

COUNCIL WORK SESSION

MONDAY, FEBRUARY 3, 2014

6:00 P.M. PROMPT

- **EXECUTIVE SESSION - Personnel**

- **DISCUSSION OF AGENDA**
(Swearing-In of Michael Mallis - Montello)

- **DISCUSSION OF LIABILITY INSURANCE**

- **DISCUSSION OF REBATES**

- **DISCUSSION OF PLANNING COMMISSION MEMBER VACANCY**

Bedford, Ohio

February 3, 2014

Bedford City Council met in a work session at Bedford City Hall on Monday, February 3, 2014 at 6:06 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Marilyn Zolata, Paula Mizsak, Greg Pozar, Don Saunders. Administration: Acting City Manager Mike Mallis, Finance Director Frank Gambosi, Assistant Law Director John Montello, Clerk of Council Lorree Villers, Building Commissioner Calvin Beverly. Also Present: former City Manager Henry J. Angelo. Absent: None.

At 6:08 p.m., Bedford City Council, Assistant Law Director John Montello and former City Manager Henry J. Angelo went into an executive session to discuss Personnel.

Executive Session adjourned at 7:20 p.m. and Mr. Angelo left the building.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of January 21, 2014, Regular Meeting of January 21, 2014 and Special Work Session of January 27, 2014.

Mr. Montello performed the official Swearing-In of Michael Mallis as the Acting City Manager.

Ordinance No. 9136-14 was an Ordinance authorizing the City to certify to the County Auditor costs associated with Police response to 108 E. Interstate in the amount of \$178.94. Council read this as a first reading on January 21, 2014.

Ordinance No. 9137-14 was an Ordinance authorizing the City to certify to the County Auditor costs associated with Police response to 601 Northfield Road in the amount of \$120.72. Council read this as a first reading on January 21, 2014.

Clerk Villers explained the process for both ordinances and she pointed out the second WHEREAS informed Council as to when the Police Department mailed the original letter to this address which informed them of the Codified Ordinance Section 511.12 pertaining to the police response costs. She offered Council to review the folder in the Council Office of the offenders that actually paid the police response costs that Council was not even aware of and these costs were paid by the homeowner or renter. Council thought it would be best to read these two ordinances as a second reading this evening. It was determined the assessments were done in September regardless of how many ordinances were passed per year. The process of billing these offenders would be reviewed at a future meeting in March 2014. Ms. Zolata wanted to address these repeat offenders through a process in the Building Department which would be addressed at a later date after Mr. Beverly and Mr. Montello had the opportunity to discuss options. Mr. Montello would look into why the current process was setup in the manner in which it currently was being addressed.

Ordinance No. 9142-14 was an ordinance appointing Michael Mallis as Acting City Manager. Nobody had any questions.

Ordinance No. 9143-14 was an ordinance authorizing the City Manager to enter into a contract with CT Consultants. Mr. Mallis explained the rates had not been increased since 2007 and these rates were locked

in for two years. This company was necessary to assist the Building Department. The current City Engineer, GPD Group, could not perform the same type services as CT Consultants. There were no additional costs to the City; the costs were passed on to the consumer per Mr. Saunders, Mr. Mallis explained CT Consultants assisted the Building Department in the commercial and residential plans on an as needed basis. These rates would put Bedford in line with the surrounding communities this company did business with. The School Board also used this company. Mr. Saunders explained the costs were passed onto the consumer and not the residents. It was determined this needed to be passed this evening.

Ordinance No. 9144-14 was an ordinance authorizing the City Manager to enter into a contract with Simplex IT in the amount of \$17,809.00. Mr. Gambosi noted this had to be passed this evening as an emergency measure so the City could still function. These costs also included the Police Department.

Ordinance No. 9145-14 was an ordinance authorizing the City Manager to extend the American Federation of State, County Municipal Employees contract for the Police Dispatchers. It was determined this ordinance could be read as a first reading. The Dispatch Center would not be completed until this fall.

Ordinance No. 9146-14 was an ordinance amending Ordinance No. 9043-13 designating members to the Housing Council. There was a need to replace Mr. Angelo and Mr. Schuman who were previously on the list. This was a four year term.

Ordinance No. 9147-14 was an ordinance authorizing payment to the City of Bedford Heights for the Southeast Emergency Communication Center Dispatch Center for a Communications Administrator in the amount of \$25,000. This was one of the first steps of moving forward with the Dispatch Center.

Motion to appoint Therese Chapman and Patrick Melnick to the Arts & Cultural Board. Council had no issues with appointing them to the Board.

Mr. Gambosi passed out some information regarding the Liability Insurance. He said this would be before Council on February 18, 2014 in an ordinance form.

Mr. Gambosi briefly explained the rebates; this would show on the next appropriations ordinance.

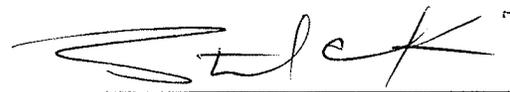
Council did not have any suggestions for a new Planning Commission member for the upcoming vacant seat.

Discussion of the Regular Meeting agenda was concluded.

Work Session adjourned at 8:04 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 January 21, 2014
- b. Approval of Minutes of the Regular Meeting of January 21, 2014
- c. Approval of Minutes of the Special Work Session of January 27, 2014

5. OLD BUSINESS

- a. Ordinance No. 9136-14 authorizing the City to certify to the County Auditor costs associated with Police response to 108 E. Interstate (\$178.94) (1st Rdg 1/21/14)
- b. Ordinance No. 9137-14 authorizing the City to certify to the County Auditor costs associated with Police response to 601 Northfield Road (\$120.72) (1st Rdg 1/21/14)

6. PRESENTATIONS

Swearing-In - Michael Mallis Acting City Manager

7. REPORTS

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

8. NEW BUSINESS

- a. Ordinance No. 9142-14 appointing Michael Mallis as Acting City Manager
- b. Ordinance No. 9143-14 authorizing the City Manager to enter into a contract w/CT Consultants
- c. Ordinance No. 9144-14 authorizing the City Manager to enter into a contract w/Simplex IT (\$17,809)
- d. Ordinance No. 9145-14 authorizing the City Manager to extend the American Federation of State, County Municipal Employees contract - Police Dispatchers
- e. Ordinance No. 9146-14 amending Ordinance No. 9043-13 designating members to the Housing Council
- f. Ordinance No. 9147-14 authorizing payment to the City of Bedford Heights for the Southeast Emergency Communication Center Dispatch Center Communications Administrator (\$25,000)
- g. Motion to appoint Theresa Chapman and Patrick Melnick to the Arts & Cultural Board

9. HEARING OF CITIZENS

10. ADJOURNMENT

PLEASE TURN OFF ALL CELL PHONES BEFORE COUNCIL MEETING
(Council minutes and agenda posted at www.bedfordoh.gov)

Bedford, Ohio

February 3, 2014

Bedford City Council met in Regular Session at Bedford City Hall on Monday, February 3, 2014. Mayor Koci called the meeting to order at 8:07 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Absent: None.

Motion made by Zolata and seconded by Spinks to approve the minutes of the Work Session of January 21, 2014. The roll was called. Vote – Yeas: Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Pozar to approve the minutes of the Regular Meeting of January 21, 2014. The roll was called. Vote – Yeas: Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to approve the minutes of the Special Work Session of January 27, 2014. The roll was called. Vote – Yeas: Mizesak, Genutis, Pozar, Zolata, Spinks, Koci. Abstain: Saunders. Nays: None. Motion carried.

ORDINANCE NO. 9136-14, AN ORDINANCE AUTHORIZING THE CITY OF BEDFORD TO CERTIFY TO THE COUNTY FISCAL OFFICER THE COSTS ASSOCIATED WITH POLICE RESPONSE TO 108 EAST INTERSTATE AS SAID HOMEOWNER IS IN VIOLATION OF BEDFORD'S CRIMINAL ACTIVITY NUISANCE ORDINANCE AND DECLARING AN EMERGENCY PLACED ON FIRST READING ON JANUARY 21, 2014 WAS READ BY TITLE ONLY.

Motion made by Pozar seconded by Saunders to place Ordinance No. **9136-14** on second reading.

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

ORDINANCE NO. 9137-14, AN ORDINANCE AUTHORIZING THE CITY OF BEDFORD TO CERTIFY TO THE COUNTY FISCAL OFFICER THE COSTS ASSOCIATED WITH POLICE RESPONSE TO 601 NORTHFIELD ROAD AS SAID HOMEOWNER IS IN VIOLATION OF BEDFORD'S CRIMINAL ACTIVITY NUISANCE ORDINANCE AND DECLARING AN EMERGENCY PLACED ON FIRST READING ON JANUARY 21, 2014 WAS READ BY TITLE ONLY.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9137-14** on second reading.

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

Michael Mallis as the Acting City Manager; was sworn in by Mayor Koci. Mr. Mallis introduced his wife Kelly Mallis.

Acting City Manager, Michael Mallis spoke about the recent waterline break; he commended Shawn Francis, Superintendent and four Service Department employees in addressing the problem in a ten hour window; Council agreed. Mr. Mallis explained having an experienced staff available was worth the fees/costs associated with the cost of water. He was aware residents complained about the water rates but here was a perfect example of having a qualified staff available. He assured everyone the Columbus Road bridge issue was still being addressed with Cuyahoga County. A signal light would be installed for safety

reasons for one lane to allow traffic flow. There was also a main gas line under the bridge that was of concern.

Assistant Law Director John Montello congratulated Mr. Mallis as the new Acting City Manager.

Finance Director, Frank Gambosi congratulated Mr. Mallis as well. He reminded everyone of the online tax system for the residents. He noticed the software packages were delayed.

Councilwoman Spinks invited Ward 1 residents to a private party at Ellenwood Recreation Center on Friday, February 7, 2014. She urged everyone to honor the parking ban during the snow season.

No report from Councilman Genutis.

Councilwoman Zolata congratulated Mr. Mallis on his new position and doing such a good job keeping her informed on the waterline break. She had nothing but admiration for the Service Department. She was happy Bedford did not eliminate the Water Department years ago; the additional cost was worth the service. She said the Historical Society Reverse Raffle was March 8, 2014 in Oakwood; the theme was the roaring 20's. She would have more detail closer to the event.

Councilwoman Mizsak noted the sidewalk starting at Slate Run toward the dip was not being shoveled. She congratulated Mr. Mallis.

Councilman Pozar asked on behalf of a citywide effort from the residents, Police and Building Department to report the poor housing stock issues; blight and neighbors in neglect. There were eight City owned homes, which he suggested be listed professionally and occupied ASAP; the value of these homes were approximately \$250,000. Mr. Pozar thought there should be a list available to those interested in buying a home in Bedford. Mr. Mallis explained a lot of these homes bounce in and out of foreclosure. He said the Water Department can determine the amount of usage so this was a way to track vacant homes. The Water Department and Building Department should work together to determine what homes were empty. He added the grass cutting procedure was going to be addressed differently moving forward. Mr. Pozar thought the vacant/foreclosed homes should be on the City's website and available at the counter for interested buyers. He thought a strong effort from the Building Department should be the "theme" in 2014.

Councilman Saunders also commended the Service Department on their professional efforts regarding the recent waterline break. He stated the extra percentage points/costs for water was well worth the expedient service. He noted the City of Cleveland had not yet found the leak at the intersection of Union Street and Broadway Avenue; it's been months. The Columbus Road Bridge was affecting the businesses in this area. The school system also wanted the bridge repaired in a timely fashion. He urged everyone to take turns shoveling the snow out from around the fire hydrants. He talked about the two cars that were parked on Berwyn Drive over night; he felt the streets were not being patrolled often enough. Mr. Mallis said he would check with the Police Department. Mr. Saunders asked Mr. Mallis to clarify the problem with the natural gas main near Grace Street. Mr. Mallis said there was a leak near Burger King which Dominion East Ohio Gas was in the process of repairing. Mr. Saunders said the County Democratic Party did not endorse Robert Reid but he was still on the ballot for now. He thought the reason was due to the article in the Scene Magazine regarding the Bedford brothel. This article also affected his seat in running for County Council; people were raising questions. County Council District 9 went down as no endorsement so all six candidates would be on the May 6, 2014 primary.

Mayor Koci asked for an update regarding the salt supply because of the information he had heard at the recent Mayors and Managers meeting. He understood this area's salt supply went to Georgia because of their unexpected winter weather. Mr. Mallis said there were 500 tons delivered and there would not be an issue with salting the streets. He wished his wife a Happy Birthday.

ORDINANCE NO. 9142-14, AN ORDINANCE APPOINTING MICHAEL MALLIS AS ACTING CITY MANAGER OF THE CITY OF BEDFORD, ESTABLISHING COMPENSATION 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 on three different days.

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

Motion made by Mizsak seconded by Pozar to place Ordinance No. **9142-14** on third and final reading and passed.

Mr. Montello stated the obvious, the position was vacant.

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

ORDINANCE NO. 9143-14, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH CT CONSULTANTS, INC. AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9143-14** on third and final reading and passed.

Mr. Mallis explained CT Consultants assisted the Building Department in the commercial and residential plans. The last increase was in 2007; the rate increase was locked in for two years. These rates would put Bedford in line with the surrounding communities this company did business with. The School Board also used this company. Mr. Pozar asked why “decks” were added to this contract. Mr. Mallis explained Mr. Beverly was certified to review a lot of projects; so “decks” would not be handled by CT Consultants. A lot of the work/inspections would be done by the Building Department; only the larger projects like the Automile would CT Consultants be involved because of the complexity of some of these projects. Mr. Pozar asked if the Fire Department would be involved. Mayor Koci explained the Fire Department would only be involved after the project was completed for inspection. The Building Department adhered to the State Codes during the projects. Mr. Saunders explained the costs were passed onto the consumer and not the residents. He stated it was very important to construct a deck properly because they do collapse if they were not engineered properly. He was in favor of contracting with CT Consultants.

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

ORDINANCE NO. 9144-14, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SIMPLEX-IT 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 on three different days.

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

Motion made by Mizsak seconded by Saunders to place Ordinance No. **9144-14** on third and final reading and passed.

Mr. Gambosi explained this contract needed passed as emergency legislation so the City could operate. It was determined the City operated using Windows 2007.

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

ORDINANCE NO. 9145-14, AN ORDINANCE AMENDING ORDINANCE NO. 9036-13 AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXTEND CONTRACT WITH OHIO COUNCIL 8 AND LOCAL 2007 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, 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 place Ordinance No. **9145-14** on first reading.

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

ORDINANCE NO. 9146-14, AN ORDINANCE AMENDING ORDINANCE NO. 9043-13 DESIGNATING THE CITY'S MEMBERS TO THE HOUSING COUNCIL FOR THE TAX INCENTIVE PROGRAMS FOR THE CITY OF BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Mizsak seconded by Pozar to place Ordinance No. **9146-14** on first reading.

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

ORDINANCE NO. 9147-14, AN ORDINANCE AUTHORIZING PAYMENT TO THE CITY OF BEDFORD HEIGHTS FOR BEDFORD'S INITIAL CONTRIBUTION TOWARDS THE HIRING OF THE SOUTHEAST COMMUNICATION ADMINISTRATOR FOR THE CENTRAL SAFETY FORCES DISPATCH CENTER TO BE KNOWN AS THE SOUTHEAST EMERGENCY COMMUNICATION CENTER ("SECC") THROUGH THE SOUTHEAST REGIONAL COUNCIL OF GOVERNMENTS ("SRCG") IN COOPERATION WITH THE CITY OF BEDFORD HEIGHTS, THE CITY OF MAPLE HEIGHTS AND THE CITY OF GARFIELD HEIGHTS AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Mizsak seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days.

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

Motion made by Saunders seconded by Genutis to place Ordinance No. **9147-14** on third and final reading and passed.

Mayor Koci explained this was another step in moving forward in the joint Dispatch Center. Mr. Mallis added these funds would be for a Communications Administrator for policies and procedures, which was being interviewed by all eight Fire and Police Chiefs. The hope was to have the center up and running in September or October 2014.

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

Motion made by Spinks seconded by Zolata to appoint Therese Chapman and Patrick Melnick to the Arts & Cultural Board.

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

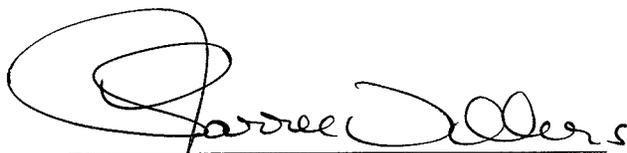
Jean Sapir, Southeast Branch Library, 70 Columbus Road, listed several exciting programs at the library for the winter of 2014. (see attached)

Joyce Daunch, 86 Harriman Street, congratulated Mr. Mallis. She announced another FriDates event to be held at St. Mary's Church at 7:30 p.m. to listen to a band playing music from around the world.

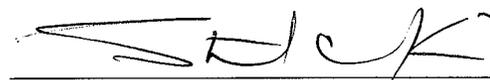
Orlando Rosario, 257 Deborah Lane, was very concerned with the future of the children and the lack of programs at the Recreation Center. The Arts and Cultural Board was in the process of discussing different programs. The problem was the parents were not in favor or they weren't in a position to pay for these programs. The City was looking at different avenues for the children because the Ellenwood Recreation Center was trying to balance the Recreation Department and the Community Center. The City Administration was well aware of the concerns of new programming and sports programs. Mr. Rosario said he had to take his son to the Bedford Heights Recreation Center. Mayor Koci explained the City was being very careful of its spending with the bad news of Ben Venue closing; however, Ellenwood was booked so the availability was limited. Mrs. Zolata thought the City should try and bring in other programs. Mayor Koci reiterated the problem was Ellenwood had limited availability. Mr. Genutis suggested the children could get involved in Community Gardening.

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

Meeting adjourned at 9:09 P.M.



Darrell Dillards
Clerk of Council



Mayor – President of Council