

COUNCIL WORK SESSION

MONDAY, DECEMBER 2, 2019

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF MORATORIUM OF DOLLAR STORES**
- **DISCUSSION OF 2019-2020 DEER MANAGEMENT PROGRAM**
- **DISCUSSION OF COUNTY PLASTIC BAG BAN**
- **EXECUTIVE SESSION**
 - **ECONOMIC DEVELOPMENT – MEADOWBROOK**
 - **PERSONNEL – COUNCIL APPOINTEES PERFORMANCE REVIEWS**

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, December 2, 2019 at 6:30 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Vic Fluharty, Paula Mizzak, Heather Rhoades, Don Saunders. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, 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 Budget Work Session of October 28, 2019, Work Session of November 18, 2019, and the Regular Meeting of November 18, 2019.

Ordinance No. 9738-19 (Amended) City of Bedford 2020 Appropriation Budget 1st Reading 10/21/19, 2nd Reading 11/4/19 and tabled 11/18/19.

Ordinance No. 9746-19 establishing the Archibald Willard Park Pavilion Rental Rules, Regulations and Fees. City Manager Mallis stated like we talked about at the last Work Session Meeting about half day and whole day fees.

Ordinance No. 9747-19 to amend Ordinance No. 9646-18 pertaining to Fees, Deposits and Changes regarding Recreation Centers. City Manager Mallis stated that we are just cleaning up the language and that the ordinance was written where we would have to issue them a check, and now it will just come off of the amount. Mr. Fach and Mr. Callahan have revamped it and he agrees with them.

Motion to deny the application of Dawn Smith, 348 Broadway Avenue, seeking a conditional use approval for a training and event center from the Planning Commission due to lack of prosecution. City Manager Mallis stated that she came in twice and that she was going to use it as an event center. The Planning Commission tabled it and that he did have an issue with the hours. He continued to state that the Planning Commission did agree on the hours, but that they wanted more information about the types of events that will be held there and they also asked her to bring in an agreement with Auto Zone about using their parking lot. He also stated that the Planning Commission voted it down.

Councilman Genutis state that she wants to have weddings and parties there. Councilwoman Mizzak stated that Ms. Smith was very evasive. City Manager Mallis stated that the Planning Commission wants detailed information as to the types of events.

Councilwoman Rhoades stated that we voted on it six months ago and that she isn't taking care of the first piece of property that she owns.

Motion to approve the Planning Commission's decision to deny Extreme Renovation, representing U-Haul located at 19000 Rockside Road, seeking approval to install a truck return canopy and a liquid propane above ground dispenser tank due to lack of prosecution. City Manager Mallis stated that the Planning Commission has kept this tabled and now it is the twenty-fourth month for them to move to the location on Broadway Rd. He also stated that Mr.

Montello sent them a letter and that they have not come back with more information. Councilman Genutis stated that you are denying a canopy on a timely manor and City Manager Mallis replied that when they came to us they wanted to expand, but they cannot have multiple sites. He continued to state that they never got permits and that they have not respiration with the City, and that they did not submit plans for any electrical work, and that the City also wants clarity as to a timeline as to when they are going to consolidate into one place. Councilwoman Rhoades that they started to build the canopy without a permit. Mayor Koci stated that we were told two years and that this will also get their attention on what they have to do.

Motion to approve the Planning Commission's decision to accept the site plan approval of Nancy Kennedy, Architect, 3329 Daleford Road, Shaker Heights, OH 44120, representing VIWIPATH, LLC, P.O. Box 46670, Bedford, OH 44146 proposing an exterior alteration to the existing structure located at 595 Broadway Avenue (former Mr. G's).

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion for Moratorium of Dollar Stores. City Manager Mallis stated that we don't have specific plans yet and that his concern is that they are unable to stock the shelves fast enough when the new stock comes in. Councilwoman Rhoades stated that we can't ban them but we be tougher on them with the up keep and that we can start contacting the corporate office regarding the up keep of the store.

Discussion for Moratorium of Dollar Stores was concluded.

Mayor Koci began the discussion for the 2019-2020 Deer Management Program. City Manager Mallis stated that we are looking to do the deer management program this year. He also stated that the numbers have gone down since last year and that we are going to concentrate on the Rockside Rd. area. We are only allowed thirty-five permits this year and we will continue to work with Ohio Division of Wildlife (ODOW).

Discussion for the 2019-2020 Deer Management Program was concluded.

Mayor Koci began the discussion for the County plastic bag ban. Mayor Koci stated that this subject takes away from our home rule. City Manager Mallis stated that the County put the ban for use of plastic bags and that this idea goes against the ban of plastic bags.

Discussion for the County plastic bag ban was concluded.

Motion made by Fluharty and seconded by Mizesak to go into an Executive Session to discuss Economic Development-Meadowbrook and Personnel-Council Appointees Performance Reviews. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

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

Executive Session adjourned at 7:59 p.m.

Work Session adjourned at 7:59 p.m.

Facy M. Simons
Clerk of Council

Stark
Mayor – President of Council

12-16-19
Date

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Budget Work Session of October 28, 2019
 - b. Approval of Minutes of the Work Session of November 18, 2019
 - c. Approval of Minutes of the Regular Meeting of November 18, 2019
5. **OLD BUSINESS**
 - a. Ordinance No. 9738-19 (Amended): City of Bedford 2020 Appropriation Budget- 1st reading 10/21/19, 2nd reading 11/4/19, tabled 11/18/19.
6. **PRESENTATIONS**
 - a. Meals on Wheels
 - b. Christmas in Bedford Falls
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Ordinance No. 9746-19: establishing the Archibald Willard Park Pavilion Rental Rules, Regulations and Fees.
 - b. Ordinance No. 9747-19: amending Ordinance No. 9646-18 pertaining to Fees, Deposits and Charges regarding Recreation Centers.
 - c. Motion to deny the application of Dawn Smith, 348 Broadway Avenue, seeking a conditional use approval for a training and event center from the Planning Commission due to lack of prosecution.
 - d. Motion to approve the Planning Commission's decision to deny Extreme Renovation, representing U-Haul located at 19000 Rockside Road, seeking approval to install a truck return canopy and a liquid propane above ground dispenser tank due to lack of prosecution.
 - e. Motion to approve the Planning Commission's decision to accept the site plan approval of Nancy Kennedy, Architect, 3329 Daleford Road, Shaker Heights, OH 44120, representing VIWIPATH, LLC, P.O. Box 46670, Bedford, OH 44146 proposing an exterior alteration to the existing structure located at 595 Broadway Avenue (former Mr. G's).
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, December 2, 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: Rhoades, Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders.
Absent: None.

Motion made by Mizensak and seconded by Rhoades to approve the minutes of the Budget Work Session of October 28, 2019. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Abstain: None. Motion carried.

Motion made by Spinks and seconded by Fluharty to approve the minutes of the Work Session of November 18, 2019. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizensak, Fluharty, Saunders. Nays: None. Abstain: Genutis. Motion carried.

Motion made by Rhoades and seconded by Mizensak to approve the minutes of the Regular Meeting of November 18, 2019. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizensak, Fluharty, Saunders. Nays: None. Abstain: Genutis. Motion carried.

ORDINANCE NO. 9738-19 (Amended), 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 Genutis and seconded by Spinks to remove Ordinance No. 9738-19 from the table. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizensak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizensak to place Ordinance No. 9738-19 on third and final reading and passed.

Mr. Gambosi stated that there are a couple of changes to the 2020 budget and they are for road improvements, police cars and the General Fund will be around \$17.4 Million and our over all funds will be \$38.3 Million for the year. He continued to state that he asked Council to pass it today and it will go into effect in 2020. He then stated that after many meetings among the different departments, directors and Council we have a final budget and a balanced budget.

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

At this time presentations were made to Meals on Wheels and Christmas in Bedford Falls.

Mayor Koci stated that Meals on Wheels is a great thing for the people around town and the neighboring cities. They deliver meals to people who are unable to get it for themselves. He continued to state that the employees at City Hall have a program where on Friday they can wear jeans to work if they give a dollar toward Meals on Wheels. The City is going to present to you a check for \$1,000.00.

Ms. Mouat stated that she received a call today from a resident that she lives with her sister and brother-in-law in a two-bedroom apartment and that all three of them have cancer. They are all

taking chemo and they try to take care of each other. She continued to stated that they thought that they could buy a meal and take turns with the meal and Ms. Mouat said that we are not going to work that way and because of the generosity of the employees, Rotary, Eagles and a number of other groups that we are able to pay for their meals through the Angel Fund until we can get them on the free meal federal program. She thanked everyone for doing it year after year. Mayor Koci stated that we appreciate what the volunteers do day in and day out up there.

Pat Guhde and Tim Grote from the Fire Department presented a check from Local 1683, which is the Fire Fighters Union. Mr. Guhde stated that their union dues go towards this donation. He continued to state that they do some fund raising and this is one that they are really proud to present to you and we would like to present a check for \$500.00 to this program as well.

Mayor Koci stated that Christmas in Bedford Falls will be on December 14, 2019. We rename Bedford, Bedford Falls for the afternoon in honor of "It's a Wonderful Life." This is just a proclamation stating that December 14th is Christmas in Bedford Falls Day. For those who don't know Ms. Schwende heads up the event and it is a lot of work and a lot of good helpers. *Mayor Koci started to read the Proclamation.*

Ms. Schwende thanked Mayor Koci and that if it hadn't been for the city picking up the event we would be doing it. She continued to stated that it is a free event for everybody and people appreciate that. She then gave recognition to the committee. Mayor Koci stated that he hopes people from all over come in and visit our shops downtown.

Mayor Koci stated that the Eagle Club donates to a lot of the functions and that we also found out that the Eagles gave City Manager Mallis a check for \$2,000.00 for the Bedford Historical Society.

City Manager Michael Mallis commended the staff and the Fire Department for their way of giving to the City. He also thanked Mr. Gambosi for his efforts during the budget process, but we wouldn't have gotten where we are in the past six years for his time that he has put in and that he is looking for to 2020. He mentioned that December 14th has a couple of events going on and one is the Christmas in Bedford Falls and also the annual Shop with a Cop. Our Police Department does a great job putting that event on. He continued to state that if anyone is still looking to donate please touch base with the Police Department. He also thanked Ms. Mouat for all that she does and that he appreciates her taking care of those in need of a little pick-me-up.

That concluded the City Managers report.

Law Director John Montello stated that City Manage Mallis has also put a lot of time into the budget process as well. He thanked the Meals-on-Wheels and the Christmas in Bedford Falls Committee.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that the Fire Department does match the \$500.00 and that they have been doing that for quit a while. He gave Ms. Mouat kudos for running a business and it is huge in what she does.

That concluded that Finance Director's report.

Mayor Koci asked City Manager Mallis about picking up branches after the wind storm. City Manager Mallis stated that if they see them out they throw them in the back of the truck. He continued to state that the chipper isn't out right now, but to let him know about some of the areas and they will see what they can do.

Mayor Koci stated that the Tree Lighting Ceremony was fun and Mrs. Simons daughter flipped the switch and he thanked the Fire Department for the hot chocolate and donut holes.

Mayor Koci stated that on Friday, November 29th a memorial service was held for Mrs. Daunch. There is a plaque in the flower garden in honor of Mrs. Daunch. He continued to state that she was a steady person, and it was always about other people not herself.

Councilwoman Rhoades stated that First Friday is this Friday and it is the last First Friday of the year, it will not resume until March. The theme for this First Friday is Local Organizations and it is in Downtown Bedford from 6:00 p.m. to 9:00 p.m.

Councilwoman Spinks thanked the Service Department for the outstanding job with the lighting on the square and each year they add something new to it. She also thanked the Fire Department for the hot chocolate and the donut holes and a big thank you to the Eagles for the much-needed money to the Historical Society. She commented about Christmas in Bedford Falls next week and that the Historical Society will be open and the Dunham House will be like Christmas in the 1800's. It will be from 12:00 p.m. to 4:00 p.m.

Councilwoman Mizesak thanked Ms. Mouat for all that she does with Meals on Wheels. She stated that the firemen always donate for a special cause and that they love what she does too. She also thanked the Service Department for the excellent job that they did at the square. She stated that a couple of people have gotten a notification from Villa San Bernardo's and that they are excited about it and that it will be a beautiful place to live.

Councilwoman Mizesak asked about an update on the Sunoco gas station on Lee and Turney Road in Ward 4. City Manager Mallis stated that the Building Department has called and requested an inspection this week. They are shooting to open in mid-January but it will probably be early February.

Councilwoman Mizesak stated we will all be back in January 2020. She thanked her constituents and she stated that we are here to serve you, take care of your concerns to the best that we can and in the best fashion that we can, and to keep the harmony and peace in our City.

Councilman Genutis had no report this evening.

Councilman Fluharty stated that nothing is going in his Ward, but regarding the question about the Villa San Bernardo's retreat house will be opening up soon, it isn't open yet the other buildings will not be open until Spring. He thanked Ms. Mouat for all the work that she does for Meals on Wheels.

Councilman Saunders stated now that the election has been certified and that he will be returning in January he thanked all of the constituents in Ward 6 that helped out in this election. He continued to state that it was a very close election. He gave his condolences to the Saint John family for the passing of Mrs. Saint John. Mrs. Saint John was actively involved in Saint Benedict and the High School. Mayor Koci stated that she was a terrific lady.

ORDINANCE NO. 9746-19, an ordinance establishing the Archibald Willard Park Pavilion Rental Rules, Regulations and fees and declaring an emergency was read by title only. Motion made by Fluharty and seconded by Genutis to place Ordinance No. 9746-19 on first reading. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Mayor Koci stated the Archibald Willard Park is the gazebo at the Ellenwood Recreation Center.

ORDINANCE NO. 9747-19, an ordinance amending Ordinance No. 9646-18 pertaining to Section 1105.03 entitled “Fees, Deposits and Charges” regarding the Recreation Centers and declaring an emergency was read by title only. Motion made by Mizesak and seconded by Rhoades to place Ordinance No. 9747-19 on first reading. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Mayor Koci stated that we are not changing any fees just changing some language on how things are handled down there.

Motion was made by Spinks and seconded by Fluharty to deny the application of Dawn Smith, 348 Broadway Avenue, seeking a conditional use approval for a training and event center from the Planning Commission due to lack of prosecution. A vote of yes would mean that you would agree with the Planning Commission’s denial and a no would mean that you do not agree with Planning Commission’s denial. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Fluharty, Saunders. Nays: Genutis. Motion carried.

Motion was made by Spinks and seconded by Fluharty to accept the Planning Commission’s decision to deny Extreme Renovation, representing U-Haul located at 19000 Rockside Road, seeking approval to install a truck return canopy and a liquid propane about ground dispenser tank due to lack of prosecution. A vote of yes would mean that you would agree with the Planning Commission’s denial and a no would mean that you do not agree with Planning Commission’s denial. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried.

Motion was made by Spinks and seconded by Fluharty to accept the Planning Commission’s decision to accept the site plan approval of Nancy Kennedy, Architect, 3329 Daleford, Shaker Heights, OH 44120, representing VIWIPATH, LLC, P.O. Box 46670, Bedford, OH 44146 proposing an exterior alteration to the existing structure located at 595 Broadway Avenue (former Mr. Gee’s). A vote of yes would mean that you would agree with the Planning Commission’s decision and a no would mean that you do not agree with Planning Commission’s denial. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried.

Mayor Koci stated that it will be a great addition to our City.

Mr. Barrett thanked the Mayor and Council. He stated that a couple of years ago he sought Bedford out and deliberately wanted to move here. City Manager Mallis and Mrs. Kuzma led him through it and he is really great full and excited to come to Bedford.

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

Beth Housiauxsteward, 93 Avalon, Bedford, OH stated that she had a mismanaged 9-1-1 call this summer and that she loves the new Chief and within ten minutes of the situation she received an email stating that he took care of the situation. She continued to stated that we do have a lot of good things going on here and that they are not always recognized.

Ms. Housiauxsteward stated that Lights Out for Hunger is starting it's ninth year and the idea is that if everyone in America turned out their holiday lights for one night, think of all the electricity that would be saved and we could donate that back to the hunger centers. She continued to state that the City has always been supportive of it and she appreciates the advertising and for turning off the lights. On Wednesday, December 18th Bedford, Oakwood and Walton Hills will turn off their holiday light display and it teaches the children to give to others. She stated that Ms. Zgrabik has always been wonderful since she's been at the desk and she apricates everything that we do for Lights Out for Hunger.

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

Meeting adjourned at 8:44 P.M.

Motion made by Fluharty and seconded by Spinks to go into an Executive Session to continue discussion on Economic Development – Meadowbrook and Personnel – Council appointees performance reviews. The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizsak, Genutis Fluharty, Saunders. 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: Rhoades, Spinks, Koci, Mizsak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

Executive Session adjourned at 9:17 p.m.


Clerk of Council


Mayor – President of Council

12-16-19
Date