

COUNCIL WORK SESSION
MONDAY, SEPTEMBER 16, 2019

6:00 P.M. PROMPT

- DISCUSSION OF AGENDA
- DISCUSSION OF AMENDING CHAPTER 1315 “REGISTRATION OF FORECLOSED, FORFEITED, OR VACANT PROPERTIES” - Rhoades
- DISCUSSION OF AMENDING CHAPTER 1949 “SIGNS” – Rhoades
- DISCUSSION OF ENERGY AUDIT- Gardiner Representatives
- DISCUSSION OF WATER AND SEWER RATES-Gambosi
- EXECUTIVE SESSION – (Personnel / Economic Development)
 - Personnel- (Union Matters)
 - Economic Development

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(Council Minutes and Agendas posted at www.bedfordoh.gov)

Bedford, Ohio

September 16, 2019

Bedford City Council met in a work session at Bedford City Hall on Monday, September 16, 2019 at 6:05 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Vic Fluharty, Paula Mizensak, Heather Rhoades, Don Saunders. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Building Commissioner Calvin Beverly, Law Director John Montello, Clerk of Council Tracy Simons. Absent: None.

Mayor Koci began discussion of the Regular Council Meeting agenda.

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

Ordinance No. 9723-19 purchase Control Module from Cummins (\$16,668.00.) City Manager Mallis stated that they are getting intermittent error code message and that Cummins will come out and upgrade the model. He also stated that when it is down that the bypass sewage will go into Wood Creek, and that is why they need to replace it.

Ordinance No. 9724-19 purchase an Indeco HP1100 ABF Hydraulic Breaker from Gibson Machinery (\$13,615.00). City Manager Mallis stated that this is the breaker that failed for the water main break.

Ordinance No. 9725-19 amending §911.03 "Rate Reduction for Disabled Persons and Senior Citizens." Mr. Gambosi stated that it only went up a little bit. Councilman Saunders asked how do they determine the discount? Mr. Gambosi stated that the staff knows.

Ordinance No. 9726-19 initiate energy improvements conducted by Gardiner. City Manager Mallis stated that he would like it placed on First Reading tonight and that he would get the annual saving for the Service Department and City Hall to everybody. The system upgrade would be for City Hall, Fire Department, and the Court Building and that Tony would also be able to tie into the system with a phone. Mayor Koci asked is it a simple payback of months or years? City Manager Mallis stated that it is years and that we want to place it on First Reading.

Resolution No. 2545-19 execute a Memorandum for Understanding w/Tinker's Creek Watershed Partners, Inc. City Manager Mallis stated that it is put as a Conservation Easement and it will allow them to address the erosion issue and to also do a tree planting ceremony.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began discussion of amending Chapter 1315 "Registration of Foreclosed, Forfeited, or Vacant Properties." Councilwoman Rhoades stated that she and Mayor Koci talked with Safe Guard and they explained that they want to talk to cities. She continued to state that Mr. Halpern finds the properties that are vacant and that his fees are far lower, and that they only are mainly geared toward residential and foreclosures. Councilwoman Rhoades stated that foreclosures can take years and once they get a notice they leave and that Mr. Halpern would be able to find who is in probate. We don't pay unless he finds vacant property. Banks and cities are coming to them and so far, all of the materials are for residential only. Councilman Genutis asked "How many houses? And how many of them are vacant? City Manager Mallis stated 4,300 homes and between 280-340 are vacant. That is the highest that he recalls and that vacant properties have gone down. Councilwoman Rhoades stated that a recession is going to come. City Manager Mallis stated that what we are seeing now is a tax issue. If you receive a letter then the County would help and if you fail on the first agreement an affidavit is sent out.

Discussion of the amending Chapter 1315 "Registration of Foreclosed, Forfeited, or Vacant Properties" was concluded.

Mayor Koci began discussion of amending Chapter 1949 "Signs." Councilman Saunders stated that he looked at it thoroughly.

Discussion of the amending Chapter 1949 "Signs" was concluded.

Mayor Koci began discussion of Energy Audit. He stated that none of the representatives were here to talk about it and that it was already discussed.

Discussion of Energy Audit was concluded.

Mayor Koci began discussion of Water and Sewer Rates. Mr. Gambosi stated now is the time for the November Water & Sewer readings in the billing system. Sewer Capital is \$7Mill of improvements to the lines. City Manager Mallis stated that there are things that need to be done in the next five years. We are going to have to do what the EPA says. Mr. Gambosi stated that a Storm Fund/Fee for the community is needed and the engineer says that this has to be done. We are waiting to see what the EPA says. Councilman Genutis stated that we just did \$800,000.00 for the Wood Creek banks. Mr. Gambosi stated that the ordinance says to do the 3% raise and to do what Cleveland says. City Manager Mallis stated that we brought the county in and there are somethings that we have done. Mr. Gambosi stated that we are complying and spending money to do the assessment and waiting to see what it entails. The General Fund came up with its own fee. Councilman Saunders stated that Stormwater is a utility and that they do all of the creeks, catch basins, and ditches. Mr. Gambosi stated that it is based off surface runoff. Councilwoman Rhoades stated to start with a small fee to get them used to it. Mr. Gambosi stated that at this point there are no recommendations on this. We are working with the EPA.

Discussion of Water and Sewer Rates was concluded.

Councilman Saunders asked City Manager Mallis about the sidewalks. City Manager Mallis stated that he would have to check on it.

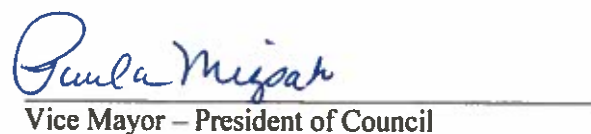
Motion made by Mizzak and seconded by Genutis to go into an Executive Session to discuss personnel – Upcoming Union Matters, Economic Development. The roll was called. Vote – Yeas: Koci, Mizzak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

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

Executive Session adjourned at 8:02 p.m.

Work Session adjourned at 8:02 p.m.


Clerk of Council


Vice 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. **PRESENTATION**
6. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
7. **NEW BUSINESS**
 - a. Ordinance No. 9723-19 purchase Control Module from Cummins (\$16,668.00.)
 - b. Ordinance No. 9724-19 purchase an Indeco HP1100 ABF Hydraulic Breaker from Gibson Machinery (\$13,615.00)
 - c. Ordinance No. 9725-19 amending §911.03 "Rate Reduction for Disabled Persons and Senior Citizens"
 - d. Ordinance No. 9726-19 initiate energy improvements conducted by Gardiner
 - e. Resolution No. 2545-19 execute a Memorandum for Understanding w/Tinker's Creek Watershed Partners, Inc.
8. **HEARING OF CITIZENS**
9. **ADJOURNMENT**

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Bedford, Ohio

September 16, 2019

Bedford City Council met in regular session at Bedford City Hall on Monday, September 16, 2019. Mayor Koci 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: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Absent: None.

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

City Manager Michael Mallis commended Lieutenant Brian Harting from the Fire Department. He is a tremendous asset to our staff. We finished an application for the OPWC Issue 2 Grant, it is a highly competitive grant and loan application. We also put in for the project on Broadway, which entails putting in all new waterline connections throughout the Historical District. We would abandon the six-inch connection and make all new connections, make repairs to the electrical system downtown, and resurface Broadway. He also stated that we are moving along with our camera installations, a small demonstration was done for some of our auto dealers last week. Our license plate cameras are up as well as some directional cameras and they are directly fed into the Police Department. We were awarded the Tree Grant through Cuyahoga County. It is a \$40,000.00 grant that will fund the purchase and planting of 100 trees. The goal is to plant 50 this year and 50 in the spring. An app was identified and somebody registered that space at Meadowbrook as free overnight parking. Councilwoman Rhoades emailed the administrator for that app and it was removed last week. It hasn't stopped the trucks completely, but it has diminished. We did start our senior transportation this week, so for those who are interested in it you can contact our Parks and Recreation Department to get signed up.

That concluded the City Managers report.

Law Director John Montello had no report this evening.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that the Tax Department sent out non-filer letters, delinquencies, and it is recommended that if you get a letter to contact the department. If you are moving, contact the department to let them know that you moved into the city or out of the city. They've had to do a lot of delinquency collections and we are up from last year in regards to our lawyers presenting cases. There are over \$270,000 in collections as of September. To alleviate a lot of fees and fines contact the Tax Department to work with where you are at and to work out a payment plan.

That concluded that Finance Director's report.

Mayor Koci stated that the Celebration of the Arts: Weekend of the Pooka was a terrific weekend. The weather cooperated and the performance on Friday night was awesome. He thanked Councilwoman Spinks for doing a great job of putting it all together. He stated this year they are putting in a waterline on Union Street and that the street will get repaved next year.

Councilwoman Mizzak stated that she heard a lot of remarks about Pooka and that when Councilwoman Spinks does anything she puts her heart into it completely. She asked City Manager Mallis to have Mr. Beverly check out what is going on down at the Sunoco station, because it is at a standstill. City Manager Mallis stated that the original plans called for a little convenient store and they stopped it on their own and they were looking at re-doing the drawings to put in for grilled food and to purchase food inside. It turned out that it was not cost effective to do so, and they told the Building Department that they scratched those plans and they are going to stick with the original. They should be starting it back up shortly. They do anticipate the original plans and for them to continue to move forward.

Councilwoman Mizzak stated that she needed a little attention paid to the Glendale side where the school is at and that there are a lot of speeders there as usual. They have a lot of problems when the children are getting out of school and now that they are back in we don't want to be the referee of the traffic offenders. She also stated that shred day was successful and a lot of people are getting ready for the one in Spring.

Councilman Genutis had nothing to report this evening.

Councilman Fluharty announced the Light of Heart's Annual Fall Fest, which will be on Sunday, October 13 from 12:00 p.m. to 5:00 p.m. If you would like more information on it the phone number is (440)232-1991. He also stated that people are complaining about parked cars across the sidewalk in their driveways and if the police could do something about it.

Councilman Saunders asked City Manager Mallis if we still have a Tree Board and if Dominion has decided they are going to do with the gas line in Downtown Bedford the same time they do the street. City Manager Mallis said yes there is a Tree Board and that Dominion was going to, but then they stopped that and they started identifying other roads. We did reach out to them to get an answer on if they are going to. If they do, it will obviously play into our plan, but we are going to be in communication with them.

Councilman Saunders stated that a lot of people are complaining that as they are walking they have to go around the trees, because of the low branches. He also stated that it is usually a project in the winter time and that we should seriously start going through the different streets and start lifting some of these trees, because they haven't been done in a number of years.

Councilwoman Rhoades announced that the last week of chipper service will be the first week of October. Please call the Service Department if you would like to schedule a pick up from the chipper service. She also thanked everyone who purchased a Bedford Mum. The official flower for the City of Bedford is Pink Azalea Mum. The Garden Club sells them in the fall as a fundraiser to help promote the Pink Azalea Mum in Bedford. We sold 250 mums and if you aren't sure what the Pink Azalea Mum looks like, Bill just put some out in the planter located in front of City Hall. We will be starting to make our bean soup, honey, and the decorative rocks that people like to hide at different places. The Garden Club will be selling them at the Fall Fest. The Bedford Downtown Alliance will be having a meeting on September 25th at 7:00 p.m. Our next First Friday is on October 4th from 6:00 p.m. to 9:00 p.m. and the theme will be Around the World. It is going to be a game and basically the Pooka's have stolen Elmer Flick. She also stated that the Bedford Downtown Alliance is also looking for board members. She also stated that we are seeking musical acts to perform at one of our First Friday's please contact her and they can get you scheduled. Mayor Koci asked if there will be anymore mums? Councilwoman Rhoades stated that they are all sold out.

Councilwoman Spinks thanked Mr. Darr for a wonderful job he does to keep our city beautiful. They are already planning the Celebration of Arts for next year. This event wouldn't have been put on if it wasn't for the volunteers and from our very small committee members. The biggest help was from our local boy scouts they really pitched in and they are amazing. She stated that there are a few trees overgrown by the

park and the creek. We were really lucky this weekend because Cleveland Heights and Shaker Heights weren't so lucky from the storm. Driving to work there were trees down and some areas were still without power. Most of our vendors did really good and some of them have already wanted to make sure that they had their spot for next year, so thank you to the volunteers and to everyone that came out.

ORDINANCE NO. 9723-19, an ordinance authorizing the City Manager to enter into a contract with Cummins for the purchase of a 3300 Control Module for the efficient operation of the Waste Water Treatment Plant ("WWTP") and declaring an emergency was read by title only. Motion made by Saunders and seconded by Rhoades to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No. 9723-19 on third and final reading and passed.

City Manager Mallis stated that this is for some equipment at our Waste Water Treatment Plant. Cummings was out multiple times to try and rectify an error that we've been receiving that started a few years back. Ultimately the only true fix is to upgrade from a 3100 Control Model to the 3300 Control Model. This is proprietary and it is working with Cummings to get this installed in the generator. It's an absolute need that without the backup during a heavy storm or power outage we risk the plant failing and bypassing into Wood Creek, which obviously is not an option. We would like to get this passed and start on this upgrade as soon as possible. It is budgeted for this year.

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

ORDINANCE NO. 9724-19, an ordinance authorizing the City Manager to enter into a contract to purchase an Indeco HP 1100 ABF Hydraulic Breaker from Gibson Machinery, LLC 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: Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 9724-19 on third and final reading and passed.

City Manager Mallis: stated that this is a piece of equipment that has failed and we utilize it for a handful of dig projects, specifically for water breaks when we need to break up the roadway. It is a concrete breaker that allows us to break and do the necessary dig jobs. We did receive two quotes and Gibson was the lowest quote and we recommend going with them. We would like to make this purchase as quickly as possible as our current piece of equipment is not operating.

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

ORDINANCE NO. 9725-19, an ordinance amending Ordinance No. 9639-18 Codified Ordinance §911.03 "Rate Reduction for Disabled Persons and Senior Citizens" for water and sewer discounts 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: Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

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

Mr. Gambosi stated that annually we have to look at what the qualifying dollar amount will be for households regarding the water discounts for the following year. The 2018 income taxes that you earned the amount will go up to \$33,862.00. We will utilize those tax returns and those income levels to associate to the 2020 discount. So, he asked Council to pass that this evening. We increased it according to the consumer price index.

The roll was called. Vote – Yeas: Koci, Mizensak, 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.

Mayor Koci stated that it our wish to put this on First Reading so that we may have more time to look at what projects need to get done first.

Motion made by Mizensak seconded by Saunders to place Ordinance No. 9726-19 on first reading.

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

RESOLUTION NO. 2545-19, a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Tinker's Creek Watershed Partners, Inc. (TCWP) for Storm Water discharge and declaring an emergency was read by title only. Motion made by Mizensak and seconded by Rhoades to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Resolution No. 2545-19 on third and final reading and passed.

City Manager Mallis stated that Tinker's Creek Watershed is an organization that we've been working with throughout the years and they help us on a number of different projects. If it's planting trees, working with property owners on run off issues, and most recently we did a tree planting and a conservation program off of Columbus Road. They are a great non-profit entity and they are definitely a benefit to the city.

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

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

Jay Watson, 40 Berwyn Dr., stated about his concerns with crosswalk on Broadway and if there is something that the City could do to make it a safer area. He also stated that there are too many cars blocking the sidewalks and that he has reported it and has yet to see anything done about it. He also commented about the trees and that he called the Service Department to get some clarification on it. He also asked if we could use that sign out front to advertise for Meals on Wheels? City Manager Mallis stated that we might have had something up there at one time, but we haven't had anything on their

recently. Mr. Watson stated they have been having some issues with volunteers. He asked about the trucks at Meadowbrook. City Manager Mallis stated that we believe that we identified where it started and that somebody registered that place as free parking and free overnight parking. He stated that he made a couple of posts on the app and that they got in contact with the admin for it and they have since removed that location. We did see it drop since we've done that and we did have the property owner out there making postings. One of the things that we are looking to do right now at a couple of the entrances' is to see how we block them off. We can't have it barricaded to where we can't get to the building, but is there something we can have their temporarily. I think that we made some head way with that. Mr. Watson asked who pays for the security that is there? City Manager Mallis stated that the previous owner paid for the security and he stopped that when he started selling off the various parcels.

Ms. McMignariney, stated that Colony Club raised the rent and now they are going to bill us for water, sewer, and garbage. She stated that they are charging us \$10.00 for writing a check and she asked Mr. Montello if they can do that. Mr. Montello asked did they make you sign a new lease? Ms. McMignariney stated that she has not signed it yet. She stated that people are bringing their dogs into the pool and if someone from the city could call the lady and talk to her about it. City Manager Mallis stated that he has been in communication with her. Councilwoman Mizensak stated that number was given to him this afternoon. Ms. McMignariney stated the lady was very abrupt with her. Mr. Montello stated that he can try but that it is a matter between you and them. We can try to call them and ask them to be reasonable. Ms. McMignariney asked what about charging a person \$10.00 for writing a check? She explained what happened to her back in June of this year. Mr. Montello stated that he can try and ask and see what he can do. Ms. McMignariney stated she enjoys it here.

Mr. Walker, 681 Turney Road, stated he has lived at Colony Club for 15 years and the new owners are rude and uncaring, and unconcerned about the issues that the residents have. That most of the trash is coming from outside sources. He then stated now what is going to happen if nothing is done about it, because pretty soon it will affect the whole city. The residents are giving you a warning on what is going on and it's up to the City.

Sebrina Sanford, 594B Court Hill, stated her issue is with the same Pit Bull in my building. She has reported this to the manager of the building and nothing is being done about it. Mr. Montello asked do other people have pets? Ms. Sanford stated that they just started allowing dogs.

Dr. Karen Gillian, 845 Wellman, stated this is the first meeting that we are attending as new residents of Bedford. She just wanted to come out and say "Hello" and wanted to know who her Council person is. Mayor Koci stated you are a former Council person from Bedford Heights. Dr. Gillian stated yes for nine years.

Vivian Freeman, Colony Club Resident, asked about putting up some litter signs, because it seems like everybody is using the treelawn to dump their rubbish. She stated the flowers in front of City Hall are gorgeous but we cannot see the message on the sign. We should be able to see it when we come in the same direction and we can't see it, because only the top part is showing.


Councilwoman Mizensak stated to the Colony Club residents when you mention the rate for the rubbish being increased, it was pro-rated for the water, sewer and trash. And that they said that they were going to raise the rent to include everything. Colony Club residents stated their concerns about billing of their amenities. Councilwoman Mizensak stated that they will be combined into one bill.

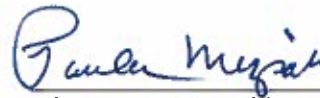
Member of the audience stated if the City does not start with the apartments and all the problems they are having and it might be on our doorstep today and it has a trickle-down effect. We have to put a stop to

what is going on in Colony Club. It might be on our doorstep today, but one day you are going to turn around and it's going to be at your doorstep.

Mayor Koci 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: Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades, Spinks. Nays: None. Motion carried unanimously.

Meeting adjourned at 9:08 P.M.


Clerk of Council


Vice Mayor – President of Council