

COUNCIL WORK SESSION

MONDAY, OCTOBER 7, 2019

6:00 P.M. PROMPT

- DISCUSSION OF AGENDA
- REPEALING OUTDATED AND SUPERFLUOUS ORDINANCES
- BUDGET DATES
- EXECUTIVE SESSION – (Personnel / Economic Development)
 - Personnel
 - Economic Development

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

Bedford City Council met in a work session at Bedford City Hall on Monday, October 7, 2019 at 6:07 p.m.

Present: Council Members: Sandy Spinks, Walter Genutis, Vic Fluharty, Paula Mizesak, Heather Rhoades, Don Saunders. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Clerk of Council Tracy Simons. Absent: Mayor Stan Koci.

Mr. Smalley from First Energy talked about public safety regarding the service for power outages. City Manager Mallis complemented them on for a wonderful job that they've done that the only thing that the City is applying for funding for is the streetscape. He stated that they are only going to put in for street lights. Mr. Saunders asked about Issue 6 and Mr. Smalley's responded that it is strictly business. Mrs. Mizesak complemented them on the trimming around the substation at Five Points.

Vice Mayor Mizesak began discussion of the Regular Council Meeting agenda.

Council was one change to the minutes of the Work Session of September 16, 2019, and the Regular Meeting of September 16, 2019.

Ordinance No. 9726-19 to initiate energy improvements conducted by Gardiner. This will be placed on Second Reading this evening.

Ordinance No. 9727-19 to establish and maintain a new fund referred to as Northfield & Rockside West Capital Improvements. Mr. Gambosi stated that the auditor is asking for a new fund.

Ordinance No. 9728-19 & Ordinance No. 9729-19 are for the "Sewer Rates" and the "Rate Reduction for Senior Citizens and Permanently Disabled" Mr. Gambosi stated that there are some adequate water rates at this time and where we stand on the water and sewer funds, and that there will a 4% increase in sewer fees for 2020. He stated that the rate reduction is for seniors is 30% and it will continue to take effect in January 2020. Mr. Saunders asked if it pays to go with 4% and Mr. Gambosi replied that we will wait upon the EPA's decision on the necessary improvement requirements to the Waste Water Treatment Plant. He stated we should increase sewer rates at 4% each year until EPA's Report is released.

Ordinance No. 9730-19 & Ordinance No. 9731-19 are the CDBG grant for televising of the sewer system and a CDSG Fund for Phase Two of the City sign Initiative. City Manager Mallis stated that these are County Grants for \$150,000 and that the CDBG is due in December. They earmark areas that are in trouble and that are necessary. He stated that the CDSG is for an extra \$50,000 to start the Phase Two of the sign. He also stated that they did have a bid opening to either do it in three phases or to do it all at once and that the County has parameters and this will pay for the whole project.

Ordinance No. 9732-19 amending Ordinance No. 9653-18 making additional appropriations. Mr. Gambosi stated that this is to transfer funds for the General Fund.

Ordinance No. 9733-19 to contract with Ellet Sign Company for the Sign and Wayfinding Program (\$145,504.00). City Manager Mallis stated that we went out for bid and Ellet Sign is asking assistance for the City for location and that the project will be done by June 2020. He also stated that the price includes everything.

Ordinance No. 9734-19 providing for issuance and sale of bonds for the purpose of paying the costs of acquiring a pumper and ambulance (\$935,000.00). Mr. Gambosi stated that this is funds for the fire truck

and it is set up for the lowest bid. The ambulance will be ready in January and the fire truck will be ready by Memorial Day.

Motion to accept Planning Commission recommendation of September 17, 2019 to Idrissa Aidara, 5896 Dunham Rd., Maple Heights, OH who is requesting a conditional approval to open a hair salon located at 12 Columbus Street, Bedford, OH 44146.

Discussion of the Regular Meeting agenda was concluded.

Vice Mayor Mizzak began discussion to repeal outdated and superfluous ordinances. Ms. Rhoades stated that she found that if they are obsolete and to budget for a line item to have a company go through and look for the obsolete ordinances. Mr. Genutis complemented Ms. Rhoades in looking for any obsolete ordinances and he agreed to have a company take a look at them and get rid of any them.

Discussion to repeal outdated and superfluous ordinances was concluded.

Vice Mayor Mizzak began discussion for budget dates. It was determined October 28th, November 4th, 18th, and 25th.

Discussion of the discussion for budget dates was concluded.

Motion made by Spinks and seconded by Saunders to go into an Executive Session to discuss personnel, Economic Development. The roll was called. Vote – Yeas: Mizzak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Rhoades to adjourn out of Executive Session. The roll was called. Vote – Yeas: Mizzak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Executive Session adjourned at 7:59 p.m.

Work Session adjourned at 7:59 p.m.


Clerk of Council
Mayor – President of Council

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of September 16, 2019
 - b. Approval of Minutes of the Regular Meeting of September 16, 2019
5. **PRESENTATIONS**
6. **OLD BUSINESS** (Rdg: 1st 9/16/19)
 - a. Ordinance No. 9726-19 initiate energy improvements conducted by Gardiner
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Ordinance No. 9727-19 establish and maintain a new fund referred to as Northfield & Rockside West Capital Improvements.
 - b. Ordinance No. 9728-19 amending Ordinance No. 9546-17 concerning Section 913.02 "Sewer Rates."
 - c. Ordinance No. 9729-19 amending Ordinance No. 9637-18 concerning Section 913.03 "Rate Reduction for Senior Citizens and Permanently Disabled."
 - d. Ordinance No. 9730-19 apply for a CDBG for the televising of the City's sewer system.
 - e. Ordinance No. 9731-19 apply for a CDSG Fund for Phase Two of the City Sign Initiative.
 - f. Ordinance No. 9732-19 amending Ordinance No. 9653-18 making additional appropriations
 - g. Ordinance No. 9733-19 contract with Ellet Sign Company for the Sign and Wayfinding Program (\$145,504.00)
 - h. Ordinance No. 9734-19 providing for issuance and sale of bonds for the purpose of paying the costs of acquiring a pumper and ambulance (\$935,000.00)
 - i. Motion to accept Planning Commission recommendation of September 17, 2019 to Idrissa Aidara, 5896 Dunham Rd., Maple Heights, OH who is requesting a conditional approval to open a hair salon located at 12 Columbus Street, Bedford, OH 44146.
9. **HEARING OF CITIZENS**
10. **ADJOURNMENT**

Bedford City Council met in regular session at Bedford City Hall on Monday, October 7, 2019. Vice Mayor Mizsak called the meeting to order at 8:05 P.M. The meeting was opened by pledging allegiance to the flag.

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

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

Motion made by Rhoades and seconded by Saunders to approve the minutes of the Work Session of September 16, 2019. The roll was called. Vote – Yeas: Mizsak, Genutis, Fluharty Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to approve the minutes of the Regular Meeting of September 16, 2019. The roll was called. Vote – Yeas: Mizsak, Genutis, Fluharty Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9726-19, an ordinance authorizing the City Manager to initiate Energy Improvements pursuant to the recommendations of an Investment Grade Audit conducted by Gardiner and declaring an emergency was read by title only. Motion made by Spinks and seconded by Rhoades to place Ordinance No. 9726-19 on second reading. The roll was called. Vote – Yeas: Mizsak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

City Manager Michael Mallis thanked everyone for attending the Fall Fest this past weekend and that a lot of planning was involved and our staff knocked it out of the park. He also stated that they ordered the trees and some of them have started coming in last week. We are going to be working with a We are going to plant 50 this fall and 50 in the spring and it is through a grant that we received through Cuyahoga County. He stated that Dominion East Ohio will be doing work on William Street for a line replacement and it should take no more than three or four weeks. He announced that UH Hospital will be bringing their walking club down to Ellenwood, and they will also be doing a Wellness Screening on October 16th from 9:00 a.m. to 11:00 p.m. He also stated that this is the last week for the chipper service and to contact the Service Department if you have any limbs or debris on your lawn. He stated that the Pat Catan's building closed and it was sold and Jay Honda acquired the building. He stated that Sirna Construction will start on the October 21st to tackle the sidewalks. Ms. Rhoades asked if residents would be able to piggy back or is it only in Ward 3? Mr. Mallis stated that it is only in that section. He continued to stated that we will make our way around the City. Ms. Rhoades asked if someone is able to piggy back how will they know? Mr. Mallis stated that they will get a letter when they are in the area and if you are able to piggy back on those places to replace more. He stated that there will be some community forums coming out from the Bedford City Schools, they are looking for the community's input regarding the future of the schools. There will be a lot of decisions in the next few months regarding the plans, so take advantage of those dates and the first discussion will be on October 24th.

That concluded the City Managers report.

Law Director John Montello commended the staff and the Recreation Department on a great job.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that the Finance Department has been busy with the budget for 2020 and we have appropriation ordinance for this evening. The Tax Department is placing emphasis on

non-filers, so if you get a letter we did not receive a return. Of if you moved in or out of the City there is a good chance that you may get one of these letters if you haven't filed for the current year. He stated for collections this year we collected more money than we have from the whole year last year and we expect that to continue through the rest of this year.

That concluded that Finance Director's report.

Councilwoman Mizzak thanked the Service Department for taking care of the West Waste concern that tied traffic up for a couple of weeks and everything seems to be back in order. She stated that she received calls from residents that have a little blue flag on their tree lawn and that if it is in your yard that is where they are going to put the new tree. She stated that there are less trucks up at Meadowbrook and Mazda is moving along fairly well. She also stated that the days are getting shorter and to be careful and watch out for everybody so that nobody gets hurt. She asked if the hour for the new service with the van go past six o'clock. Mr. Mallis stated that they do not, but you can call to make arrangements for afterhours transportation as well as weekend transportation.

Councilman Genutis stated that October 16th is free health screening from 9:00 a.m. to 11:00 a.m., and he can just go there and get checked out. Mr. Mallis stated that you can go down to Ellenwood and UH will be there to do a number of different screenings. He also stated that the hospital is doing some great programs and they will talk about some of those things with that. He also stated that in our Work Session today he was glad to have some acknowledgement for many ordinances, which were well intended when they were written but no longer apply and or not practical to enforce, so we will see some movement to remove some ordinances that are on the books. He continued to stated that it is really hard to reconcile some ordinances that are applicable and he appreciates some movement to go through our ordinance book and bring it up to date. He also stated that we will be voting on and he does support the modest sewer rate increase coming up, but he doesn't believe that residents should be charged when there is no usage.

Councilman Fluharty stated Light of Heart's Annual Fall Fest is on Sunday, October 13th and the phone number is (440)232-1991. He asked Mr. Mallis about if they are out and running and are they doing anything at San Bernardo Place. Mr. Mallis stated that there were individuals there and he thinks it's the project managers going through the building. He also stated that there were a handful of dead trees and one came down and we will be sending a notice to the owner. He also stated that they were in a few weeks ago and spoke with Mr. Beverly and they are intending to start work back up again, but we don't have the timeline. Mr. Fluharty stated that date is going to get pushed back to spring at least. He also asked about Williams Street and that they have it down to one lane now and what are we going to do since Union Street is blocked off RTA is going down William Street and to call them and ask them to go down Henry Street. He stated that we reached out to RTA to talk to them about that last week and he will follow up and see what the response was.

Councilwoman Rhoades stated that if anyone is interested in volunteering that they would love to have you at the Bedford Downtown Alliance. They are starting their planning for the Chocolate Walk and they are also looking for volunteers. She also thanked everyone who came to our First Friday and our theme was Around the World. Our next First Friday the theme will be Dios de los Muertos, which is the Mexican Day of the Dead and it will be an extension from Halloween. She stated that the Garden Club has bean soup and honey for sale. The bean soup helps us fund projects like the Union Street Bridge, The Dunham House clean-up, the Historical Garden, and the garden in front of City Hall.

Councilwoman Spinks stated that K-9 Officer Luca and Patrolman Kempinski have been nominated for the most deserving K-9 Unit and what they would win is a K-9 SUV. They are very expensive and life expectancy for a K-9 is not very long, so they have to have a lower vehicle. If you are interested there are three different websites to go on and vote and voting goes until October 31st.

Councilman Saunders stated that if you have more than one email address and more than one computer you can vote more than once a day for the K-9 Unit. He asked if we regulate how much residents can put out on the tree lawn, because certain houses are starting to monopolize the usage of the chipper service. Mr. Mallis stated that we have stopped a couple of contractors and obviously the residents weren't thrilled about it, but we have had some tree contractors that have come and removed a tree and they leave it on the curb because they know that we offer a service like that. We have stopped a couple of contractors and one contractor we wrote them a letter. Mr. Saunders stated that is the main concern, because it seems like lately a number of houses will fill their tree lawn and it's good to hear that they are at least monitoring it.

ORDINANCE NO. 9727-19, an ordinance authorizing the Finance Director to establish and maintain a new fund for the City of Bedford referred to as Northfield & Rockside West (Capital Improvement Fund) 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: Mizzsak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Rhoades and seconded by Saunders to place Ordinance No. 9727-19 on third and final reading and passed.

Mr. Gambosi stated that the state auditor needs us to pass any new funds now and tell them the purpose of those funds through Council and then we send it to them to record for our city.

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

ORDINANCE NO. 9728-19, 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 was read by title only. Motion made by Fluharty and seconded by Rhoades to place Ordinance No. 9728-19 on first reading. The roll was called. Vote – Yeas: Mizzsak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9729-19, an ordinance amending Ordinance No. 9637-18 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 was read by title only. Motion made by Spinks and seconded by Fluharty to place Ordinance No. 9729-19 on first reading. The roll was called. Vote – Yeas: Mizzsak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Mr. Gambosi stated that the proposal is to have a 4% increase established for the sewer fund for this year and we do not anticipate a rate increase for water for next year.

ORDINANCE NO. 9730-19, an ordinance authorizing the City Manager to apply for Fiscal Year 2019-2020 Community Development Block Grant Fund through the Cuyahoga County Department of Development for the televising of the City's Sewer System and declaring an emergency was read by title only. Motion made by Genutis and seconded by Spinks to place Ordinance No. 9730-19 on first reading. The roll was called. Vote – Yeas: Mizzsak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

City Manager Mallis stated that this is a grant that is provided through Cuyahoga County on a yearly basis and it a maximum of \$150,000.00. The last time the City did a program like this it was in 1999 and it won't allow us to do the televising of the whole city but it's a start.

ORDINANCE NO. 9731-19, an ordinance authorizing the City Manager to apply for Community Development Supplemental Grant Fund for Phase Two of the City Sign Initiative and declaring an emergency was read by title only. Motion made by Rhoades and seconded by Spinks to place Ordinance No. 9731-19 on first reading. The roll was called. Vote – Yeas: Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

City Manager Mallis state that the first one is Community Development Block Grant and the second one is a Supplemental Grant. The Supplemental Grant is a grant that the Cuyahoga Council came up with a few years back. We applied for it this past year and we were awarded for \$50,000.00 and it is going towards the sign initiative and we would like to apply for this grant again and it will go towards funding the sign initiative.

ORDINANCE NO. 9732-19, an ordinance amending Ordinance No. 9653-18 making additional appropriations for current expenditures of the City of Bedford, Ohio during the year 2019 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: Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Rhoades to place Ordinance No. 9732-19 on third and final reading and passed.

Mr. Gambosi stated that this is our clean up ordinance for 2019 and from time to time we review where we are at.

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

ORDINANCE NO. 9733-19, an ordinance authorizing the City Manager to enter into a contract with Ellet Sign Company for the Signs and Wayfinding Program being the lowest, responsive and responsible bidder and declaring an emergency was read by title only. Motion made by Rhoades and seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No. 9725-19 on third and final reading and passed.

City Manager Mallis stated that the City applied for a grant and we were awarded \$50,000.00 for a sign initiative and we also have some other funds set aside from years passed to start this project. He stated that once we had a design in place we wanted to go out for bid. It is our recommendation that based on the funds that we've already received as well as the funds that we are going after with the CDSG that we go forward and pass this recommendation to do it all at once. It is the lower amount and we could the entire project wrapped up by June 2020.

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

ORDINANCE NO. 9734-19, an ordinance providing for the issuance and sale of not to exceed \$935,000 of Notes, in anticipation of the issuance of bonds, for the purpose of paying the costs of acquiring a pumper and an ambulance for the use of the Fire Department, together with all necessary appurtenances thereto; and declaring an emergency was read by title only. Motion made by Saunders and

seconded by Rhoades to place Ordinance No. 9734-19 on first reading. The roll was called. Vote – Yeas: Mizzsak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Mr. Gambosi stated at the previous meetings of Council we passed an ordinance to approve the purchase of an ambulance and a fire pumper and in doing so we would anticipate that we would have a note issued for one year, with the anticipation of providing bonds in the future for that note. He stated that the amount of the note would be for \$935,000 and it would be bid by banks that we will have out in the public and we will receive those bids next week and thereafter we will come back to Council and look at accepting the lowest bid.

Motion was made by Spinks and seconded by Fluharty to accept the Planning Commission's recommendation from September 17, 2019 denying Idrissa Aidara request for a conditional approval to open a hair salon located at 12 Columbus Street and/or 635-637 Columbus Street in Bedford, Ohio. A vote of yes would mean that you would agree with the Planning Commission's denial. Vote – Yeas: Mizzsak, Fluharty, Saunders, Rhoades, Spinks. Nays: Genutis. Motion carried

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

Mr. LaVessy, 256 Columbus Rd., stated that he is here to invite the members of Council and members of audience to an event that will be held at the high school on Thursday, October 17th starting at 7:00 p.m. it will be held in the North Large Group Instruction (NLGI) Room. He continued to state that it is for the candidates for the Bedford City School's Board of Education and it is ran by the League of Women Voters. They have a reputation for running a very business and professional voter forums. It is being coordinated by the Greater Cleveland Council. He stated that because we don't have a newspaper in town there was very little publicity about the campaign for the four candidates two years ago. He felt that at that time it was a problem so he has been working for some time to talk with the board members and Mayor Koci along with the Mayor's of the four communities to make sure that they support this initiative. He continued to stated that there are two positions open and three candidates for those positions and through this forum we have an opportunity to find out something more about the positions of these candidates.

Ms. McMignariney, Colony Club Apartments, asked if City Manager Mallis and Mr. Montello have any information for us in regards to Michigan. She stated that they are all very unhappy with the company and asked how can they bill for water when there are no meters. City Manager Mallis stated that they were successful in talking with Ms. Gillesby and they had a local representative stop out at the Police Department. He stated that she met with the Police Chief and obtained some information. He continued to state that from the City's aspect and as far as how they are running their business, we don't have a lot of authority to make them do it the way that it was before and that is how they are choosing to operate their business. He stated that our police forces are making some progress as well.

Ms. McMignariney stated that they would like for Ms. Gillesby to come and meet with us and say what we feel. She continued to express her complaints about the raise in rent, the lawn care, and a senior discount. City Manager stated that he doesn't know if we can force them to give a discount and he doesn't want to give a false impression that we are going to be able to do that. He stated that he doesn't know if that is a possibility and we can't dictate what people charge. He stated that he expressed some concerns that you have mentioned and asked for some more clarity on it and some discussion with the current residents and management, and they've been open to that. Ms. McMignariney stated that she is sure they were informed from the other company. Mr. Montello stated that you have probably seen more police activity up there and there have been several arrests and several prosecutions pending, and I can't say to much about it. City Manager Mallis stated that they did speak about the pets and yes, they are allowing pets. He also stated that some of what he explained that was there are not permitted and he is

trusting that they take the initiative to address it. Ms. McMignariney stated if Ms. Gillesby is aware of what is going on with these animals.

Mr. Cook stated that they are going to tell you guys anything and you will go along with it, but when it comes to wanting to talk to us they don't want to. Mr. Montello stated that the City could ask but there isn't anyway that they could force the individuals to meet with them.

Ms. Briggs, 149 Graham Blvd. stated that the movie night on the square was wonderful. She stated that the sound was perfect and it was a great time. Ms. Rhoades stated that she will pass it along to the Recreation Department.

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

Meeting adjourned at 8:57 P.M.


Clerk of Council
Mayor – President of Council