

**COUNCIL WORK SESSION
TUESDAY, FEBRUARY 17, 2015**

6:15 P.M. PROMPT

- **DISCUSSION WITH KIMBALL REPRESENTATIVE** – Don Johnson

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF ARTS & CULTURAL BOARD RULES** –
(Ord. #7845-06 w/ByLaws)

- **EXECUTIVE SESSION** – (Personnel/Litigation)

Bedford City Council met in a Work Session at Bedford City Hall on Tuesday, February 17, 2015 at 6:20 p.m.

Present: Council Members: Mayor Stan Koci, Paula Mizensak, Marilyn Zolata, Sandy Spinks, Walter Genutis, Don Saunders. Absent: Greg Pozar. Administration: City Manager Michael Mallis, Assistant Law Director John Montello, Building Commissioner Calvin Beverly, Finance Director Frank Gambosi, Clerk of Council Lorree Villers, Superintendent Shawn Frances, Service Director Clint Bellar, Don Johnson, Kimball representative.

DISCUSSION WITH KIMBALL REPRESENTATIVE – Don Johnson

Mr. Johnson and Mr. Bellar had been working together for the best possible contract for Bedford. They explained the contract was up in July 2015 and the option was either a (3) year extension or a (5) five year contract with an option to piggy back on Highland Heights contract. The five (5) year options included one (1) free rubbish container and one (1) free recycling container per occupied home; vacant homes would not receive containers until occupied. The amount would be based on occupied homes using the service and the City would not be charged for vacant homes. Each resident would be given a 90-day trial period to see if they liked the new sturdy roller containers and would be offered a smaller container if not satisfied with the roller containers. It was made very clear the rubbish and recycling would be unlimited service which meant no restrictions of number of bags/rubbish per home. If a resident was spring cleaning/moving, the "unlimited" rubbish would be collected. Mr. Johnson said they expected an increase in recycling tonnage because on the convenience of the large container and history of other cities. All one had to do was drop in the recycling with no sorting or binding of different materials. The newer facilities sorted #1 and #2 plastics accordingly, pop cans, canned goods, paper products and other materials quickly; the facilities were run much more efficient these days. The collection employees were trained accordingly which meant fewer complaints. The containers were assigned to a home/route for tracking purposes and if one became damaged it would be replaced either for free or depending on the situation the resident may have to pay for a new container replacement. Mr. Bellar pointed out the events on the City Square would have to have an addendum to the contract and there was no fuel charge. The consortium would be taken into consideration and discussed during a March Work Session. Mr. Mallis pointed out the minimum savings was \$30,000. Mr. Bellar would report any findings concerning Highland Height's piggy back options or other items/concerns for discussion in March.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of February 2, 2015 and the Regular Meeting of February 2, 2015.

Ordinance No. 9243-15 appointed John Montello as the new Law Director/Prosecutor. The contract was discussed during previous executive sessions. The position would be part-time at \$83,000, no overtime, no vacation, no longevity, no sick time, no personal days, no personal billable hours. As it had been done in the past, if there was a need for outside assistance for negotiations, workers compensation issues or any other type items, which would be brought before Council for consideration. The Law Director's duties were also described in the Charter. Mr. Montello would also be available at City Hall for assistance or meetings and would be attending certain Boards & Commission evening meetings. It was determined this position was going to be handled differently than done in the past.

Ordinance No. 9244-15 contracted with Firefighters Local 1683 International Association of Firefighters. The City of Bedford had completed negotiations with the Firefighters Local 1683 International Association of Firefighters. Mr. Mallis noted this contract was the same as the Police Department. The Wellness Program was underway and employees would be brought up to speed soon on how to participate.

Ordinance No. 9245-15 declared the property and structures at 41 Tudor a nuisance. This home was in deplorable condition after 4+ years of being vacant. Mrs. Spinks told the history of the home and recently while Mr. Beverly was at a seminar he found out the City could move forward in declaring this home a nuisance. Mr. Beverly requested Mr. Montello prepare an Affidavit of Fact so it would be attached to the Deed so anyone who was interested in the home knew the City was keeping this home in its crosshairs.

Ordinance No. 9246-15 contracted with Lebanon Ford for two 2016 SUV Interceptors for the Police Department at a cost of \$59,858. Mr. Mallis explained the poor condition of the police cars that were to be replaced. It was important the City get back into the car rotation so this would need to be addressed in the future.

Ordinance No. 9247-15 contracted with Hall Public Safety to equip the two (2) new Police Department Interceptors at a cost of \$19,764.54. Mr. Mallis said with the purchase of two new cars came the normal equipment expenses. This company outfitted the vehicles in a very reasonable time frame.

Ordinance No. 9248-15 was an agreement with Benjamin King for the purchase of 361 W. Grace Street in the amount of \$35,500. The listing price was \$42,000 but the City felt the offer was a fair price for a hard to sell two (2) bedroom home. This offer/contract had no incentives attached.

Ordinance No. 9249-15 levied assessments for delinquent water bills. This was addressed two (2) times a year for those who do not pay their water bills. Council had very few questions even though some of the bills were very high.

The motion to re-appoint David Lynch and Vicky Stemple were both approved by Council.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF ARTS & CULTURAL BOARD RULES

Mayor Koci and Mrs. Spinks previously suggested several changes to the rules/bylaws as presented by the Arts & Cultural Board (ACB) for Council's review. Mayor Koci explained he attended the February ACB meeting to clarify the changes Council had made and basically the changes made that evening were language changes. The bylaws now reflected the Charter so there wasn't much to change. Mr. Montello would change the Ordinance to reflect the Charter and approved rules/bylaws agreed upon by Council. These rules would assist this Board and define the procedures as Chairman and members changed. Eventually the goal was for the Community Development Corporation a 501C3 to take over this group.

At 7:45 p.m., Bedford City Council, City Manager Mike Mallis, Finance Director Frank Gambosi and Assistant Law Director John Montello went into an executive session to discuss Personnel and Economic Development.

Executive session adjourned at 7:58 p.m.

Work Session adjourned at 7:59 p.m.



Clerk of Council



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 February 2, 2015
 - b. Approval of Minutes of the Regular Meeting of February 2, 2015

5. **PRESENTATIONS**

6. **OLD BUSINESS** (None)

7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports

8. **NEW BUSINESS**
 - a. Ordinance No. 9243-15 appoint John Montello as the Law Director/Prosecutor
 - b. Ordinance No. 9244-15 contract w/Firefighters Local 1683 International Association of Firefighters
 - c. Ordinance No. 9245-15 declaring property and structures at 41 Tudor a nuisance
 - d. Ordinance No. 9246-15 contract w/Lebanon Ford for two 2016 SUV Interceptors (\$59,858)
 - e. Ordinance No. 9247-15 contract w/Hall Public Safety equipment for Police Dept. Interceptors (\$19,764.54)
 - f. Ordinance No. 9248-15 purchase agreement w/Benjamin King for 361 W. Grace St. (\$35,500)
 - g. Ordinance No. 9249-15 levy assessments for delinquent water bills
 - h. Motion to re-appoint Dave Lynch to the Board of Building Standards & Appeals
 - i. Motion to re-appoint Vicky Stemple to the Board of Building Standards & Appeals

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 Tuesday, February 17, 2015. Mayor Koci called the meeting to order at 8:03 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Absent: Pozar.

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

Motion made by Spinks and seconded by Zolata to approve the minutes of the Work Session of February 2, 2015. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Genutis. Nays: None. Abstain: Mizesak. Motion carried.

Motion made by Saunders and seconded by Spinks to approve the minutes of the Regular Meeting of February 2, 2015. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Genutis. Nays: None. Abstain: Mizesak. Motion carried.

City Manager Michael Mallis stressed very heavily for the residents not to park in the street when it was snowing and to maintain their sidewalks. He said the violators that were parking in the streets during snow fall have been ticketed and will continue to be ticketed. The parking in City streets would be discussed in the very near future for various reasons. He urged those to visit the City's website and social media for updates from the Office of Emergency Management. The new Dispatch Center was delayed because there were a few details being worked out regarding the transfer of technology. The Bedford Heights Dispatchers were still working side by side with the Bedford Dispatchers at City Hall. He announced the Historical Society benefit was March 7, 2015.

Assistant Law Director John Montello commended the Firefighters on the recent union contract. He thanked Council for their support regarding Ordinance No. 9243-15 appointing him as the new Law Director.

Mr. Gambosi and all of Council congratulated Mr. Montello on his new position of Law Director.

Councilwoman Spinks questioned the ODOT's and the City's salting practices regarding side streets. It was clarified that the Service Department mostly salted the intersections and stop sign areas; however, if there were problem areas they were addressed. Mr. Frances told Mrs. Spinks the three streets in question he personally inspected after he was made aware of the calls and they were drivable at the time of the complaints. It was after it started raining the roads turned to icy conditions and at that time they were salted.

Councilman Genutis showed gratitude for the Service workers, rubbish collectors and mail carriers. He thought the Service Department was doing an excellent job. He liked Mr. Montello's demeanor.

Councilwoman Zolata noted Mr. Montello assumed the Law Department's responsibilities at a very difficult time for the City; he managed well. She had been trying to get volunteers to shovel the sidewalks. She talked about the waterline break at Best and Broadway last week. Mrs. Zolata urged everyone to attend the Historical Society function on March 7, 2015 and urged residents to sign up to deliver Meals on Wheels. She enjoyed the FriDates concerts.

Councilwoman Mizesak thanked her neighbors for keeping their sidewalks fairly clean. She mentioned the waterline pipe freezing issues at one of the apartment buildings in her Ward. Mr. Mallis clarified the water pipes were freezing because the box where they were located was not insulated.

Councilman Saunders announced the Ohio Supreme Court ruled on the Munroe Falls Oil and Gas well case and the result was nobody other than the State can rule on oil and gas drilling. He felt this was another example of Home Rule deterioration. He believed the City followed the EPA recommended salt standards. The EPA was in the process of trying to eliminate salting because of the pollutants in the waterways. He asked Mr. Montello to define (2) two inches of snow regarding street parking bans; parking in the streets during the snow season was always a problem. The parking in the streets could be a safety issue for a fire truck and/or ambulance. He suggested the Service Department clean up some of the intersections throughout the City. He asked if Bedford had a Heat Center for the residents. Mr. Mallis explained the City had a plan with the Red Cross whether it was loss of heat, flooding, electricity or any other issue. It was a relief to know there was a contingency plan.

Mayor Koci urged the residents to dig out the fire hydrants. He reminded everyone to attend the VFW concert. He encouraged the residents to support the Cuyahoga Art and Cultural levy in November 2015; this group assisted in the FriDates events.

ORDINANCE NO. 9243-15 AN ORDINANCE AMENDING ORDINANCE NO. 9133-14 TO APPOINT THE LAW DIRECTOR/PROSECUTOR FOR THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9243-15** on third and final reading and passed.

Mayor Koci said Mr. Montello had been the Assistant Law Director for many years but in the past year he fulfilled the duties of Assistant Law Director, Law Director and Prosecutor. It was a well-deserved promotion. Mr. Gambosi noted there was a specific employment contract for this appointment.

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

Everyone congratulated Mr. Montello. Mr. Montello thanked everyone for the opportunity. Mayor Koci administered the Oath of Office.

ORDINANCE NO. 9244-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT BETWEEN THE CITY OF BEDFORD AND FIREFIGHTERS LOCAL 1683 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS ADOPTING THE TERMS OF THE ATTACHED CONTRACT AND ORDERING THEM INTO EFFECT 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, Mizensak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9244-15** on third and final reading and passed.

Mr. Mallis explained negotiations began the end of 2013 until of recent; this was a good three (3) year contact for both parties.

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

ORDINANCE NO. 9245-15 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURES LOCATED AT 41 TUDOR AVENUE (P.P. NO. 811-02-003) A NUISANCE, 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. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Zolata to place Ordinance No. **9245-15** on third and final reading and passed.

Mr. Mallis explained this home was deplorable and the City would keep this home in its crosshairs.

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

ORDINANCE NO. 9246-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LEBANON FORD TO PURCHASE TWO (2) 2016 FORD SUV INTERCEPTORS AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Spinks 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. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9246-15** on third and final reading and passed.

Mr. Mallis explained the need for new vehicles; the City would strive to get back on the rotation program as done in the past.

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

ORDINANCE NO. 9247-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH **HALL PUBLIC SAFETY CO.** AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9247-15** on third and final reading and passed.

Mr. Mallis explained with the purchase of new cars the equipment package was necessary. This specific company had a faster turn over time so the vehicles could be on the road sooner.

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

ORDINANCE NO. 9248-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT WITH BENJAMIN L KING SELLING THE RESIDENCE AT **361 WEST GRACE STREET (P.P. 812-30-063)**, 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, Mizensak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Saunders to place Ordinance No. **9248-15** on third and final reading and passed.

Mr. Mallis explained this was a reasonable price for this small City owned home.

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

ORDINANCE NO. 9249-15 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 Saunders seconded by Mizensak to suspend the rule requiring the reading of said ordinance three different days.

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9249-15** on third and final reading and passed.

Mr. Gambosi said the City does this twice a year.

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

Motion made by Mizesak seconded by Saunders to re-appoint Dave Lynch to the Board of Building Standards & Appeals. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

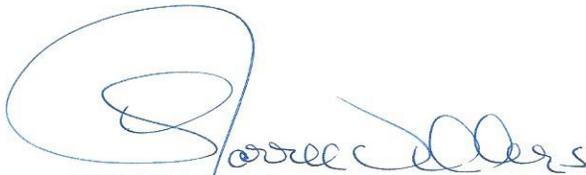
Motion made by Spinks seconded by Zolata to re-appoint Vicky Stemple to the Board of Building Standards & Appeals. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

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

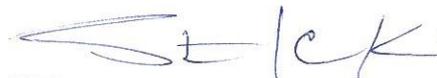
Laura Hulett, 37 Charles Street, The Broadway Cyclery, invited everyone to their 5 year anniversary on Friday, February 20, 2015 at 6:00 p.m.

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

Meeting adjourned at 8:45 P.M.



Clerk of Council



Mayor – President of Council