

COUNCIL WORK SESSION
MONDAY, NOVEMBER 18, 2019

5:30 P.M. PROMPT

- **BUDGET HEARINGS –**
BUILDING DEPARTMENT & MUNICIPAL COMPLEX
- **DISCUSSION OF AGENDA**
- **DISCUSSION OF “BROADWAY ZONING”**
- **DICUSSION OF “ELLENWOOD RENTALS-PAVILION”**
- **EXECUTIVE SESSION – (ECONOMIC DEVELOPMENT, LITIGATION)**
ECONOMIC DEVELOPMENT – UHAUL, MEADOWBROOK
LITIGATION - CANO

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, November 18, 2019 at 5:30 p.m.

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

Building Department & Municipal Complex

Building Commissioner Calvin Beverly was present this evening representing the Building Department & Municipal Complex for their budget.

City Manager Mallis stated that they have made some changes and that brought Ms. Stepanik to a clerical position and that the current software that the Building Department has will not be supported after 2019. He continued to state that Ms. Stepanik is a good fit for the department and she is working out well. She will also be a bonus for the software upgrades as well. He also stated that some communities still do Point of Sale and that some just do exterior and that they will have something amend for a Work Session. Mr. Beverly stated that Ms. Stepanik is very knowledgeable with Microsoft.

City Manager Mallis stated that we've seen an influx of public records requests and to have that extra person is helpful. Mr. Beverly stated that Ms. Stepanik helps with the state reports. He continued to state that they have to report every project to the state. He also stated that he looks at what they need and they only spend what they need to spend.

At this time, they started with the line items.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There were a couple of changes to the November 4, 2019 Work Session and Regular Council Minutes.

Ordinance No. 9738-19 City of Bedford 2020 Appropriation Budget. Mayor Koci stated that this will be Tabled.

Ordinance No. 9739-19 grant of Conservation Easement to West Creek Conservancy. Mayor Koci stated that this is the Third and Final Reading.

Ordinance No. 9740-19 amending Chapter 1949 "Signs" of the Codified Ordinances. Mayor Koci stated pass it as amended.

Ordinance No. 9744-19 amending Ordinance No. 9653-18 making additional appropriations. Mr. Gambosi stated about making additional appropriations.

Ordinance No. 9745-19 contract with Cuyahoga County Department of Public Works. City Manager Mallis stated that this is a standard contract to clean sewer's and for work to be done on the sink hole.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion of "Broadway Zoning." City Manager Mallis stated they are not done yet and that they have made some changes in the Mixed-Use and they have a consensus as to what they are doing from the Historical District to the Automile.

Discussion of Broadway Zoning was concluded.

Mayor Koci began discussion of "Ellenwood Rentals-Pavilion." Mr. Mallis stated that half of the pavilion is on a first come first serve basis, but that other communities charge a fee to rent out their pavilion. He continued to state that Mr. Fach put together "Rule & Regulations" changes to take affect at the beginning of the year and to also have a sign stating the party reserving the pavilion. He continued to state that they are good with some type of fee and that they will bring something to Council by December.

Discussion of "Ellenwood Rentals-Pavilion" was concluded.

Motion made by Spinks and seconded by Rhoades to go into an Executive Session to discuss Economic Development for U-Haul & Meadowbrook and Litigation for CANO. The roll was called. Vote – Yeas: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Motion carried unanimously.

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

Executive Session adjourned at 7:59 p.m.

Work Session adjourned at 8:00 p.m.


Clerk of Council

12-2-19

Date


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 November 4, 2019
 - b. Approval of Minutes of the Regular Meeting of November 4, 2019
6. **OLD BUSINESS**
 - a. Ordinance No. 9738-19 City of Bedford 2020 Appropriation Budget- 1st reading 10/21/19, 2nd reading 11/4/19.
 - b. Ordinance No. 9739-19 grant of Conservation Easement to West Creek Conservancy – 1st reading 10/21/19, 2nd reading 11/4/19.
 - c. Ordinance No. 9740-19 amending Chapter 1949 “Signs” of the Codified Ordinances – 1st reading 10/21/19, 2nd reading 11/4/19.
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Ordinance No. 9744-19 amending Ordinance No. 9653-18 making for additional appropriations.
 - b. Ordinance No. 9745-19 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 City Council met in regular session at Bedford City Hall on Monday, November 18, 2019. Mayor Koci called the meeting to order at 8:01 P.M. The meeting was opened by pledging allegiance to the flag.

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

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

Motion made by Mizesak and seconded by Rhoades to approve the minutes of the Work Session of November 4, 2019. The roll was called. Vote – Yeas: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Abstain: None. Motion carried.

Motion made by Spinks and seconded by Fluharty to approve the minutes of the Regular Meeting of November 4, 2019. The roll was called. Vote – Yeas: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Abstain: None. Motion carried.

ORDINANCE NO. 9738-19, an ordinance to make appropriations for current expenses and expenditures of the City of Bedford, Ohio during the year 2020 and declaring and emergency was read by title only. Motion made by Mizesak and seconded by Saunders to table Ordinance No. 9738-19. The roll was called. Vote – Yeas: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9739-19, an ordinance authorizing the City Manager to sign a Grant of Conservation Easement to West Creek Conservancy (Grantee) and declaring and 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: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Rhoades to place Ordinance No. 9739-19 on third and final reading and passed.

City Manager Mallis stated that West Creek Conservancy is a non-profit organization that helps with various improvements and we have a thirty plus acres and there is some erosion on both sides of the banks and working with Tinkers Creek they referred us to West Creek. He continued to state that they can go in and do so remediation repairs to that property through this easement at no cost to the city.

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

ORDINANCE NO. 9740-19, an ordinance amending Chapter 1949 “Signs” of the Codified Ordinances of the City of Bedford as amended and declaring and emergency was read by title only. Motion made by Mizesak and seconded by Saunders to suspend the rule requiring

the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No. 9740-19 on third and final reading and passed.

City Manager Mallis stated that earlier this year we started reviewing the sign ordinance and when I refer to signs it is all signage in all of the various zoning districts. He continued to state that there have been some case laws centered around this and we wanted to make sure that we're in compliance with it and the amendment to the ordinance reflects those changes.

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

City Manager Michael Mallis stated that in working with the Police Department we have finished the 2019-2020 Deer Management Plan and it is our intention to bring it in front of Council at an upcoming work session. He continued to state that with that approval the program would start in 2020. He acknowledged the Bedford Auto Mile for their huge donation to the Bedford Schools Foundation. He stated that Wonder Lust is going to do a small pop-up event again from January 9th-12th and it will take place in and around the Train Depot. He also stated for those who have young ones to check out Park and Recreation Winter Camp. The leaf crews are out and we will get around the city as quickly as possible. He stated that there is a sink hole at 127 Northfield Road and Cuyahoga County will be out starting tomorrow and the repairs should take about two to three days. He mentioned that the Tree Lighting Ceremony will be on Wednesday, November 27 at 6:00 p.m. sharp.

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 wished everyone a Happy Thanksgiving and that there is an ordinance coming up this evening that is an amendment of what we are doing for 2019. He stated that the Tax Department going through a non-filers communication to tax payers who are on the list that we feel should be filing with us and to clean up our records of some reason as to why they didn't do it or they need too. He continued to state to respond to those letters.

That concluded that Finance Director's report.

Councilman Saunders stated to keep the leaves out of the street. He also stated at the last Lion's Club the Bedford Community Council awarded 2019 Citizen of the Year to Mr. Astalos. He wished everyone a Happy Thanksgiving.

Councilwoman Rhoades stated that the next First Friday will be on December 6th and we will be featuring or organizations from different areas in Bedford. The Bedford Downtown Alliance is also looking for volunteers to help make phone calls for follow-ups to our sponsorship letters.

She also stated that on November 29th we will be dedicating the garden out front to Joyce Daunch at 10:00 a.m. Mayor Koci stated that at 10:00 a.m. there will be a little ceremony out front.

Councilwoman Spinks stated that it is a very appropriate thing to do for Mrs. Daunch. She congratulated Mr. Astalos on his award. The deliver Meals-On-Wheels, they go every year to Operation Christmas Child, and we are very honored to have you in our community. She announced the annual Dessert and Chili Supper Fundraiser at the Church of Nazarene at 5:00 p.m. on November 24th. She also stated that she did an essay a couple months ago for the Greater Good Site Center with Berkley and they are teaming up with the National League of Cities this and she was picked to represent Ohio. It is a three-month fellowship and she is very honored to do that.

Councilwoman Mizesak wished everyone a Happy Thanksgiving. She asked City Manager Mallis if the project for the Waste Water Treatment is concluded. City Manager Mallis stated that it is not entirely completed yet, but it should be shortly. She complemented the City on the new driveway that is at the plant. She also stated that many people don't know where the Waste Water Treatment Plant is and that maybe a tour would be nice.

Councilman Fluharty stated that Union Street and William Street are done. He stated that City Manager Mallis talked about the Automobile donation to the School Foundation and that he is now on that board. That organization does a lot for the kids with scholar ships, projects and everything else.

Mayor Koci stated that he and City Manager Mallis attended that NOPEC Annual Meeting. He continued to state that NOPEC is our electric and gas company that we affiliate with and the City received a nice plaque. He also stated that we have been a member of NOPEC since 2002, which means that all of our citizens and businesses can contract with NOPEC for their electric and gas service. In the long run NOPEC has a track record of being cheaper than anyone else and they have the best rates going. NOPEC has started a new foundation where they will be helping people and cities on projects that they might not be able to do, but they will be able to provide money to do things like that. He encouraged everybody to sign up with NOPEC if you are not signed up already. He stated that we will flip the switch right at 6:00 p.m. for the Tree Lighting Ceremony on Wednesday. He also stated that City Hall will be light up this year and he thanked the Head of Maintenance Mr. Romito for it and that he does a wonderful job for us.

ORDINANCE NO. 9744-19, 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 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: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Rhoades to place Ordinance No. 9744-19 on third and final reading and passed.

Mr. Gambosi stated that we are going to be increasing the Police Department in the Contractual Services Area for custodial increase. We were able to decrease the Finance Departments Bank Fees; Income Tax is one of the larger increases do to a refund that we owe to a large company. He continued to state regarding transfers out to our Fire Levy we do have some overtime to cover. He also stated that this year we are expecting to be borrowing from our reserves so we will not need that transfer out of our reserves to the General Fund to pick up any extra cost. He continued to stated that our Capital Improvement, which is the signage contracts that we have for \$132,000.00 will be authorizing those this evening as well.

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

ORDINANCE NO. 9745-19, an ordinance authorizing the City Manager to enter into a contract with Cuyahoga County Department of Public Works (“CCDPW”) and declaring and 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: Saunders, Rhoades, Spinks, Koci, Mizesak, Fluharty. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No. 9745-19 on third and final reading and passed.

City Manager Mallis stated we have been working with the County on Northfield Rd. with the sink hole and this is a contract for 2020 and it is for projects just like this. He continued to state that it is for Storm and Sanitary Sewer repairs that we either don’t have the equipment or the capability of making such repairs. This allows for a clean contract where we can rely on them for projects that we can’t address in house.

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

Mayor Koci offered an apology to Mrs. Spinks for letting the conversation go on a little too long at the last meeting with some inappropriate and untrue comments that were made. He continued to state that he tries to let everyone have ample time to talk. He also said that concluded the business portion of the meeting and asked if anyone in the audience had any comments.

Bill Astalos, 685 Archer Rd stated that he has Scholar Ship tickets for the Bedford Lions Club if anybody is interested come see me.

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

Meeting adjourned at 8:32 P.M.

Motion made by Spinks and seconded by Rhoades to go into an Executive Session to continue discussion on Economic Development and Litigation - CANO. The roll was called. Vote –

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

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

Executive Session adjourned at 9:08 p.m.


Clerk of Council


Mayor – President of Council

12-2-19
Date