

**COUNCIL WORK SESSION
MONDAY, JULY 21, 2014**

5:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF NEW MEMBERS TO THE TIRC – (amending Ord. #8807-11)**
- **DISCUSSION OF CHANGE IN ESCROW REQUIRMENTS 150% to 100%
(Beverly)**
- **DISCUSSION OF REMOVAL OF DONATION BOXES THROUGHTOUT THE
CITY**
- **EXECUTIVE SESSION – Personnel/Economic Development**

Bedford City Council met in a Work Session at Bedford City Hall on Monday, July 21, 2014 at 5:35 p.m.

Present: Council Members: Mayor Stan Koci, Walter Genutis, Marilyn Zolata, Paula Mizesak, Greg Pozar, Don Saunders, Sandy Spinks. Administration: City Manager Michael Mallis, Assistant Law Director John Montello, Clerk of Council Lorree Villers, Building Commissioner Calvin Beverly. Absent: None.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Discussion of Agenda

Council had no changes to the minutes of the Work Session of June 16, 2014, the Regular Meeting of June 16, 2014 and the Public Hearing of June 16, 2014.

Ordinance No. 9177-14 was an ordinance amending the section of Bedford Codified Ordinances regarding the registration of contractors. This ordinance was tabled on May 5, 2014, May 19, 2014 and June 16, 2014. The changes requested were as follows from the May 19, 2014 Work Session discussion: Evidence that the applicant was licensed by the State of Ohio Construction Industry Licensing Board, Registration renewal period reduced from 60 days to 45 days, Verbiage changes to the homeowner's exception, a homeowner doing their own work must submit a notarized affidavit and performance bond requirement increased from \$10,000 to \$25,000. It was determined this Ordinance still needed additional discussion in July. Council considered the cost of a performance bond be amended to \$15,000. Mr. Beverly again explained that bonds were issued to a municipality for a calendar year, not by job, and this was the practice of the bonding/insurance industry. There was discussion whether it could be pro-rated. Council was content with the \$15,000 performance bond.

Ordinance No. 9178-14 amends the fee schedule for permits and inspections. This ordinance was tabled on May 5, 2014, May 19, 2014 and read as a first reading on June 16, 2014. Mr. Beverly reviewed the permit fees and compared them to those of other municipalities. Although increases were being requested, these fees would still be less than other surrounding cities. The fees have not been increased in seven (7) years and the cost of doing business in the Building Department keeps rising. It was determined this ordinance would be passed this evening.

Ordinance No. 9184-14 amended Chapter 911.04 "Director to Control Meter Reading Dates and Bill Payment" as requested by Service Director Mr. Bellar. This would allow the Water Billing Clerks to mail the water bill to the renter along with the property owner/landlord. The landlord would have to fill out a form to initiate the double bill knowing there was an additional \$2.00 fee. There was discussion that maybe the fee could be made mandatory instead of doing the mailing process and additional paperwork. Council would table this ordinance this evening for further information. Mr. Montello suggested Council fail this ordinance this evening. Amending the Chapter would not accomplish what the Water Department had intended to do. Council decided to read this ordinance as a first reading.

Ordinance No. 9185-14 amended Ordinance No. 8807-11 which designated two (2) new members to the TIRC. These new replacements would be for the former Law Director and City Manager. Council was content with the two replacements of Stanley Koci and Keith Laffin. The TIRC would meet August 19, 2014.

Ordinance No. 9186-14 established Chapter 1349 "Building Demolition" as requested by Mr. Beverly. Mr. Mallis and Mr. Beverly thought this was a needed tool for the City to use for commercial and residential demolitions. Any required fees necessary to perform demolitions would be addressed in Ordinance No. 9178-14 that would be passed this evening.

Ordinance No. 9187-14 amended Chapter 511.12 and 511.99 "Criminal Nuisance". It was the Administration and Council's desire to be more aggressive regarding such violators; some of these were repeat violators. Mr. Mallis pointed out the changes as: 1) The following activities occurring on properties in the City of Bedford or involving an offender residing at a property within the City of Bedford are hereby declared to be a public nuisance, 2) the property owners and/or offenders shall be charged \$250.00 for the first offense following a warning, \$500.00 for a second offense, \$750.00 for a third offense and \$1,000.00 for any subsequent offenses plus an additional \$100.00 administrative costs will be charged if not paid within the time prescribed, 3) any person who violates any provision of this Chapter shall be deemed guilty of first (1st) degree misdemeanor and upon conviction thereof to name a few. Mr. Saunders inquired about a Call List report generated from the Police Department. Mr. Mallis would follow up and report back to Council.

Ordinance No. 9188-14 authorized the sale agreement for 526 Belle Avenue with Karrie Ryan in the amount of \$60,000.00. Mr. Beverly explained the confusion with both lots being listed as permanent parcel numbers; apparently the lot split was not completed in 2008. This issue was resolved and there was only one parcel number listed.

Ordinance No. 9189-14 amended Ordinance No. 9139-14 authorizing additional payment to North Coast in the amount of \$2,406.05. Council previously authorized in Ordinance No. 9139-14 payment of \$16,131.14 for installation of equipment on two new 2014 Ford SUV Police Interceptors from Lebanon Ford. The cost of installation exceeded the original estimate required to properly install safety equipment so this was just an additional expense.

Ordinance No. 9190-14 amending Ord. No. 9107-13 Chapter 913.02 titled "Sewer Rates". Mr. Gambosi previously requested this be read as a first reading this evening and a second reading August 18, 2014 as pointed out by Clerk Villers. The Administration indicated the need for the increase because the City owned and operated its sewer utility for the benefit of its residents for many years. The City charged users of its sewer system with reasonable rates designed to cover the costs of operating, maintaining, and improving its sewer system. The City devotes all revenues derived from sewer service charges to the operation, maintenance, and improvement of its sewer system. The sewer rates and sewer service charges were based on water consumption and presently each user's water consumption was measured by monthly water meter readings, and water charges based on such readings were billed and collected monthly. Council determined that it was necessary to increase sewer service charges commencing October 1, 2014 to cover the projected costs of operating, maintaining and improving its sewer system, including, without limitation, paying debt service charges on its bonds and notes issued for improvements to the sewer system. It was determined Mr. Gambosi had submitted the increase information previously for Council's consideration.

Ordinance No. 9191-14 amended Ordinance No. 9116-13 Chapter 913.03 titled "Rate Reduction for Senior Citizens and the Permanently Disabled". The Administration indicated the need for the increase because the City owned and operated its sewer utility for the benefit of its senior/disabled residents. The City charged users of its sewer system with reasonable rates designed to cover the costs of operating, maintaining, and improving its sewer system. The City devotes all revenues derived from sewer service charges to the operation, maintenance, and improvement of its sewer system. The sewer rates and sewer service charges were based on water consumption and presently each user's water consumption was measured by monthly water meter readings, and water charges based on such readings were billed and collected monthly. Council determined that it was necessary to increase sewer service charges commencing October 1, 2014 to cover the projected costs of operating, maintaining and improving its sewer system, including, without limitation, paying debt service charges on its bonds and notes issued for improvements to the sewer system.

Ordinance No. 9192-14 adopted the Job Creation and Retention Program to Art of Beauty Company for the next ten years. Mr. Mallis explained the number of required jobs and payroll figures were attached to the ordinance. This program was often referred to as a "rebate program" because if the numbers were met the City would cut them a check. Art of Beauty was an asset to the City.

Ordinance No. 9193-14 levied the assessments for delinquent water bills. Most of these assessments were for vacant homes. Mr. Mallis noted this was an annual councilmatic action.

Resolution No. 2483-14 requested the County Auditor to advance taxes from tax levy proceeds for 2014 collected in 2015. Mr. Gambosi requested this Resolution be passed this evening in his absence. Mr. Montello explained this was an annual councilmatic action.

Motion to approve the Planning Commission recommendation of July 1, 2014 for Zoom Collision located at 14 Broadway Avenue, Bedford, OH regarding the installation of a new ground sign on front lot for rear building. Mr. Beverly and Mr. Mallis explained the Planning Commission had no issues with the application.

Motion to approve the Planning Commission recommendation of July 1, 2014 for Hudec Dental Associates Inc., 22301 Rockside Road, Bedford, OH addressed the interior and exterior renovations. Mr. Beverly stated the Planning Commission had no issues with the application.

Motion to approve the Planning Commission recommendation of July 15, 2014 for Suburban Land & Homes Company, Metropolitan Park Subdivision, James Fertig, 82 Southwick Drive, Bedford, OH was for the installation of a fence. This was tabled on July 1, 2014 because nobody was present for the meeting. Mr. Beverly explained the situation of Mr. Fertig's yard and the request was not something he could do without approval from the Planning Commission. Mr. Mallis said the Planning Commission had no issues with the application or the improvement.

Motion to approve the Planning Commission recommendation of July 15, 2014. Elles Daniels, 675 Broadway Avenue, Bedford, OH was seeking to relocate to 711 Broadway Avenue, Bedford, OH because her current landlord increased her rent 150%. Council did not have a problem with the recommendation.

Motion to reject bids for 2014 Street Improvement Program was requested for review by the City Engineer Joseph Ciuni. Five bids were received in June 2014 with a work budget of \$264,000 for the Rockside Road and Broadway Avenue intersection, concrete repairs and asphalt which were all more than expected. The choice was to at the City's discretion to remove the concrete work and a portion of the asphalt to lower the costs or throw out the bids and rebid. The bid estimate was done by square footage and not specific to the job. The thought was to rebid over the winter months in hopes of a lower bid. Council would reject the bids as suggested.

DISCUSSION OF NEW MEMBERS TO TIRC

This would amend the previous Ordinance No. 8807-11 for the replacements of the former Law Director and City Manager. Mayor Koci and Keith Laffin were selected for the new members. This would be addressed this evening in Ordinance No. 9185-14 considered by Council and passed by the annual TIRC meeting on August 19, 2014.

DISCUSSION OF CHANGE IN ESCROW REQUIREMENTS 150% to 100%

Mr. Beverly submitted Chapter 1131.18 for Council's review. The Chapter read as follows: "No person shall sell or enter into an agreement to sell or convey by land contract or otherwise, any interest in any dwelling, building or structure as defined in the Zoning Code without furnishing the buyer, prior to such sale, a current Certificate of Inspection setting forth the authorized use of the dwelling, building or structure under the ordinances of the city and listing any code violations; and, when code violations still remain

outstanding at the time of delivery of possession or transfer of title, an escrow shall be established, and there shall be deposited in that escrow both a statement from the buyer acknowledging receipt of the Certificate and an amount of money equal to 150% of the value of the work required to bring into compliance with city ordinances and codes all outstanding violations. However, a statement signed by both the seller and the buyer stating that the premises are undeveloped and contain no dwelling, building or structure may be deposited in escrow in lieu of documents and/or funds required herein." The change would be from 150% to 100%. It was determined the best way would be to leave the discussion up to the Building Commissioner.

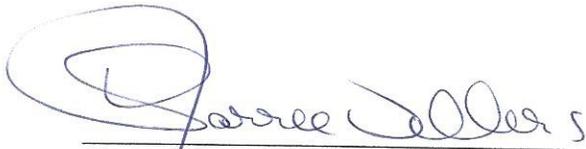
DISCUSSION OF REMOVAL OF DONATION BOXES THROUGHOUT THE CITY

Mr. Mallis explained the mess these type collection boxes were creating and the overwhelming number of them throughout the City. He suggested they be eliminated. It was determined this would require further discussion.

At 7:48 p.m., Bedford City Council and Administration went into an executive session to discuss Economic Development and Personnel.

Executive Session adjourned at 7:56 p.m.

Work Session adjourned at 7:58 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 June 16, 2014
- b. Approval of Minutes of the Regular Meeting of June 16, 2014
- c. Approval of Minutes of the Public Hearing of June 16, 2014

5. PRESENTATIONS

6. OLD BUSINESS

- a. Ordinance No. 9177-14 amending Chapter 1303 of the Bedford Codified Ordinances entitled "Registration of Contractors" (Tabled 5/5/14 - 5/19/14 - 6/16/14)
- b. Ordinance No. 9178-14 amending Chapter 1305 of the Bedford Codified Ordinances entitled "Permits, Bond, Deposits and Fees" (Tabled 5/5/14 - 5/19/14-1st Reading 6/16/14)
- d. Ordinance No. 9184-14 amending Chapter 911.04 "Director to Control Meter Reading Dates and Bill Payment" (Tabled 6/16/14)

7. REPORTS

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

8. NEW BUSINESS

- a. Ordinance No. 9185-14 amending Ord. No. 8807-11 designating members to the TIRC
- b. Ordinance No. 9186-14 establishing Chapter 1349 "Building Demolition"
- c. Ordinance No. 9187-14 amending Chapter 511.12 and 511.99 "Criminal Nuisance"
- d. Ordinance No. 9188-14 authorizing sale agreement for 526 Belle Avenue w/Karrie Ryan (\$60,000)
- e. Ordinance No. 9189-14 amending Ord. No. 9139-14 authorizing additional payment to North Coast
- f. Ordinance No. 9190-14 amending Ord. No. 9107-13 Chapter 913.02 "Sewer Rates"
- g. Ordinance No. 9191-14 amending Ord. No. 9116-13 Chapter 913.03 "Rate Reduction for Senior Citizens and the Permanently Disabled"
- h. Ordinance No. 9192-14 adopting Job Creation and Retention Program to Art of Beauty Company (10 yrs)
- i. Ordinance No. 9193-14 levy assessments for delinquent water bills
- j. Resolution No. 2483-14 requesting County Auditor to advance taxes from tax levy proceeds for 2014 collected in 2015
- k. Motion to approve the Planning Commission recommendation of July 1, 2014 for Zoom Collision located at 14 Broadway Avenue, Bedford, OH – installation of a new ground sign on front lot for rear building

- l. Motion to approve the Planning Commission recommendation of July 1, 2014 for Hudec Dental Associates Inc., 22301 Rockside Road, Bedford, OH – interior and exterior renovations
- m. Motion to approve the Planning Commission recommendation of July 15, 2014 for Suburban Land & Homes Company, Metropolitan Park Subdivision, James Fertig, 82 Southwick Drive, Bedford, OH – installation of a fence (Tabled 7-1-14)
- n. Motion to approve the Planning Commission recommendation of July 15, 2014 Elles Daniels, 675 Broadway Avenue, Bedford, OH is seeking to relocate to 711 Broadway Avenue, Bedford, OH – Conditional Uses 1944.051 (b) Beauty Salons
- o. Motion to reject bids for 2014 Street Improvement Program

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 City Council met in Regular Session at Bedford City Hall on Monday, July 21, 2014. Mayor Koci called the meeting to order at 8:02 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Absent: None.

Motion made by Zolata and seconded by Spinks to approve the minutes of the Work Session of June 16, 2014. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Spinks to approve the minutes of the Regular Meeting of June 16, 2014. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Zolata to approve the minutes of the Public Hearing of June 16, 2014. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

This evening Mayor Koci and City Manager Mallis on behalf of City Council and the Administration publicly recognized Ed Romito and his contributions to community and expressed our deep appreciation for his 50 years of service. Mr. Romito introduced his family and expressed his appreciation; the business has been in Bedford 101 years. He was proud to serve the community of Bedford.

This evening Mayor Koci and City Manager Mallis presented on behalf of City Council, the Administration and the employees Certificates of Appreciation to the Bedford Police and Fire Department employees for their outstanding performance at a house fire located at 132 Woodrow Avenue to: Sergeant Mike Stask, Patrolman Brian Geiger, Patrolman Kevin Webb, and Patrolman Dave Eschweiler, Lieutenant Terry Salvi, Lieutenant Dan Dopslaf, Lieutenant Brian Harting, Firefighter Don Nichols, Firefighter Chris Novak and Firefighter Kevin Messich. Ms. Tench, resident, City employee and friend, thanked everyone for their efforts. Mr. Mallis read a letter from Tim Tench regarding the tragedy. Mayor Koci stressed the appreciation of the professional jobs all the Dispatchers do on a daily basis.

ORDINANCE NO. 9177-14, AN ORDINANCE AMENDING CHAPTERS 1303.02, 1303.04 (a), 1303.07 AND 1303.08 (a) OF THE BEDFORD CODIFIED ORDINANCES ENTITLED "REGISTRATION OF CONTRACTORS" Tabled on May 5, 2014, May 19, 2014 and June 16, 2014 and Declaring an Emergency was read by title only.

Motion made by Zolata seconded by Spinks to remove Ordinance No. 9177-14 from the table. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

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

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

Mr. Mallis explained this addressed an increase up to \$15,000 for the performance bond and registration that was required for the contractors. The larger bond was to protect the homeowner.

Motion made by Pozar seconded by Zolata to place Ordinance No. 9177-14 on third and final reading and passed.

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

ORDINANCE NO. 9178-14, AN ORDINANCE AMENDING CHAPTER 1305.16 OF THE BEDFORD CODIFIED ORDINANCES ENTITLED “PERMITS, BONDS, DEPOSITS AND FEES” TABLED ON MAY 5, 2014 AND MAY 19, 2014, PLACED ON FIRST READING JUNE 16, 2014 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Mizesak seconded by Pozar to place Ordinance No. **9178-14** on third and final reading and passed.

Mr. Mallis explained the fee increases were done by comparisons of surrounding communities and well overdue.

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

ORDINANCE NO. 9184-14, AN ORDINANCE AMENDING SECTION 911.04 ENTITLED “DIRECTOR TO CONTROL METER READING DATES AND BILL PAYMENT” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD TABLED ON JUNE 16, 2014 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Zolata seconded by Genutis to remove Ordinance No. 9184-14 from the table. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Genutis to place Ordinance No. **9184-14** on first reading.

Mr. Mallis said this change would allow the renter to receive a water bill so they know the water bill was being paid. The landlord would be charged a \$2 fee per bill.

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

City Manager Michael Mallis commended the safety forces for their professional efforts. He updated the public in an effort to keep everyone up to speed with the status of Ben Venue. Ben Venue Laboratories and Hikma would post separate press releases regarding the asset purchase agreement for the sale of the BVL generic injectable manufacturing facilities, the Bedford site and related assets. The transaction would be subject to all regulatory approvals. This was definitely positive news for the City of Bedford and the surrounding areas. Through the many conversations that the City has had, it seemed as if the City was moving in the right direction. However, he still would like to stress cautious optimism. The City would still be looking at lean times in the future and any potential growth will come in the future. He felt the distant future looked much more positive than it did six months ago. He would continue to provide everyone continuous updates when available. He explained the reason the police officers were present on

the lot across from Ben Venue was at the request of Ben Venue as a visual presence/precaution. Jansen hired and paid for this additional security from Bedford, Walton Hills and Oakwood Village.

Assistant Law Director John Montello congratulated Patrolman Dave Eschweiler, Sergeant Edward Mementowski on their recent retirement. He felt the safety forces were well trained and excellent employees.

Councilman Saunders understood the importance of well-trained safety forces because he experienced a house fire himself. He thought the recent Street Dance was another success as he congratulated former Councilman Warner Batten. He invited everyone to the Lions Homecoming Festival, which was the longest continuous running festival in the State of Ohio.

Councilman Pozar was relieved the Powers Road water and sewer dilemma was remedied by Mr. Mallis and Mr. Bellar. Forest Drive residents were thankful for the repairs. The resurfacing of West Grace was a much needed improvement. He asked if the "Free Building Permit" idea was completed. Mr. Mallis replied the month had not been decided on yet but the idea was still in the discussion process.

Councilwoman Mizsak reported 10 historical sites in the Northeast Ohio area had been vandalized, which included the Bedford building along with the neighboring church.

Councilwoman Zolata congratulated Ed Romito and the safety forces for the accomplishments. She noted the criminal nuisance ordinance being considered by Council this evening would give the Police Department and the City more teeth addressing the violators throughout the City. The Interstate Park issues were being addressed and a fence would be installed. The next area of her focus was the issues on Henry Street. She thanked Mr. Mallis and the Officers for their assistance. She urged everyone to join in the Wednesday Party in the Park and the other events held on the City Square.

Councilman Genutis thought people took a lot for granted; people needed to realize how lucky they were to have what they have and the hard work the employees do behind the scenes. He had a request for rubbish containers throughout the City. He had received complaints about the truck traffic on Wensho. He pointed out Taft Park also had the same type issues as Interstate Park. It had come to his attention the Building Department had stepped up their efforts in writing violations throughout the City per the Codified Ordinances, which he was thankful for but he realized compassion was also used when enforcing these violations. There was a fence issue in his Ward that protected a spectacular garden. He felt the situation was handled professionally by the Building Commissioner. He expressed the City should respect the growing of food, fencing and composting especially in these difficult times and suggested a fruit tree be planted for Arbor Day in 2015. He suggested the City make available to the residents again leaf mulch and also suggested the City not use on its public grounds, pesticides and weed killer type chemicals as practiced in the City of Solon.

Councilwoman Spinks congratulated Ed Romito and the safety forces for the accomplishments. She was pleased with the World Changers efforts of recent. She was excited about the Church of the Nazarene City clean-up on August 3, 2014; there was a various list of 12 things to assist residents and new residents. Kudos to the Service Department on removing the limbs from the street after the storm. She urged everyone to get involved with the new "Youth Hoop It Up" coed basketball camp on August 18 – 22, 2014 from 1:00 p.m. to 5:00 p.m. for only resident children 11-14 years of age. Registration was at Recreation Center no later than August 8, 2014.

Mayor Koci thanked the clergy for what they do for the City and the schools. He recognized Pastor Harden for his accomplishments of becoming Doctor Harden. The Building Department

recently hired a part-time Housing Inspector. He pointed out Frank Dulik was present this evening; Mr. Dulik recently retired after 30 years of professional service in the Water Department.

ORDINANCE NO. 9185-14, AN ORDINANCE AMENDING ORDINANCE NO. 8807-11 DESIGNATING THE CITY'S MEMBERS TO THE HOUSING COUNCIL AND TAX INCENTIVE REVIEW COMMISSION (TIRC) FOR THE TAX INCENTIVE PROGRAMS FOR THE CITY OF BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Genutis seconded by Mizesak to accept Ordinance No. 9185-14. Mayor Koci announced he and Keith Laffin would be the new appointees. This Ordinance would be considered at the August 18, 2014 Council Meeting.

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

ORDINANCE NO. 9186-14, AN ORDINANCE ESTABLISHING CHAPTER 1349 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD ENTITLED "BUILDING DEMOLITION" AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9186-14** on third and final reading and passed.

Mr. Mallis explained this was to establish rules and regulations to demolish commercial or residential structures in the City; this was a proactive move for the City

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

ORDINANCE NO. 9187-14, AN ORDINANCE AMENDING ORDINANCE NO. 9159-14 AMENDING SECTION 511.12 (A) (B) AND ORDINANCE NO. 5641-86 SECTION 511.99 ENTITLED "CRIMINAL ACTIVITY NUISANCES" OF THE BEDFORD CODIFIED ORDINANCES AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Mizesak seconded by Zolata to place Ordinance No. **9187-14** on third and final reading and passed.

Mr. Mallis explained this would allow the City, Administration and Police Department a more aggressive approach in dealing with criminal violators. The fees start at \$250 to \$1,000 with an additional \$100 administration fee being charged with a first degree misdemeanor.

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

ORDINANCE NO. 9188-14, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT WITH KARRIE RYAN SELLING THE RESIDENCE AT 526 BELLE AVENUE (P.P. 812-24-016), BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Mizesak seconded by Pozar to place Ordinance No. **9188-14** on third and final reading and passed.

Mr. Mallis explained this was a City owned home being sold for the amount desired from the City. Mayor Koci said it was nice to have a new homeowner in town.

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

ORDINANCE NO. 9189-14, AN ORDINANCE AMENDING ORDINANCE NO. 9139-14 AUTHORIZING ADDITIONAL PAYMENT TO NORTH COAST TWO-WAY RADIO, INC. 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 on three different days.

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9189-14** on third and final reading and passed.

Mr. Mallis explained the original ordinance was an estimated cost; this additional money was to pay for the overages. Mayor Koci hoped everyone had noticed the two new police vehicles on the road.

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

ORDINANCE NO. 9190-14, AN ORDINANCE AMENDING SECTION 913.02 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9190-14** on first reading.

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

ORDINANCE NO. 9191-14, AN ORDINANCE AMENDING SECTION 913.03 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9191-14** on first reading.

Mr. Mallis explained there was a need for this increase in the sewer rates for the seniors as well.

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

ORDINANCE NO. 9192-14, AN ORDINANCE ADOPTING A JOB CREATION AND RETENTION PROGRAM GRANT BY THE CITY OF BEDFORD TO ART OF BEAUTY COMPANY, INC. AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9192-14** on third and final reading and passed.

Mr. Mallis explained this was the second step in the incentive and agreement with the Art of Beauty. This agreement focused on the number of jobs and the payroll. This was a positive note for Bedford.

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

ORDINANCE NO. 9193-14, 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 Zolata seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days.

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

Motion made by Pozar seconded by Saunders to place Ordinance No. **9193-14** on third and final reading and passed.

Mr. Mallis explained this allowed the City to assess the attached list of properties regarding their delinquent water bills, which were 60 days overdue. Mrs. Zolata noted the majority were vacant homes.

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

RESOLUTION NO. 2483-14, BEING A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES FOR THE YEAR 2014 COLLECTED IN 2015 PURSUANT TO SECTION NO. 321.34 OF THE REVISED CODE OF THE STATE OF OHIO, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Mizsak seconded by Zolata to place Resolution No. **2483-14** on third and final reading and passed.

Mr. Montello explained this was a request to the County Auditor to advance some of the taxes the City expected to receive in 2015 for the year 2014.

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

Motion made by Spinks seconded by Zolata to approve the Planning Commission recommendation of July 1, 2014 for Zoom Collision located at 14 Broadway Avenue, Bedford, Ohio for the installation of a new ground sign on front lot for rear building. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to approve the Planning Commission recommendation of July 1, 2014 for Hudec Dental a formal approval of conditional use of the dental office. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Genutis seconded by Zolata to remove Suburban Land & Homes Company, Metropolitan Park Subdivision, James Fertig, 82 Southwick Drive, Bedford, Ohio for an installation of a fence from the table. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Genutis seconded by Zolata to approve the Planning Commission recommendation of July 15, 2014 for Suburban Land & Homes Company, Metropolitan Park Subdivision, James Fertig, 82 Southwick Drive, Bedford, Ohio for an installation of a fence. Mr. Mallis explained this topic had to be approved by the Commission; not solely the Building Commissioner. The fence would be installed at a height of 36 inches. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Zolata to approve the Planning Commission recommendation of July 15, 2014 for Elles Daniels, 675 Broadway Avenue, Bedford, OH who is seeking to relocate to 711 Broadway Avenue, Bedford for a conditional use of the Beauty Salon. Mr. Mallis explained this nail salon business currently was located in Historic Downtown; the applicant requested to relocate her business within the same district. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Spinks to reject bids for 2014 Street Improvement Program. Mr. Montello noted the bids received were more than the Engineers estimates. The vote would

be Yeas to reject the bids and Nay if the bids were not to be rejected. The roll was called. Vote – Yeas: Pozar, 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.

Carol Pittis, 19 Elm Street, was concerned about all the litter throughout the City; she suggested rubbish containers throughout the City. She belonged to a walking club that currently was picking up the litter themselves. The hospital was also aware of the litter in their area. Mr. Mallis explained the City had installed sidewalks, rubbish containers in certain areas. The City might place additional rubbish containers for parades and special occasions.

Cindy Salata, 53 Henry Street, complained about the group of children congregating on her street, urinating on the street, camping on the tree lawn, letting their dogs run, harassing neighbors and destroying resident's lawns. Mr. Mallis explained there were two instances where the Police were called and two arrests made. There were some other situations in this area that the City was in the process of addressing that may be cause of some of the concerns. There were several areas throughout the City that were being monitored by undercover officers, a Police Officer and the City Manager. Mr. Mallis explained it was hard to address some of these problems because by the time the Officer arrived the problem was not evident. He hoped the amended criminal nuisance ordinance that was passed this evening would start to make a difference. The City was making an effort collectively in these types of problems throughout the City. The City was well aware of the problems in several areas and the Officers were addressing these issues differently and more aggressively as they had in the past.

Rhonda Boggs, 49 Henry Street, asked if the criminal nuisance ordinance was limited to a certain age. Mr. Mallis replied, no. Codified Ordinance section 511.12 was written more aggressively even by adding a misdemeanor offense per violation.

Orlando Rosario, 257 Deborah Lane, pointed out the standing water on Palmetto. Mr. Mallis would look into it. Mr. Rosario spoke about the overgrown shrubs by the picket fence on the corner of Belle and Glendale; they need trimmed. Mrs. Mizesak thought that was the Yarish residence. Mr. Rosario also brought in some loose asphalt material that he felt was not rolled correctly. He felt an Auxiliary Officer needed to be present at the baseball games; there were a lot of fights and arguments breaking out at these games. Mr. Mallis would consider Auxiliary Officers at the games. Mr. Rosario also requested no block parties on the holidays; they interfere with the traffic.

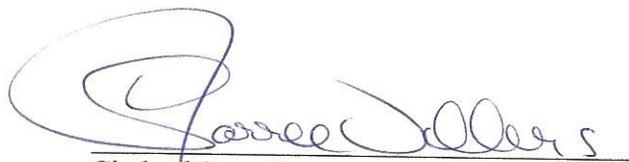
Sabrina Future, 15 Charles Street, thanked the World Changers efforts at the Interstate Park; she appreciated the bench. Mr. Mallis clarified the World Changers Program differed from 2014. The parks were the focus this year. Ms. Future asked what it meant when Council passed legislation by emergency. Mayor Koci explained the three reading process using an emergency reason, however, not all legislation was passed by emergency. Bills and projects can't be held up by reading the legislation at three different meetings. Ms. Future asked what the busy time was for Council. Mayor Koci replied October, November and December for budget discussions. Ms. Future asked how legislation was disseminated to the residents; especially the criminal nuisance ordinance. She referred to the children in the City, which she felt was minor but they become major when there were fees and possibly criminalizing children for doing things. When she saw children doing stuff, it was just a matter of growing up and now the children were being criminalizing Mayor Koci explained copies of all the legislation was sent to the newspapers; it was their choice what items to report. Mr. Mallis explained the minutes were available on the website. Ms. Future thought the City should be fair because it was hard times now-a-days. She felt parents, because of their ignorance, should not be fined for the children for doing stupid things. Mr. Montello said there was a warning letter sent before any violations were issued. Clerk Villers added as one of her duties, she posted a copy of the passed legislation in five locations throughout the City and she emailed a copy of the

legislation to two (2) newspapers. She clarified the legislation was public record and her door was always open. Ms. Future hoped she would be part of the decisions or meetings when making decisions. She felt if resolutions was what the City was looking for, then everyone had to communicate with one another in a professional and timely manner; she felt it was unfair. She requested a week or two week notice of these meetings. Mr. Pozar explained this was a representative form of government and if every resident was given the opportunity to join these meetings or work sessions then it would delay the accomplishments. Each Ward had a Council representative who was available on a daily basis to hear the concerns from their constituents. Those concerns were brought to the Administration and the Council work sessions in a common sense fashion to resolve these concerns being responsive to what that Ward Council member was hearing. He said when talking about criminalizing behavior, it was about community standards that were set from the Administration, Council, public outrage and constituent input. Specifically the criminal ordinance was responsive to what the residents asked the Administration, Police and Council to address. It was not a practical matter to have everyone at the table when common sense was being discussed. Ms. Future was only interested in her attending these discussions. Mr. Pozar told her she was entitled to join the work session anytime, it was an open meeting. Ms. Future did not want to listen, she wanted to have a voice. Mr. Pozar said that was not how it worked. Ms. Future understood. It was determined the block party idea was something that would happen when things were in order with a cookout to show a sense of community. It will be posted around the end of August 2014. Mayor Koci explained the City held Ward meetings for the individual Wards and if it was an important issue, a Public Hearing would be scheduled. Ms. Future wanted resolution regarding her three unit residence. Mr. Mallis said the County had it valued as a three family unit. Ms. Future understood but she thought the City was coming to see the one unit did not have a kitchen. She reported standing water at the end of the alley on Charles Street.

Gail Missel, 57 Henry Street, asked what legal rights the residents have when the children congregate on their tree lawn and refuse to move. When the Police were called it took time for them to respond. Mayor Koci stated it was important to avoid confrontation; call the Police. There was a Special Attention currently in the area. The tree lawn was public property not the resident's. Mr. Mallis would address all these issues with the Police Department and Court. He wanted to give the best possible advice to the residents.

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: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

Meeting adjourned at 10:11 P.M.


Clerk of Council


Mayor – President of Council