

COUNCIL WORK SESSION

MONDAY, DECEMBER 16, 2019

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DICUSSION OF MORATORIUM OF DOLLAR STORES**
- **EXECUTIVE SESSION- (ECONOMIC DEVELOPMENT)**
 - Economic Development – (Meadow Brook & the former Taylor Chair Property)

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 16, 2019 at 6:30 p.m.

Present: Council Members: Mayor Stan Koci, 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: None.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of December 2, 2019, and the Regular Meeting of December 2, 2019.

Ordinance No. 9746-19 establishing the Archibald Willard Park Pavilion Rental Rules, Regulations and Fees. This was placed on Second Reading.

Ordinance No. 9747-19 to amend Ordinance No. 9646-18 pertaining to Fees, Deposits and Changes regarding Recreation Centers. This was placed on Second Reading.

Ordinance No. 9748-19 change order #1 with Terrace Construction for Tinkers Creek Commerce Park/Art of Beauty Waterline Replacement Project. City Manager Mallis stated that the main was shut down and a temporary by-pass was put in.

Ordinance No. 9749-19 amending Ordinance No 9653-18 making additional appropriations. Mr. Gambosi explained what funds had increases and decreases in the appropriation.

Ordinance No. 9750-19 authorize pay increase for Clerk of Courts Tom Day. Mayor Koci stated that the pay increase is mandated by the Ohio Supreme Court.

Motion to approve the Planning Commissions decision to accept the site plan approval of Richard Kieley, Architect, 23240 Chagrin Blvd., Beachwood, OH 44122 representing Light of Hearts Villa, 283 Union Str., Bedford, OH 44146, proposing a two-story addition to the existing structure located at 283 Union St.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion for Moratorium of Dollar Stores. City Manager Mallis stated that we can say that we explored it and that we talked about it but we can't stop it. Councilwoman Rhoades commented about the shopping carts all over the front of the store and the how the store is kept.

Discussion for Moratorium of Dollar Stores was concluded.

Motion made by Mizesak and seconded by Spinks to go into an Executive Session to discuss Economic Development-Meadowbrook and Personnel-Council Representative for Bedford High School Superintendent Advisory Board, Bedford Historical Society, Vice Mayor (2 yr. term).

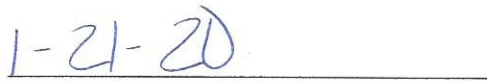
The roll was called. Vote – Yeas: Rhoades, Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders. Nays: None. Motion carried unanimously.

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.


Clerk of Council


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 18, 2019
 - b. Approval of Minutes of the Regular Meeting of November 18, 2019
5. **OLD BUSINESS**
 - a. Ordinance No. 9746-19: establishing the Archibald Willard Park Pavilion Rental Rules, Regulations and Fees - 1st reading 12/02/19.
 - b. Ordinance No. 9747-19: amending Ordinance No. 9646-18 pertaining to Fees, Deposits and Charges regarding Recreation Centers - 1st reading 12/02/19.
6. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
7. **NEW BUSINESS**
 - a. Ordinance No. 9748-19: change order #1 w/Terrace Construction Co., Inc. for Tinkers Creek Commerce Park/Art of Beauty Waterline Replacement Project (\$12,108.40).
 - b. Ordinance No. 9749-19: amending Ordinance No. 9653-18 making additional appropriations.
 - c. Ordinance No. 9750-19: authorize mandatory pay increase for Clerk of Courts Tom Day.
 - d. Motion to approve the Planning Commissions decision to accept the site plan approval of Richard Kieley, Architect, 23240 Chagrin Blvd., Beachwood, OH 44122, representing Light of Hearts Villa, 283 Union St., Bedford, OH 44146, proposing a two story addition to the existing structure located at 283 Union St.
8. **HEARING OF CITIZENS**
9. **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 16, 2019. Mayor Koci called the meeting to order at 8:00 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 December 2, 2019. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Abstain: None. Motion carried.

Motion made by Rhoades and seconded by Mizesak to approve the minutes of the Regular Meeting of December 2, 2019. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Abstain: None. Motion carried.

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 Saunders and seconded by Rhoades to place Ordinance No. 9746-19 on second reading. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Motion carried unanimously.

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 Spinks and seconded by Fluharty to place Ordinance No. 9747-19 on second reading. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Motion carried unanimously.

City Manager Michael Mallis gave a quick update that the new squad will be delivered sometime in February and the fire engine’s target right now is late April and we will continue to provide updates if something were to change. He stated that we did apply for the CDBG Grant for \$150,000.00 to televise a quarter of the cities sewers and we will utilize that information to determine the large-scale repairs that need to be made. The last time the system was televised was mid to late 1990’s and we wanted to get the data first before we started investing that capital. Mrs. Kuzma also worked and completed a State Capital Budget Request, which is close to a million dollars for Via Duct Connector Project. This first piece went to our State Representative Ms. Brent’s office and the second piece will go to Senator Yuko’s office. He continued to state that the entire project is about \$1.7 Million and any assistance that we can in identifying grant dollars we are going to do.

City Manager Mallis thanked Mr. Francis, Court and the Police Department worked to bring in some community assistance for the community clean-up this past weekend, typically we do these in the spring and fall.

City Manager Mallis stated that we are working on a CDSG Grant that is due in the middle of January and it is to fund the remaining portion of the Sign Initiative and that will be completed in 2020.

City Manager Mallis commended Ms. Schwende for the Christmas in Bedford Falls and that the weather did not deterred people from coming. He also stated that the committee did a great job and he also commended the Police Department and all the volunteers for Shop with a Cop on Saturday as well. Visit the Police Departments Facebook page for photos. A lot of effort goes into all of the events and that is what makes a community. He wished everyone a Happy Holidays and a Happy New Year.

That concluded the City Managers report.

Law Director John Montello wished everyone a Happy Holidays and a Happy New Year.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that they finished up the 2020 appropriation ordinance and we are finishing up 2019 today. He also stated about the tax payer's letters that will be going out for the first time for 2019 only the online e-filers will be using our software system will not be required to submit their paperwork, unless they are requesting a refund or if we request that information from them. He also stated that we will be tying in with the City of Cleveland to verify income and to do a filter of our system. He continued to state that there is a payment due at the end of the year and that it does help on their federal tax and to get them in as soon as possible. He wished everyone a Happy Holidays.

That concluded that Finance Director's report.

Councilwoman Spinks wished everyone a Happy Holidays. She gave a shout out to Mr. Asberry for Shop With a Cop and to Ms. Schwende for a successful Christmas in Bedford Falls. She thanked the Service Department for their help on Saturday along with their clean-up of down limbs from the last storm.

Councilwoman Mizzsak wished everyone a Merry Christmas. She stated that downtown was great on Saturday even with the weather. She stated that this is her last meeting as Vice Mayor and that it was an honor and a pleasure.

Councilman Genutis stated that this has been a very good year for the City of Bedford. We've managed to have a balanced budget, the street program coming back and the sidewalk program is coming back. He continued to state that we've had some great events in the city. He wished everyone a Happy Holidays.

Councilman Fluharty stated to City Manager Mallis if he could bring it up to Chief Stemple about doing something with lights not working in vehicles. He also stated about cracking down on cars going through red lights especially at the inter section of Columbus and Northfield and it is a bad inter section. He wished everyone a Happy Holidays and a Happy New Year.

Councilman Saunders stated that he agreed about the Northfield and Columbus inter section and that he has brought it up several times. He also stated that we are receiving a lot of comments about our Christmas lights in the neighbor hoods. He stated that he appreciates everything that they do for Shop with a Cop and it benefits so many that are unfortunate. Asked City Manager Mallis about the dead tree situation. City Manager Mallis stated that there are still hundreds

down and if there are certain trees that appear to be a hazard pass them onto us and we will get them assessed. He also asked if we patrol any of the parking lots, because he has received concerns from the apartment complex that people are peering in the windows of the residents who live on the ground floor and they want to know if a police car can occasionally drive thru the parking lot. City Manager Mallis stated that we make pass throughs on properties like that. Mr. Saunders wished everyone a Merry Christmas and Happy New Year.

Councilwoman Rhoades thanked Councilman Fluharty for helping with the Christmas in Bedford Falls. She also stated that the Chocolate Walk is looking for volunteers to help with the planning and execution and their first meeting is on Wednesday. If you are interested Ms. Cheech is heading up the committee and if you are interested I will get you her information. She continued to stated that Shadow of the Run is returning to Bedford and they will be doing a pop-up theater production from January 9th thru 12th and tickets are on sale now for \$18.00 a piece at shadowoftherun.com to purchase the tickets. She stated that the Chocolate Walk is on February 16th. This year we will be doing a Wine and Liquor Pool and the grand prize is going to be a bottle of Angels Envy Chery Cast Bourbon and if you attend you will be able to win that bottle of wine along with many other bottles as well.

Mayor Koci wished everyone a Merry Christmas and a Happy New Year. He also stated that it was a good year for the City and that we can now look forward to things that we would like to do and not just have to do. He continued to state that it is due to a lot of hard work to the City Manager, Finance Director and the Law Director as well as all of our employee's who do a great job day in and day out.

Ordinance No. 9748-19, an Ordinance authorizing Change Order #1 with Terrace Construction Co., Inc. for Tinkers Creek Commerce Park/Art of Beauty Waterline Replacement Project and declaring an emergency was read by title only. Motion made by Rhoades and seconded by Mizesak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No. 9748-19 on third and final reading and passed.

City Manager Mallis stated that during the installation of the new waterline to adequately supply an additional 1,000 ft of linear temporary by-pass piping to supply the fire flow when they shut the main down during the construction. The additional feed is tided into the rear of the building and that was the additional footage required and that is the \$12,000.00 change order.

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

Ordinance No. 9749-19, 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: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 9749-19 on third and final reading and passed.

Mr. Gambosi stated that this is the final update for 2019 and some accounts were over budgeted so he took money away and some were under budgeted so we needed to add to it, so trying to stay in line with balancing the budget. He stated that there were some major hits with the health insurance fund, and the grants fund is going to be shored up a little bit with pending reimbursements for some grants that we've applied for, our pension fund for the Fire Department needed some money, and the reserve fund has funds just in case we needed to transfer funds, but we should not need that this year.

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

Ordinance No. 9750-19, an Ordinance amending Ordinance No. 9660-18, passed December 17, 2018 providing compensation for the Clerk of Court and declaring an emergency was read by title only. Motion made by Spinks and seconded by Fluharty to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 9750-19 on third and final reading and passed.

Mayor Koci stated that this is a mandatory pay raise that is dictated by the Supreme Court for the State of Ohio, that clerks get 85% of the judges pay and the good thing is the County pays 40% and the 60% is divided by the fourteen communities that utilize the court system. It is based on usage by those communities and ours is about 15%. Mr. Day keeps the court running like a clock and our judges are great to work with and we appreciate what he does.

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

Motion was made by Saunders and seconded by Rhoades to accept the Planning Commission's decision to accept the site plan approval of Richard Kieley, Architect, 23240 Chagrin Blvd., OH 44122, representing Light of Hearts Villa, 283 Union St., Bedford, OH 44146 proposing a two-story addition to the existing structure located at 283 Union St. 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: Spinks, Koci, Mizesak, Genutis, Fluharty, Saunders, Rhoades. Nays: None. Motion carried.

Mayor Koci stated that the Villa does a great job in the community and they are one of our jewels and seeing them expand is a great thing.

Mr. Kiely stated that they are happy for the approval and they are looking forward to their construction in the spring.

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 reminded everyone that the holiday lights in downtown will be off this Wednesday for Lights Out for Hunger in Oakwood, Walton Hills and Bedford. The reason for the campaign is because 100% of the donated money will go to the Food Bank at the beginning of February. She continued to stated that sometimes in February the food banks do not have produce, so we run the campaign around Thanksgiving and Christmas because people are more generous and then they get the money at the beginning of February. If you need a flyer for a place of business I have it with me if anybody needs one this evening.

Mayor Koci stated that there are signs at all four corners stating that the lights will be off and that City Hall's lights will be off as well.

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

Executive Session adjourned at 8:37 p.m.


Clerk of Council


Mayor – President of Council

1-21-20
Date