

COUNCIL WORK SESSION

TUESDAY, FEBRUARY 16, 2016

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF RECREATION DEPARTMENT FEES**

- **DISCUSSION OF BEDFORD ARTS & CULTURAL BOARD APPOINTMENTS**

- **EXECUTIVE SESSION** – (Personnel / Economic Development)

Bedford City Council met in a Work Session at Bedford City Hall on Tuesday, February 16, 2016 at 6:33 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Marilyn Zolata, Paula Mizesak, Greg Pozar, Don Saunders. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Building Commissioner Calvin Beverly, Clerk of Council Lorree Villers.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session and the Regular Meeting of February 1, 2016.

ORDINANCE NO. 9360-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR DELINQUENT WATER BILLS IN THE CITY OF BEDFORD, OHIO

Discussion was held regarding the procedure of assessing for water bills, a few of the residents listed and their amounts and whether the vacant property/land was or should be assessed. Mr. Gambosi explained the expense of maintaining the water lines/infrastructure. It was determined a couple homes had been recently demolished and the charges listed were prior to the demolition. It was determined delinquent water bills were assessed two times a year and this billing was July 1, 2015 to February 1, 2016.

ORDINANCE NO. 9361-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COMMUNITY COLLEGE DISTRICT ("CCC") FOR USE OF THE BEDFORD CITY JAIL FACILITIES ("JAIL")

Mr. Mallis and Mr. Montello explained this was similar to the recent UH contract. Council decided to place this ordinance on first reading this evening.

ORDINANCE NO. 9362-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 24 OAKWOOD AVENUE (P.P. 812-26-039) ORDERING ACTION

Mr. Mallis explained this was the next step moving forward to demolishing this home that had been vacant for years. Mr. Genutis questioned the process of condemning and/or demolishing a home given the list of violations presented this evening. Mr. Pozar explained the history of this specific home and how there were no family members alive to contact. Mr. Beverly explained in other cases if there were family or a bank responsible for the home they would have 30-days to address the list of violations before moving forward in demolishing the home.

ORDINANCE NO. 9363-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 16 JUSTIN AVENUE (P.P. 814-14-018) ORDERING ACTION

Mr. Mallis explained again this was a step moving forward to demolishing this home that had been vacant for years and had become a blight to the community. There was discussion that the Administration needed to complete a title search prior to contracting with a company to demolish any home.

ORDINANCE NO. 9364-16 AN ORDINANCE AMENDING ORDINANCE NO. 9020-12 SECTION 151.23 (a), ENTITLED "ALLOCATIONS OF FUNDS" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO

Mr. Gambosi explained the only changes were an addition of four of the Finance Department's employees. He explained the time/hours spent were calculated into percentages to perform duties and render services for various departments. Proper accounting requires that the expense of their services shall be distributed including benefits and chargeable to the department for which such services are rendered.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF RECREATION DEPARTMENT FEES

Mr. Mallis explained he would like to address this issue in the next 30-45 days before registration started. He referred to the survey (see attached) that showed Bedford charged less than the surrounding communities. It was important to keep the costs in line with the program expenses. He felt the Program Fees should be \$40 across the board and the playgrounds should be increased to \$500. The last documentation was from 1986 Ordinance No. 5644-86; however, about 16 years ago the fees were increased slightly. He thought the Pool Fees should be increased to \$100 for a family of four and the seniors should be increased to \$20. Council felt the increases were reasonable so they requested a draft ordinance to consider at the March Work Session for discussion.

DISCUSSION OF ARTS & CULTURAL BOARD APPOINTMENTS

Mayor Koci said at the February 8, 2016 Arts & Cultural Board Meeting the members suggested the appointments of Matthew Stewart and Dana Best-Mizsak. Council had no concerns and felt both appointees had something to bring to the table. They would be appointed in March.

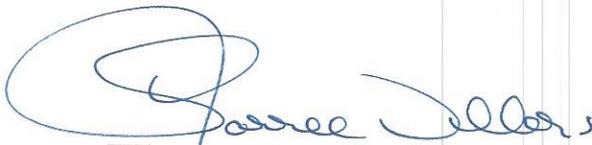
Motion made by Saunders and seconded by Spinks to go into an executive session to discuss personnel and economic development. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizsak. Nays: None. Motion carried unanimously.

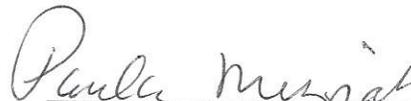
At 7:31 p.m., Bedford City Council, City Manager Mallis, Finance Director Gambosi and Law Director Montello went into an executive session to discuss personnel and economic development.

Executive session adjourned at 7:56 p.m.

Motion by Spinks and seconded by Genutis to adjourn work session. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizsak. Nays: None. Motion carried unanimously.

Work Session adjourned at 8:02 p.m.


Clerk of Council


Mayor – President of Council

REGULAR MEETING

AGENDA

**BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA**

DATE: February 16, 2016

TIME: 8:00 P.M.

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1. **CALL TO ORDER**
 2. **PLEDGE OF ALLEGIANCE**
 3. **ROLL CALL**
 4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of February 1, 2016
 - b. Approval of Minutes of the Regular Meeting of February 1, 2016
 5. **PRESENTATIONS** – Jack Wardley
 6. **OLD BUSINESS**
 7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
 8. **NEW BUSINESS**
 - a. Ordinance No. 9360-16 levying assessments for delinquent water bills
 - b. Ordinance No. 9361-16 contract w/Cuyahoga Community College District
 - c. Ordinance No. 9362-16 authorize to condemn 24 Oakwood Avenue (#812-26-039)
 - d. Ordinance No. 9363-16 authorize to condemn 16 Justin Avenue (#814-14-018)
 - e. Ordinance No. 9364-16 amend Ordinance No. 9020-12 §151.23 (a) “Allocation of Funds”
 9. **HEARING OF CITIZENS**
 10. **ADJOURNMENT**

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

Bedford, Ohio

February 16, 2016

Bedford City Council met in Regular Session at Bedford City Hall on Tuesday, February 16, 2016. Mayor Koci called the meeting to order at 8:06 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Saunders, Zolata, Spinks, Koci, Mizensak, Genutis, Pozar. Absent: None.

Motion made by Pozar and seconded by Mizensak to approve the minutes of the Work Session Meeting of February 1, 2016. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizensak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Spinks to approve the minutes of the Regular Meeting of February 1, 2016. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizensak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Mayor Koci and Vice-Mayor Mizensak read two Proclamations in celebration of Jack Wardley's 104th Birthday who turned 104 years old on February 10, 2016. Vice-Mayor Mizensak read the proclamation from Mayor Hurst of the Village of Walton Hills. Kind words were expressed and shared about what a nice gentleman Mr. Wardley was. In the absence of Mr. Wardley the Proclamations would be delivered to him.

City Manager Michael Mallis urged residents to help their neighbors during this winter season and to shovel their sidewalks. He talked about some of the parking issues/parking ban throughout the City when residents/visitors park on the streets during accumulative snowfall and violators were being ticketed. He said the grass cutting notices were being mailed prior to the grass cutting season. He announced the Meadowbrook auction of the old TJ Max store, a 5 ½ acre location that abutted the recent departed Wal-Mart store. He reminded everyone the Columbus Road Bridge project was Cuyahoga County's project with Schirmer; he hoped the water had been restored. This was a long overdue project. He gave credit to the fire departments who assisted at the Maple Heights house fire. He talked about the Crain's ad with the RFQ's regarding the 15 acre old Taylor Chair property which included the former Moonglow property and the corner of Broadway Avenue and Union Street. The City contacted 15 developers directly for mixed use and possibly a restaurant. He explained the City of Bedford was built out so the focus was redevelopment.

No reports from Law Director John Montello and Councilwoman Spinks.

Finance Director Frank Gambosi expressed concerns with the budget cuts from the state. The City recently received a downgrade from Standard & Poor's rating from an AA to an AA-. He said the downgrade was the loss of Ben Venue, Wal-Mart, State cuts and the economy. There was good news on the horizon that would take affect about 6-8 years in the future.

Councilman Saunders voiced his concerns regarding the poor snow plowing efforts from private contractors and the residents/visitors parking in the street during the recent snowfall. He felt the Service Department was doing the best they could trying to keep the streets clear contending with these violators.

Councilwoman Zolata added there were a few cars parked in the street in Ward 3 that were ticketed. She also received complaints from Best Street of the private contractor that was plowing snow across the sidewalk and into the street. She also commended the snow removal efforts of the Service Department and understood the reasons behind the Sensible Salting Practice Program. She talked about an article from the newspaper regarding the efforts on testing the Cleveland water supply. Mr. Mallis stated the City tested Bedford's water supply multiple times per year. She saw this evening on Channel 5 that Bedford's K9 Mike received safety equipment donated by one of the manufactures. She suggested a person from the Metroparks educate the residents regarding the coyote population. Mr. Mallis learned recently that the coyote were not afraid of humans. Mayor Koci suggested a gathering at Ellenwood.

Councilwoman Mizesak wished Councilwoman Zolata an early happy birthday. She was very pleased with the new digital sign that was recently installed. She had concerns about the City's salt supply. Mr. Mallis explained the numbers were down; however, the City received another delivery. Bedford joined with other cities years ago the Sensible Salting Practice Program for various reasons. This program also helped the environment/creeks/wildlife. Mrs. Mizesak announced the Taste of Paris hosted by the Bedford Historical Society on March 4, 2016.

Councilman Genutis supported the efforts made with the Sensible Salting Practice Program. He was amazed with the amount of salt Bedford used during the winter season. He spoke about a letter he received from NOPEC and he stated he was staying with Dominion East Ohio Gas because he was against fracking.

Councilman Pozar said the job of being a councilman had been pretty easy for the last 20+ years but the times have changed with the current budget situation and concerns. The City has been experiencing some difficult times of recent with the loss of Ben Venue and Wal-Mart, state budget cuts and the economy. Mr. Mallis and Mr. Gambosi gave two different types of reports this evening concerning the City's current budget situation and the outlook for the future. They both will inform Council so they could make the best decisions regarding this difficult time. He said 83% - 85% of the budget was spent on paying the employees to provide services. The taxes paid was the main source of income to provide the services so when the taxes were reduced and the revenues were reduced then Council jobs become difficult. He said the information would be shared during the upcoming Ward and Council meetings.

Mayor Koci assured the residents the Administration worked daily on the financial tasks before them. He talked about the 30-60 union plumber volunteers who installed filters in the resident's homes in Flint, Michigan. He clarified Ordinance Nos. 9362-16 and 9363-16 were being condemned not demolished.

ORDINANCE NO. 9360-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR DELINQUENT WATER BILLS IN THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Pozar to suspend the rule requiring the reading of said ordinance three different days.

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9360-16** on third and final reading and passed.

Mr. Gambosi explained this assessment was done twice a year for those with delinquent water bills.

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

ORDINANCE NO. 9361-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COMMUNITY COLLEGE DISTRICT (“CCC”) FOR USE OF THE BEDFORD CITY JAIL FACILITIES (“JAIL”) AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to place Ordinance No. 9361-16 on first reading.

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

ORDINANCE NO. 9362-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 24 OAKWOOD AVENUE (P.P. 812-26-039) ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Pozar to suspend the rule requiring the reading of said ordinance three different days.

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9362-16** on third and final reading and passed.

Mr. Mallis explained this specific property the City had been trying to address for years, the owner was deceased and owed \$20,000+ in back taxes. The recent inspection showed 52 items of repair and concern.

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

ORDINANCE NO. 9363-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 16 JUSTIN AVENUE (P.P. 814-14-018) ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Saunders to suspend the rule requiring the reading of said ordinance three different days.

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9363-16** on third and final reading and passed.

Mr. Mallis explained this was another home that needed addressed because of its condition. The lienholders will be advised of the condition.

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

ORDINANCE NO. 9364-16 AN ORDINANCE AMENDING ORDINANCE NO. 9020-12 SECTION 151.23 (a), ENTITLED “ALLOCATIONS OF FUNDS” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to suspend the rule requiring the reading of said ordinance three different days.

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

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9364-16** on third and final reading and passed.

Mr. Gambosi explained the changes were an addition of four of the Finance Department's employees. He explained the time/hours spent were calculated into percentages to perform duties and render services for various departments. Proper accounting requires that the expense of their services shall be distributed including benefits and chargeable to the department for which such services are rendered.

The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizsak, Genutis, Pozar. 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.

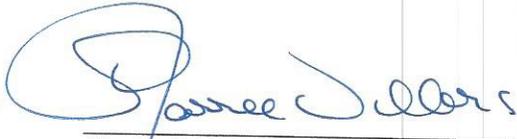
Kathy Williams, 491 Lamson Avenue, referred to Ordinance No. 9361-16 and wondered what the quality of violators/criminals/prisoners that were going to be placed in the Bedford jail because the jail was near her home. Mayor Koci explained the Ordinance allowed a contract with Tri-C as the City has with others on an as needed basis. Mrs. Williams wondered if the Tri-C prisoners were previously housed at the Justice Center or Bedford Heights. Mr. Mallis explained the Administration did not think there would be a lot of prisoners. Mr. Montello assured her if the prisoner was a hard core criminal they would not be held in the Bedford jail for the allotted 12 day period. There were various reasons a person could break the law and if they got caught there was a possibility they would be housed in the Bedford jail. Bedford jail was now assisting those who were in need of housing their prisoners since the recent closing of the Bedford Heights jail. The Administration did not think it would be an over burdening situation for the Bedford jail because the Police Department had the right to refuse prisoners as stated in the contract.

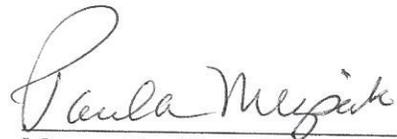
Bob Diederich, 137 Santin Circle, questioned if the City had addressed the EPA Phase I and Phase II studies regarding the old Taylor Chair property located at the corner of Taylor and Willis. Mr. Mallis replied the EPA Phase I and Phase II was done years ago when a developer wanted to build condominiums and the property was clean then as well as the connecting former Moonglow property. Mr. Diederich had concerns who would be responsible if the grounds were still contaminated. Mr. Mallis explained the City currently owned the property and the City was focusing on re-developing this specific area for its best use. The City was in the process of discussing how to develop the property; however, if the property was found contaminated it would be the property owner's responsibility to address it. Mr. Diederich wondered what the laws were for parking on the street because there was a Cadillac parking on the street. Mr. Mallis clarified some of the streets had two (2) hour parking; however, no resident/visitor shall park any vehicle on any street in the City between the hours of 3:00 a.m. and 6:00 a.m. He added there were also requests for overnight parking that were addressed accordingly. Mr. Mallis would follow up on the parked car situation. Mr. Diederich asked if the City considered bringing in a youth group to shovel snow for those in need. Mr. Mallis explained the City previously partnered with an organization and the program did not work out as expected.

Benettia Falkner, 79 Dewhurst Lane, asked Mr. Genutis if fracking was being done in the City of Bedford. Mr. Genutis replied, no.

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

Meeting adjourned at 9:16 P.M.


Clerk of Council


Mayor – President of Council