

COUNCIL WORK SESSION

MONDAY, AUGUST 17, 2015

5:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF GOULD & KENYON SEWER ISSUES** (Approx. 6:30 p.m.)
- **DISCUSSION OF ESTABLISHING A LOCAL INCOME TAX BOARD & MEMBERS**
- **DISCUSSION OF CIC**
- **EXECUTIVE SESSION** – (Personnel)

Bedford, Ohio

August 17, 2015

Bedford City Council met in a Work Session at Bedford City Hall on Monday, August 17, 2015 at 5:30 p.m.

Present: Council Members: Mayor Stan Koci, Marilyn Zolata, Walter Genutis, Don Saunders, Greg Pozar, Sandy Spinks. Absent: Paula Mizesak. Administration: City Manager Michael Mallis, Law Director John Montello, Clerk of Council Lorree Villers. Also Present: City Engineer Joe Ciuni, Service Director Clint Bellar, Superintendent Shawn Francis, Building Commissioner Calvin Beverly and Deacon LeVelle Woodruff.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Councilwoman Zolata had one comment and Clerk Villers said she would check the recording and make the change if necessary. The remaining members of Council did not have any issues with either of the sets of minutes of July 20, 2015.

Ordinance No. 9276-15 was an agreement with UH Bedford Medical Center for UH Police Officers. This issue was previously discussed and UH wanted to hire Police Officers at the Bedford hospital; however, they were also considering a couple of their other locations. This would relieve additional responsibilities/strain for the Bedford Officers if UH employed their own Officers. Previously there was discussion and concerns of the 300 foot border around the hospital. Mr. Montello pointed out this was no different than Giant Eagle, the Metroparks or other businesses having Officers at their locations. Mr. Saunders said the residents in his Ward were happy for the additional assistance and coverage. Mr. Pozar, Mr. Saunders and Mrs. Zolata felt the more Officers presence the better for safety reasons. Mr. Genutis felt there was a difference between a private organization and government. It was determined Police Chief Nietert and Deputy Chief Stemple created the border area/lines and if Council was not entirely comfortable with the contract wording it could be revised. There was discussion of a possibility of a UH Officer stepping out of line and if this were to happen the issue would be addressed accordingly. Mr. Mallis would sit down with Chief Nietert and discuss it again. Some of Council felt the Chief should be present at the next meeting to answer questions. It was determined this would be read as a second reading this evening.

Ordinance No. 9280-15 amended Codified §713.01 and §713.02 (d) (f) Enterprises in Public Places. Mr. Mallis explained previously there had been damages to the City Square multiple times which was costly. The history was businesses were never allowed to use or rent the City Square for profit. There was discussion of several different organizations/businesses that could be interested in utilizing the City Square which would only add to additional costs for the City because the City provided the utilities, water, rubbish removal and bathrooms and supplies. The current application would have to be revised to reflect the changes of amending Codified §713.01 and §713.02 (d) (f).

Resolution No. 2494-15 authorized the grant application for Lake Erie Watershed Canopy Restoration Program. The grant was with the ODNR Division of Forestry. Funding was provided through the USDA Forest Service, Great Lakes Restoration Initiative and was intended to aid local jurisdictions in the response and recovery of urban forests from the Emerald Ash Borer. The planting of trees on public land was the only eligible reimbursement cost and a 50% community match was required. Eligible community matching costs include ash tree removal, administrative costs, and volunteer hours directly related to the project. If this grant was awarded to the City it would be a great benefit. There was an off topic discussion about sidewalk replacement and how it should be addressed in the future.

Ordinance No. 9290-15 levied assessments for delinquent water bills. These were residents that did not pay their water and sewer bills so this list of properties would be assessed to recoup the monies. The residents listed on the attached addendum had not paid nor attempted to pay for water and sewer services provided by the City and the accounts have been delinquent for at least 60 days.

Ordinance No. 9291-15 authorized business relocation assistance to Seahorse Holdings, LLC in the amount of \$5,000. Mr. Mallis explained this company would relocate to Krick Road in a building that suited their needs for plastic molding. This company employed about 40 employees.

Ordinance No. 9292-15 authorized expenses for the Municipal Complex sign. The sign was moved from the old City Hall and installed in 2003 when the new complex was built. It was figured the entire project would be approximately \$25,000. This ordinance with Repros, Inc. was the first step in getting the sign replaced. The cost to have the sign repaired was \$6,000-\$8,000. Mr. Genutis was against spending the money for a sign because of the City's deficit and it was "visual pollution" just like the CVS digital sign. He also felt digital signs were a distraction to anyone driving a vehicle. Discussion was held of the many positive ways the sign could be utilized. Mr. Saunders said the residents in Northfield Village were very pleased with their new digital sign. The new City sign could be another tool in getting information to the residents. It was determined this would be read as a first reading this evening.

The next four (4) Ordinances would be addressed with NSP money. The curbs would be replaced, an asbestos survey and removal would be done on each home. If the homes had asbestos there would be an additional cost. Nobody knew where the asbestos needed to be shipped to for disposal.

Ordinance No. 9293-15 authorized a contract to demolish 787 Archer Road in the amount of \$8,700 for P.P. No. 813-30-045. This home was deplorable and it hadn't had utilities for a very long time. The owner, Mr. Deal, was given several opportunities to address the several violations but he did not make any efforts so this was the next step in process because of the safety issues the home obviously had. Mr. Deal had been in and out of court for several different reasons over the past couple years. He referred to a law that stated nothing could be done with those who were homeless and sleeping outside. It was made clear that "feelings" needed to be taken out of the equation because the structure was unsafe. Nobody wanted to see Mr. Deal living on the street but he could be severely hurt if the home collapsed on him. This was about doing what was right for the safety of the owner, the neighborhood and the City's liability. Mr. Mallis explained to Mr. Genutis that Mr. Deal's own family wasn't responding to his calls; his own wife and two daughters were not willing to help their own family. The City couldn't take care of Mr. Deal; there were plenty of different types of services available to assist Mr. Deal but he would have to contact them. It was pointed out to Mr. Genutis that Mr. Deal's home was "visual pollution" (not digital signs) and that Mr. Deal was previously defecating outside in his own backyard. Mr. Montello explained Mr. Deal had passed two evaluations per the Court's request and was considered sane. Discussion was held that it was not easy to make these types of decisions but sometimes it had to be done.

Ordinance No. 9294-15 authorized a contract to demolish 58 William Street in the amount of \$8,300 for P.P. No. 814-14-091. This home was deplorable and had been empty for years. A squatter had moved in even without utilities. The porch was rotten and the home had been stripped of its siding and it looked disgusting.

Ordinance No. 9295-15 authorized a contract to demolish 559 Darlington Street in the amount of \$7,800 for P.P. No. 813-08-035. This was a City owned home and the Administration chose to demolish it.

Ordinance No. 9296-15 authorized a contract to demolish 700 Wellmon Street in the amount of \$8,700 for P.P. No. 813-29-042. This home was also owned by the City and the Administration chose to demolish it because of the cost of repairs.

Ordinance No. 9297-15 was an emergency purchase for Asphalt Surface Recycling with Angelo Benedetti in the amount of \$22,000. Mr. Benedetti asked if the City would allow him to use one of the

machines for testing before he shipped it to his customer. Mr. Mallis and Mr. Bellar thought it was a great opportunity to get a couple streets fixed using money that was set aside for street repairs.

Ordinance No. 9298-15 levied assessments for grass cutting on various lots in the City of Bedford. These assessments were for those who were in violation with the City Codes and chose not to cut their grass.

Ordinance No. 9299-15 authorized a contract with Stryker Medical in the amount of \$23,853.88. The total cost of the equipment was \$23,853.88 for one (1) Stryker EMS Power-LOAD Cot Fastener from the sole proprietor manufacturer Stryker Medical. The City received a grant from the Bureau of Workers Compensation for \$17,890.41 to be applied to the cost of the cot fastener and the remaining balance that the City was obligated to pay was \$5,963.47.

Motions to re-appoint Kristi Glasier to the Board of Zoning Appeals, Robert Schroeter and James (Dell) Judd to the Civil Service Commission were all re-appointments for three (3) year terms. The City was pleased to have residents who volunteer for these Boards and Commissions.

Motion to accept the TIRC recommendation of August 5, 2015. Mr. Gambosi referred to the memo attached in the packet and the reasons for the decisions. (See attached)

DISCUSSION OF GOULD & KENYON SEWER ISSUES (Approx. 6:30 p.m.)

Mr. and Mrs. Fetterman of Ward 5 were present this evening to discuss the flooding issues in their area with the City Engineer Joe Ciuni, Service Director Clint Bellar, Council and the Administration. Several scenarios were presented of what those thought the problem was but nothing was a definite. It was determined the Fetterman's hadn't called the City to report the ongoing problem. Mr. Mallis stressed it was important for the residents to call otherwise the City can't address the issue. The ongoing flooding issue in the area needed to be investigated by the City before a determination could be made. The options to consider were: 1) televising the lines, 2) dye testing, 3) installation of back traps and 4) on foot inspection of the surrounding neighbors downspouts and grids to see if they were illegally connected. If any resident was connected illegally they would be cited. There was discussion that one of the neighboring churches had previous flooding issues; however, it was determined they did not follow up on what they were supposed to do as previously requested by the Service Department. Their ongoing flooding issues couldn't be addressed or determined until everyone did what they were supposed to do. The water was clear water not sewage. There was discussion of the water standing in the street which wasn't a concern of the City Engineer; heavy rains were what they were and the water would recede eventually. It was determined Mr. Mallis, Mr. Bellar and Mr. Ciuni would focus on the situation and report back to Council the findings.

DISCUSSION OF ESTABLISHING A LOCAL INCOME TAX BOARD & MEMBERS

Mr. Gambosi explained this Board was mandated by the State. He presented everyone with the information which needed to be discussed further at a later date. (See attached)

DISCUSSION OF CIC

Mr. Gambosi asked for this to be removed from the agenda and discussed at another time.

Discussion of the Regular Meeting agenda was concluded.

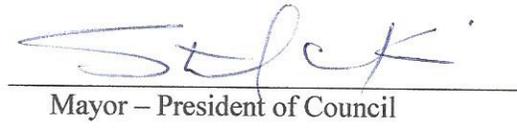
At 7:40 p.m., Bedford City Council, City Manager Mike Mallis and Law Director John Montello went into an executive session to discuss Personnel.

Executive session adjourned at 7:55 p.m.

Work Session adjourned at 7:57 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 July 20, 2015
 - b. Approval of Minutes of the Regular Meeting of July 20, 2015
 5. **PRESENTATIONS** (None)
 6. **OLD BUSINESS** (1st Reading 7/20/15)
 - a. Ordinance No. 9276-15 agreement w/UH Bedford Medical Center – UH Police Officers
 - b. Ordinance No. 9280-15 amending Codified §713.01 and §713.02 (d) (f) Enterprises in Public Places
 7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
 8. **NEW BUSINESS**
 - a. Resolution No. 2494-15 authorize grant application for Lake Erie Watershed Canopy Restoration Program
 - b. Ordinance No. 9290-15 levy assessments for delinquent water bills
 - c. Ordinance No. 9291-15 authorize business relocation assistance to Seahorse Holdings, LLC (\$5,000)
 - d. Ordinance No. 9292-15 authorize expenses for the Municipal Complex sign (\$25,000)
 - e. Ordinance No. 9293-15 authorize contract to demolish 787 Archer Road (\$8,700 P.P. #813-30-045)
 - f. Ordinance No. 9294-15 authorize contract to demolish 58 William Street (\$8,300 P.P. #814-14-091)
 - g. Ordinance No. 9295-15 authorize contract to demolish 559 Darlington Street (\$7,800 P.P. #813-08-035)
 - h. Ordinance No. 9296-15 authorize contract to demolish 700 Wellmon Street (\$8,700 P.P. #813-29-042)
 - i. Ordinance No. 9297-15 emergency purchase for Asphalt Surface Recycling w/Angelo Benedetti (\$22,000)
 - j. Ordinance No. 9298-15 levy assessments for grass cutting on various lots in the City of Bedford
 - k. Ordinance No. 9299-15 authorizing a contract w/Stryker Medical (\$23,853.88)
 - l. Motion to re-appoint Kristi Glasier to the Board of Zoning Appeals (3-year term)
 - m. Motion to re-appoint Robert Schroeter to the Civil Service Commission (3-year term)
 - n. Motion to re-appoint James (Dell) Judd to the Civil Service Commission (3-year term)
 - o. Motion to accept the TIRC recommendation of August 5, 2015
 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 Monday, August 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Absent: Mizsak.

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

Motion made by Spinks and seconded by Zolata to approve the minutes of the Work Session of July 20, 2015. The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Pozar and seconded by Zolata to approve the minutes of the Regular Meeting of July 20, 2015. The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9276-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH UH REGIONAL HOSPITALS BDA UNIVERSITY HOSPITALS BEDFORD MEDICAL CENTER (“UH”) TO AUTHORIZE UH TO DESIGNATE PERSONS TO ACT AS POLICE OFFICERS FOR UH AS PERMITTED BY THE OHIO REVISED CODE (“RC”) PLACED ON FIRST READING JULY 20, 2015 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Pozar to place Ordinance No. **9276-15** on second reading.

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

ORDINANCE NO. 9280-15 AN ORDINANCE AMENDING CHAPTER 713.01 ENTITLED “PERMIT FOR USE OF PUBLIC PLACE” AND CHAPTER 713.02 (d) (f) ENTITLED “CONDITIONS OF PERMIT” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO PLACED ON FIRST READING JULY 20, 2015 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Ordinance No. **9280-15** on third and final reading and passed.

Mr. Mallis explained the amendments were for clarification specifically to what was allowed on the City Square pertaining to events, other rules and guidelines.

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

City Manager Michael Mallis complimented the Ellenwood Recreation Center staff for all their efforts this summer. He announced the month of September would be “Free Permit” month which means the fees would be waived. The K-9 Officer would be joining the Police Department in October thanks to the gracious donations of Oakwood Village for the vehicle and the \$18,000 contribution from the Automobile.

Law Director John Montello appreciated the Ellenwood Recreation Center's efforts and wished everyone an early Happy Labor Day.

Finance Director Frank Gambosi spoke about the new 2016 tax structure that was underway regarding HB 5; a letter would be mailed to the residents.

No report from Councilman Genutis.

Councilman Pozar referred to an article that spoke about government programs that would help residents improve their homes. He spoke about the "Call before You Dig Program" by calling 8-1-1. He informed the residents the City was going to have a \$1.8 million deficit. He suggested Council investigate themselves first to figure out if there was a way to help with some of the decisions to save money. He noted the flooding issues in Ward 5 in the Kenyon, Gould, Wandle and Ellenwood area would be reviewed. The thought was one of the main sources was neighboring residents were illegally hooked up to the system. The City would be investigating illegal hookups in Ward 5 soon and if an illegal hookup was located the resident would be cited and forced to disconnect. He figured 20-25 illegal hookups would be found.

Councilman Saunders announced he would be running unopposed in Ward 6. His focus was the dead trees in his area and he urged the residents to contact the Service Department if they were interested in planting a tree on the tree lawn. He mentioned the children/ juveniles were walking in the streets again. Two juveniles were caught walking down the middle of Columbus Road one night at 10:00 p.m. which was very dangerous.

Councilwoman Zolata spoke about the Grand Opening of Old Time Auto Service which she was very impressed with. She gave kudos to Mrs. Spinks on her second year of the Hoop it program. She commended the Fire Department for the grant in respect to Ordinance No. 9299-15 for the ambulance equipment lift. She invited everyone to the Party in the Park this Wednesday. She referred to Ordinance No. 9297-15 which authorized a contract with Angelo Benedetti who fixed Charles Street and North Taylor.

Councilwoman Spinks enjoyed the 27 children that participated in the Hoop it up program and the efforts of the Ellenwood Recreation staff for Bedford children only. She brought the children to City Hall for a tour of Council Chambers, Fire Department and Police Department. She thanked Clerk Villers for explaining what she did as the Clerk of Council. She announced the next FriDates concert, the Weekend of the Pooka dates of September 11-13, 2015 where Ron Dewey who sculptured the Elmer Flick statue and Seth Chwast a well-known artist who will display his artwork at Nature Stone. She asked for a neighborhood watch in the Greencroft area. Mr. Mallis would follow-up after the next staff meeting. Mrs. Spinks wanted to know what could be done about the LLC companies in the manner that they're purchasing vacant homes in Bedford.

Mayor Koci said the Cuyahoga County Columbus Road bridge project had been delayed again until October, the three homes were recently demolished at no cost to the City and the property would become green space. He said the new school year would be starting soon so he hoped the school would stress again to the students not to walk in the streets. He explained he had the privilege this year to host the First Tier Suburbs Steering Committee (FTS) for its members that were located all over the United States. With a \$2,000 stipend from FTS he was able to show those what Bedford, Cleveland and surrounding communities had to offer. They enjoyed the Euclid Beach Rocket car ride, the donated dinner from Nature Stone during the Party in the Park, the tour of Gordon Park, the Indians game and a private tour of the Rock-n-Roll Hall of Fame. The visitors were impressed with their stay in the Cleveland, Ohio area. He thanked Clerk Villers for all her efforts and Mayor Jackson of Cleveland.

RESOLUTION NO. 2494-15 A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 2015 LAKE ERIE WATERSHED CANOPY RESTORATION GRANT PROGRAM 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 resolution three different days.

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

Motion made by Saunders seconded by Pozar to place Resolution No. 2494-15 on third and final reading and passed.

Mr. Mallis explained this grant would be used for tree replacement throughout the City.

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

ORDINANCE NO. 9290-15 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 Pozar seconded by Saunders to suspend the rule requiring the reading of said ordinance three different days.

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

Motion made by Zolata seconded by Spinks to place Ordinance No. 9290-15 on third and final reading and passed.

Mr. Gambosi explained this type of assessment was done two times a year for the delinquent water bills.

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

ORDINANCE NO. 9291-15 BEING AN ORDINANCE ALLOWING THE CITY MANAGER TO PAY FIVE THOUSAND DOLLARS (\$5,000.00) TO SEAHORSE HOLDINGS, LLC 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. 9291-15 on third and final reading and passed.

Mr. Mallis explained this manufacturing company of 40 employees would be relocating to Bedford. The growth potential history for this company increased approximately 20% annually.

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

ORDINANCE NO. 9292-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH REPROS, INC. FOR THE MUNICIPAL COMPLEX DIGITAL SIGN AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Spinks to place Ordinance No. 9292-15 on first reading.

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

ORDINANCE NO. 9293-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 787 ARCHER ROAD 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: Pozar, Saunders, Zolata, Spinks, Koci. Nays: Genutis. Motion carried.

Motion made by Zolata seconded by Spinks to place Ordinance No. 9293-15 on third and final reading and passed.

Mr. Mallis explained Ordinance No. 9293-15 and Ordinance No. 9294-15 were deplorable, unsafe and both vacant. Ordinance No. 9295-15 and Ordinance No. 9296-15 were City owned homes and the Administration chose to demolish them. He explained the NSP money was not City money so the program allowed the City to utilize the funds to demolish, renovate or for green space areas. Bedford took additional steps after the home was demolished to install curbs for eye appeal.

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

ORDINANCE NO. 9294-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 58 WILLIAM STREET 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Ordinance No. 9294-15 on third and final reading and passed.

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

ORDINANCE NO. 9295-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 559 DARLINGTON STREET 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9295-15** on third and final reading and passed.

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

ORDINANCE NO. 9296-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 700 WELLMON STREET 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Spinks to place Ordinance No. **9296-15** on third and final reading and passed.

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

ORDINANCE NO. 9297-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROPOSAL WITH ANGELO BENEDETTI, INC. FOR ASPHALT SURFACE RECYCLING 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9297-15** on third and final reading and passed.

Mr. Mallis explained the road repairs were done on an emergency basis. Mr. Benedetti, a Bedford manufacturer, requested to use his newly manufactured machine prior to shipping it to his customer to make sure it worked correctly so the City provided him two streets for testing. This asphalt recycling process was about 1/3 the normal cost and the funds were the remainder of the proceeds of a bond.

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

ORDINANCE NO. 9298-15 AN ORDINANCE TO LEVY ASSESSMENTS FOR GRASS CUTTING ON VARIOUS LOTS IN THE CITY OF BEDFORD, OHIO DURING THE YEAR 2015 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 three different days.

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9298-15** on third and final reading and passed.

Mr. Gambosi explained this assessment was addressed annually for those who violated the City Codes.

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

ORDINANCE NO. 9299-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STRYKER MEDICAL 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9299-15** on third and final reading and passed.

Mr. Mallis explained this was for one Stryker EMS Power-LOAD Cot Fastener. The City received a grant from the Bureau of Workers Compensation in the amount of \$17,890.41 to be applied to the cost of the cot fasteners and the remaining balance that the City was obligated to pay was \$5,963.47. Both ambulances would now be equipped with this equipment.

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

Motion made by Saunders seconded by Pozar to re-appoint Kristi Glasier to the Board of Zoning Appeals for another three (3) year term.

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

Motion made by Spinks seconded by Zolata to re-appoint Robert Schroeter to the Civil Service Commission for another three (3) year term.

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

Motion made by Pozar seconded by Saunders to re-appoint James (Dell) Judd to the Civil Service Commission for another three (3) year term.

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

Mayor Koci thanked all three of the re-appointments for serving on the City's Boards and Commissions.

Motion made by Zolata seconded by Spinks to accept the TIRC recommendation of August 5, 2015.

Mr. Gambosi explained annually the TIRC reviewed the Community Reinvestment Grants to analyze and to determine whether to continue or modify the abatements. The roll was called. Vote – Yeas: 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 comments.

Trish Duncan, 110 Gould Avenue, submitted pictures for Council and the Administration to review of the neighboring home that just sold. She pointed out several violations and questioned how this home passed the Point of Sale Inspection (POS). The items of interest were: two tone white paint, the newly poured sidewalk varied in size, the deck lattice was broke, driveway was cracked and the porch had no railing. Mr. Mallis would follow up on the POS; however, he thought there were some type of agreements made. Ms. Duncan understood from the buyer and seller there were no agreements. She was disgusted with the condition of the home. She questioned whether she would ever be able to sell her home because of the issues in her area. The taxes she paid should account for something besides wonderful police, fire, recreation and City services. She understood the seller had issues with the City when selling her home but she really wasn't happy with the view. She doubted if the buyer was going to fix all the issues. Mr. Mallis said he would follow up with the Building Department.

William Astalos, 105 West Grace Street, had issues with storm sewer flooding in his back yard and would like to arrange a future meeting to see if there was any possible solutions.

James Jeffers, 102 E. Interstate Street, a 32 year resident, had issues with the recent rubbish assessment. He understood the City currently experienced budget constraints but he wondered how the tax dollars were spent regarding the 1990's tax levy. He objected to this assessment being placed on the tax duplicate and the mandated 1% additional fee. He asked why the City didn't place the cost on the water bill. Mr. Gambosi explained in 1990 the City considered a tax increase. Discussions years back if the rubbish and water costs were on the same bill the rubbish fee would be paid first and then the remaining balance would be applied to the water portion of the bill. Either way if the bill wasn't paid in full there would be an assessment. There was no difference in assessing rubbish or water. Discussion in the past couple of years was to assess the charge instead of adding the cost to the water bill. The City followed the ORC for the rubbish assessment. He pointed out there were several meetings pertaining to the rubbish fee and the proper way to assess it per the ORC. Mr. Jeffers questioned the advertisement of the meetings; his first knowledge was the certified letter he received in the mail dated July 24, 2015. He presented his letter dated August 7, 2015 for the record. (See attached) Mr. Gambosi reiterated there were Ward meetings, Regular meetings and a Public Hearing scheduled regarding the rubbish fee/assessment. Mr. Jeffers objection would be before the August 27, 2015 Assessment Equalization Board meeting for consideration. Mr. Jeffers questioned the advertisement of the Public Hearing. Mr. Mallis listed several ways the residents could retrieve information as follows: Neighborhood Newspaper, Posted in the five (5) locations per the Charter, the City's website, all social media outlets and an email blast. Mr. Jeffers asked if the posting was in the Plain Dealer. Clerk Villers informed Mr. Jeffers that she contacts three (3)

newspapers of every meeting and she was required per the Charter to post meeting information at the five (5) locations. Mr. Jeffers asked if there was a local newspaper in Bedford. Each Board, Commission and/or Administrative Office choose what newspaper to post their information depending on the issue. He remembered when the City mailed every resident information. He said he had to live within his budget but he wanted to know when the increases were going to stop and he needed more information. Mr. Gambosi explained the assessment would start January 2016 as the service was used. The information was explained at the seven (7) different meetings. He clarified for Mr. Jeffers the collections for taxes and assessments were handled differently and the rubbish contract had nothing to do with the assessment. Street lighting and grass cutting assessments were also handled by the City.

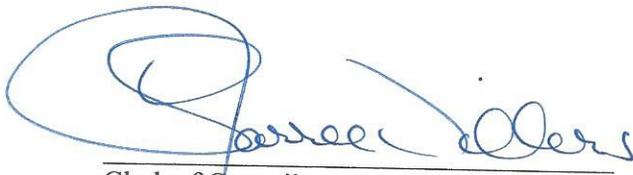
Tim Fetterman, 78 Gould Avenue, questioned why the City was buying a new sign if the City had a deficit of \$1.8 million. Mr. Mallis explained the current sign was 60+ years old, it was moved from the old City Hall to this complex in 2003, the sign was showing its age and currently it was crumbling/broke. He pointed out Mr. Jeffers pointed out this evening information was not getting to the public; well this was another tool to use to inform the residents. Mayor Koci explained Council had been discussing a sign for a couple years and it could be utilized to inform the public.

Loretta Sullivan, 558 Turney Road at Heather Wood condos, saw in one of the newsletters about the rubbish fee and asked if that was going to affect them at their condo. Clerk Villers suggested Ms. Sullivan contact the Service Department with her questions and concerns. Mr. Mallis added she could also call Kimble herself. Ms. Sullivan asked the proper procedure of flushing the fire hydrants because they were considered private property. Mr. Mallis would follow up on her questions. Mr. Frances added the waterlines were owned privately. A letter was sent to the residents as to when the hydrants were to be flushed and if a hydrant was broke it was the responsibility of the condo association. The condo association could flush the hydrants themselves but if they broke it they would have to pay for the damage. Ms. Sullivan as a 12 year condo board member did not trust any of the condo residents to flush the hydrant. The Fire Department would flush the hydrants for no charge.

Nancy Lachowski, 197 Wandle Avenue, thought POS inspections had to be made prior to the buyer moving in. Mr. Mallis said there were exceptions and different types of permits. Mrs. Lachowski asked if the potholes were going to be addressed. Mr. Frances informed her the Service Department was working on it.

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

Meeting adjourned at 9:33 P.M.



Clerk of Council



Mayor – President of Council