating for \$32,752.88. Nerone was authorized to start the work last week, it took two days, and the actual cost came in around \$10,450.

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

RESOLUTION NO. 2536-19, a resolution authorizing the City Manager to apply for, accept, and enter into a cooperative agreement for emergency repair and construction of the Wood Creek Bank Stabilization Project between the City of Bedford and the Ohio Water Development Authority and declaring an emergency was read by title only. Motion made by Fluharty and seconded by Spinks to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizsak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Saunders to place Resolution No. 2536-19 on third and final reading and passed.

Mr. Mallis stated this is part of the long-term solution for the Wood Creek Bank Stabilization project. The City applied for emergency Ohio Public Works funds but did not qualify as an emergency. Through OWDA, the City is applying for a low interest loan paid back by the sewer fund. Repairs are estimated at \$700k-\$800k. There is also another smaller area estimated at \$50k-\$60k to address hillside erosion. The City will bid the project as soon as possible. Mr. Gambosi said the loan rate would be 1.9% for a 20-year loan. The actual costs would be determined after the bid process and would include engineering, inspection, construction and administrative fees.

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

RESOLUTION NO. 2537-19, a resolution authorizing the City Manager to enter into a contract with the Cuyahoga County Department of Public Works and declaring an emergency was read by title only. Motion made by Spinks and seconded by Fluharty to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizsak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizsak to place Resolution No. 2537-19 on third and final reading and passed.

Mr. Mallis stated we will be utilizing the County for sewer maintenance on Gould and in the future.

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

Mayor Koci said that would conclude the business portion of the meeting and asked if anyone in the audience had any comments. Anyone wishing to speak is to please come to the podium, state name, address and comment.

Marquez Brown, 3608 W. 14th Street, Cleveland, Ohio 44111, represents city workers and American Federation of State County Municipal Employees aka AFSCME. By Council voting to enter into a contract with Senior Transportation Connection, this would cause a layoff of a seven-year city employee who for three years has been the senior van driver. Members are opposed to any effort to subcontract work of the bargaining unit. Mr. Brown states the City has not demonstrated that subcontracting is necessary for financial reason, but acknowledged that the City had the right to do so. Mr. Brown spoke of the personal impact this would have on the African American employee. Mr. Brown asked the City to find a full-time opportunity in the City for the employee.

Frank Thome, 1222 Broadway, stated the van service would be for seniors 60 and older. Mr. Thome asked about people served now with health issues that are not 60. Mayor Koci replied these residents

would still be taken care of. Mr. Thome asked why the rush on the \$40,000 contract when there is already a union contract for the senior van driver and why not wait until the end of the union contract. Mr. Mallis stated that internally statistics were looked at last Fall. The Administration met with STC after the beginning of the year. They also looked at available grant funding. Mr. Thome asked if the City would keep the employee and spoke of his work. Mr. Mallis did state the contract will go forward. Each community negotiates their own parameters and STC knows the City's intention to keep the cost \$1.00 each way and start group trips to Walmart, Giant Eagle and Marc's.

Anna Marie Balkovich, 154 Paul, spoke of issues on Paul Street with speeders and not stopping at stop signs. She has spoken to police officers. Mrs. Balkovich only sees police once a day. There are issues at Interstate playground. Officers need to be there as kids are out late at night. There have been cars in her yard because she is at the bend. She has requested police at certain times and a patrol car is not there. There is an older gentleman driving his grandson on a scooter. She is concerned someone will get hurt due to these concerns.

David Svihlik, 233 Paul, agreed there is not enough police presence in the neighborhood. Juveniles do not use the sidewalk and spoke of the problem of speeding vehicles on Paul Street. Mr. Svihlik wants more police presence at various times and believes this could deter juvenile problems and speeding. There is also a problem with fireworks in the neighborhood, specifically naming First and John Streets. Mr. Svihlik has knowledge and experience of fireworks and states the type of fireworks being shot off are "Class B" and described the firework and the reason for concern. Mr. Mallis did respond the police issued citations the previous day.

Louise Novak, 1252 Broadway, questioned what is going on at San Bernardo as she has not seen any construction for two or three weeks. Mr. Mallis responded the developer terminated the construction/project manager. The project is moving forward, but the City was advised there would be about a month delay. Mr. Mallis expects work should move forward in about two weeks. The one area of the project is expected to be completed end of summer and the other area around the end of the year.

Jeff Duber, 134 Harriman, inquired when Center Road construction would begin. Mr. Mallis responded he expects around the end of this month. Maple Heights portion is not finished. Mr. Duber reported a traffic light problem at Forbes and Northfield. The traffic light on Northfield Road is green and the traffic light coming off of Forbes onto Northfield Road is green. The traffic light coming out of Xellia parking lot is green. Mr. Mallis will advise the Police Department.

Frank Spiker, 20 William, reported a problem with garbage being dumped on the sidewalks and roads throughout the neighborhood. Mr. Spiker picks up bags in front of his property. He notices the garbage when walking his dog specifically naming William, Justin, and Henry. Mr. Spiker requested police presence at different times throughout the day.

Robert Walker, 681 Turney, is concerned about the Colony Club Apartments. The new owners have lowered the age limit from 21 to 18 years old to lease an apartment. There are problems with loud music and he has called the police. There was a security person who had a contract with the previous owners of Colony Club. The new owners cancelled this contract. The pool no longer has lifeguards. Mr. Walker stated that Sunoco is changing owners and was told by the person who was there for 39 years he moved because the rent increased. Mr. Walker asked if there is anything the City could do. Mr. Mallis explained the City does have limitations on what can be ordered regarding lifeguards and security. Mr. Mallis previously had conversations with the former security person and has spoken to the police department.

Melvin Cook, 678 Turney #4, stated he was the security person at Colony Club. He stated there is a problem with people smoking "medical marijuana", a speeding problem on South Lee, and there was a large fight at the swimming pool involving adults and juveniles. The police were not called. There is a prostitution ring involving minors on Corkhill. Mr. Cook requests something be done.

Marjorie Bryant, 401 S. Lee, has enjoyed living at Colony Club until recently. She stated the landscaping has changed and did write a letter. Her lease is up and the new contract states she would be responsible to pay for garbage removal and the water bill. She is looking into the matter of tenants' rights. She is not happy with the new owners.

Rick Backo, 14 South Circle, stated he drove the senior van for 33 years and retired. The van service was used every day. Mr. Backo stated the seniors would prefer the van to state Bedford because it is personable. He is concerned about who the drivers would be. Mr. Backo spoke of his work experiences such as driving people to dialysis and when City Hall would be closed, residents told him they had to use RTA or another service. Mr. Backo stated the City has nice vans and inquired what would become of the vans. Mr. Backo shared he is upset and hurt by this decision.

Orlando Rosario, 257 Deborah, thanked the City Manager for getting an area fixed. Mr. Rosario stated he has used the senior van and sees both sides of the issue. He has ridden RTA, Cleveland Clinic transportation, and UH. He is not familiar with Senior Transportation Connection.

Sabrina Sanford, 594 Corkhill, said she uses a transit service and it is \$3.00 to go to Ahuja and \$3.00 to return. Ms. Sanford appreciates the senior van because she goes to UH for appointments. She has no complaints and hopes the City keeps the van and service. Ms. Sanford inquired about the Sunoco at Turney and Lee. Mr. Mallis responded it will be reopening as a Sunoco gas station with a store and would no longer be a service center for car repairs. This was approved by the Planning Commission and City Council.

Kathie Williams, 491 Lamson, thanked the Police Department for their response on Wednesday at 2:00 a.m. regarding people throwing M-80's out of their windows. The police officer responded within four minutes, lit up the house and this has not occurred since. Mrs. Williams stated the senior van driver will lose his job, but it is a possibility in 90 days the contract could be dissolved or in six months it is decided it is not a good fit and questioned would this driver get his job back. She suggested the employee be put in another position in the City.

Louise Novak, 1252 Broadway, stated when some members of Council were running for election they said the City needed to hire more people of color and Mrs. Novak agrees. She is aware there are two African American police officers. She asked if the senior van driver was the only other full-time employee of color. Mr. Mallis responded that this employee is the only AFSCME employee. Mrs. Novak would like the City to find another position for this employee. Mayor Koci responded race had no issue with the decision regarding the van service. Mrs. Novak said more needs to be done to hire people of color and to be diverse.

Jay Watson, 40 Berwyn, agrees with Mrs. Novak about not being diverse. Mr. Watson said we are not a bad city, but have a way to go. There is a problem with the school system failing. Companies will not want to move to Bedford if there is not a good school system. Mr. Watson wants the Administration to talk about the problem of the low rating of the schools in addition to partnerships and issues which are more comfortable to talk about. He applauds the resident who spoke of his community going downhill. He spoke about businesses that left and the need to face the fact why they left. Mr. Watson is not satisfied with the response regarding the swimming pool or the rent that the City cannot control. A police

officer should be in the area when the high school lets out because of litter in residents' yards. He does not see police officers in his neighborhood. Bedford is an aging community and young people are not moving in. Mr. Watson does not believe what is being done now is working and wants the City to take the extra steps to show being progressive.

Leslie Watson, 681 Turney #124, stated many of the kids that come to the pool at Colony Club do not live in Bedford. She said they live in Cleveland and are beginning to come to the pool on dirt bikes. With no security and no lifeguard this will not stop. Although it is private property and the police should be called, if the situation with the dirt bikes is not stopped it will get worse. Ms. Watson would rather see the pool shut down. Mayor Koci said this is the first that Council has heard about these concerns at Colony Club Apartments and the new owner.

Mayor Koci stated the City has gone out of their way and continues to try to hire minorities. When he was on the Fire Department, they would advertise in the Call and Post. Mayor Koci said there was only one minority applicant. More recently, the Police Department visits colleges trying to recruit minorities to take the test. The Mayor said he has gone to the hospital to try to recruit physical therapists who would be qualified physically to do the demands of police or fire, but no one took the test.

Mayor Koci said it is appalling the new management of Colony Club would lower the quality. Tonight is the first time Council has heard about the issues at Colony Club and to not blame Council for not helping. Council is concerned and will talk about it.

Mayor Koci stated the City is trying to be more diversified. When someone gets a job with the City, they are here for a long time. The City is not going to fire employees to hire minorities. Speaking to Mr. Watson, Mayor Koci said we are not going to lower standards to hire minorities because Mr. Watson would not like that. Mr. Watson agreed with that statement. The City will continue to look for people to fill opportunities including minorities and women to hire the best people for the citizens. The Civil Service Board has done a good job of getting excellent candidates to interview and hire. The City Manager and the Mayor worked with Tri-C to try to establish a program for minorities on how to take civil service tests. The person they were working with left Tri-C and the program went no further.

Mr. Gambosi, speaking regarding Civil Service, stated the quality of all applicants, including minority applicants, has improved. This has been seen in recent police hires. Right now, there is not any open positions. The City does not have changeover. Mayor Koci said that the City competes with private companies to attract qualified minority applicants. Recently, applicants have decreased due to cell phones and being recorded while doing the job so these jobs are not as attractive as they were.

Mrs. Mizsak said when the Sunoco station closed, the former owner was leasing from Sunoco in Atlanta, Georgia. Sunoco is now opening another gas station at this location. Mrs. Mizsak is working with some Colony Club residents to try to do the right thing for all the renters. The children are inviting their friends on the dirt bikes because management does not care. The City will try to do the right thing for the residents of Colony Club to ensure they are treated fairly.

Shirley, last name unknown, address unknown, said that before the new owners, there were no dogs. Now there are dogs and mentioned a Pit Bull. Mrs. Mizsak responded said that all that could be done is if the Pit Bull bit someone to call the police. The dogs have to be leashed and cleaned up after.

Jay Watson, 40 Berwyn, stated he believes everyone on Council are good people. The Council has inherited something hard to overcome. What Bedford is today is not due to what has been done in a short period of time. Bedford has a long history of these problems. When Mr. Watson hears it is hard to find

qualified black people, that offends him. He sees qualified black people hired in other cities. Mr. Watson said he is happy people have cell phones and explained his reasoning why referring to police abuse.

Melvin Cook, 678 Turney #4, said he worked at Ford Motor Company for 35 years. He spoke of his experiences many years ago about police officers pulling him over when he would come home from work at 1:00-2:00 in the morning because he drove a Cadillac. The Mayor of the city he lived in also lived on his street, he told the Mayor what was happening, and it stopped.

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

Meeting adjourned at 10:15 P.M.


Clerk of Council – Pro Tem


Mayor – President of Council