

**COUNCIL WORK SESSION
MONDAY, DECEMBER 15, 2014**

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF HAWTHORNE VALLEY YOUTH COUNCIL FOR 2015/2016**
(Ordinance No. 9120-13)
- **DISCUSSION OF BOARD OF BUILDING STANDARDS & APPEALS
APPOINTMENT** (Harvey Dzomba/Michael Birskovich)
- **DISCUSSION OF ARTS & CULTURAL BOARD APPOINTMENTS**
(Michelle Longstreet/Vivien Maldonado)
- **DISCUSSION OF 90 WOODROW MONITORING SYSTEM**
- **EXECUTIVE SESSION – (Personnel/Economic Development)**

Bedford City Council met in a Work Session at Bedford City Hall on Monday, December 15, 2014 at 6:38 p.m.

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

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of December 1, 2014, Regular Meeting of December 1, 2014 and the Special Work Session of December 9, 2014.

Ordinance No. 9231-14 was the City of Bedford 2015 Appropriation Budget. Mayor Koci reminded Council this was read as a first reading on November 17, 2014 and second reading on December 1, 2014. Mr. Gambosi had previously asked for this to be passed this evening for 2015.

Ordinance No. 9232-14 amended Ordinance No. 9128-13 providing a contract with GPD Group for Engineering Services. Mr. Mallis explained the increase percentages varied. There was discussion that the people that did most of the work were getting less of a raise. It was determined these increases were not the City's request but whoever makes these decisions at GPD. The thought was maybe Joe Ciuni needed to attend a Work Session in the future.

Ordinance No. 9233-14 authorized a contract with Fraternal Order of Police Lodge 67. It was determined this would be read as a first reading this evening. There were some minor changes.

Ordinance No. 9234-14 amended Ordinance No. 9122-13 making additional appropriations. Mr. Mallis explained this was housekeeping for the 2014 year end business. The Finance Department presented a different Ordinance for review; Mr. Gambosi had forgotten to list Fund information for Funds 300, 500 and 501 for 2014. Council had no questions regarding the oversight.

Ordinance No. 9235-14 declared property and structures located at 787 Archer Road a nuisance. This was the home of Mr. and Mrs. Deal. Building Commissioner Calvin Beverly had previously inspected the home on December 2, 2014 and took pictures along with a list of violations. (See attached pictures) The pictures were taken inside and outside of the home which showed mounds of rubbish, sewage in a bucket, piles of furniture, dirty cushions, many hoses, miscellaneous pieces of wood/pipes, rotten wood, ladders, yard signs, broken windows, broken fencing, mold, water on the basement floor, stacks of boxes, animal cages, dirty stuffed animals, holiday decorations/stringers/banners, buckets of chemicals, lamps, large amounts of dryer dust on the walls from venting the dryer in the basement, various children's toys, many bikes, roof damage, heaved concrete, unkempt yard/weeds/leaves, broken down vehicles, multiple bed headboards, a swimming pool filled with dirty water for possible mosquito breeding and several cracks in the concrete walls of both structures. The Deal home had been without utilities for some time, the sewer line was currently clogged so he was using a place in his yard as his bathroom, Mrs. Deal had moved out because she refused to use the yard as her bathroom, bags of leaves were placed around the perimeter of the home as insulation and the furnace had not worked since February 2013. Discussion was the water pipes would probably freeze over the winter season since the home was not heated. Mr. Deal told Mr. Beverly that he was building fires inside the home as a means of heat. Discussion was held of how the City and the Court were going to try and work with Mr. and Mrs. Deal while they addressed the list of violations. The neighbors were not pleased with the amount of clutter and garbage that was all over the yard. With the home being in this condition there were also concerns of possible safety hazards. After review of the pictures it was determined the home was uninhabitable as it currently stood. The City and Court had hoped the Deal's would address the violations so the home did not have to be condemned and razed. Another focus was to find the Deal's a

place to live if this were to happen. The home definitely was unsanitary, a safety concern and a health hazard. Mr. Beverly explained he had referred to the State Codes for this specific situation. It was determined it would be in the best interest of the City to have the property appraised at its expense.

Ordinance No. 9236-14 authorized a contract with Cuyahoga County Land Reutilization Corporation. This was another housekeeping ordinance as done in 2013. Mr. Mallis explained this was a \$50 million bond for residential and commercial demolitions which the City hoped to use to address a few commercial demos.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF HAWTHORNE VALLEY YOUTH COUNCIL FOR 2015/2016

Mr. Mallis referred to Ordinance No. 9120-13 which paid for two (2) students at \$415 each for this program. Mrs. Spinks felt the program did not "give back" to the City and the money was not being utilized correctly and could be better spent elsewhere. The schools mentoring program was of great cause and it could be expanded. It was determined the City would not be sponsoring the Hawthorne Valley Youth Council due to upcoming budget concerns.

DISCUSSION OF BOARD OF BUILDING STANDARDS & APPEALS APPOINTMENT

The Administration was previously being proactive in discussing the replacement of Vicky Stemple. Clerk Villers recently found out that Mrs. Stemple would not be moving out of Bedford until the spring of 2015; her term ended in March. Council would address the appointment to this Board when necessary.

DISCUSSION OF THE ARTS AND CULTURAL BOARD APPOINTMENTS

The applicants on the agenda were Michelle Longstreet and Vivien Maldonado. Mrs. Spinks was in favor of appointing Mrs. Longstreet because of her many faceted talents, she was a business owner and she was on board of improving her Bedford business. Discussion was held of the many contacts Ms. Maldonado possibly could know as being a bank manager and how she could benefit the Board. Mrs. Spinks pointed out Ms. Maldonado did not qualify as stated in the Ordinance. It was determined Mrs. Longstreet would be the new appointment, however, Ms. Maldonado could participate in the meetings.

DISCUSSION OF 90 WOODROW MONITORING SYSTEM

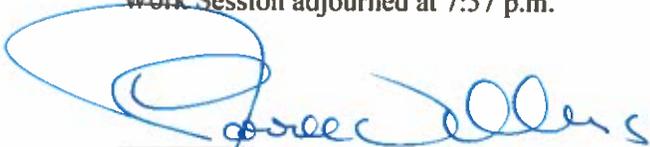
Mr. Beverly referred to the October 6, 2014 Regular Council motion regarding the Conditions submitted by Ms. Wise. Letter "I" stated: "An alarm system with cameras will be operated throughout the house 24/7" and the Conditions were to be modified to read: "A monitoring system with cameras will be installed to monitor the doors to see who is going in and out by the house manager which she can see on her cell phone 24/7". (See attached) This was for record purposes.

Motion made by Spinks and seconded by Genutis to go into an executive session to discuss Personnel and Economic Development. The roll was called. Vote – Yeas: Mizesak, Genutis, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

At 7:36 p.m., Bedford City Council, City Manager Mike Mallis and Assistant Law Director Montello went into an executive session to discuss Personnel and Economic Development.

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 December 1, 2014
 - b. Approval of Minutes of the Regular Meeting of December 1, 2014
 - c. Approval of Minutes of the Special Work Session of December 9, 2014

5. **PRESENTATIONS**

6. **OLD BUSINESS**
 - a. Ordinance No. 9231-14 City of Bedford 2015 Appropriation Budget (1st Rdg: 11/17/14- 2nd Rdg 12/1/14) - Amended

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

8. **NEW BUSINESS**
 - a. Ordinance No. 9232-14 amending Ord. #9128-13 providing a contract w/GPD Group for Engineering Services
 - b. Ordinance No. 9233-14 authorize contract with Fraternal Order of Police Lodge 67
 - c. Ordinance No. 9234-14 amending Ordinance No. 9122-13 making additional appropriations
 - d. Ordinance No. 9235-14 declaring property and structures at 787 Archer Road a nuisance
 - e. Ordinance No. 9236-14 authorizing contract w/Cuyahoga County Land Reutilization Corporation (CCLRC)

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, December 15, 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: Koci, Mizsak, Genutis, Saunders, Zolata, Spinks. Absent: Pozar.

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

Motion made by Spinks and seconded by Zolata to approve the minutes of the Work Session of December 1, 2014. The roll was called. Vote – Yeas: Koci, Mizsak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Saunders to approve the minutes of the Regular Meeting of December 1, 2014. The roll was called. Vote – Yeas: Spinks, Koci, Mizsak, Genutis, Saunders Zolata. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Spinks to approve the minutes of the Special Work Session of December 9, 2014. The roll was called. Vote – Yeas: Spinks, Koci, Mizsak, Genutis, Saunders Zolata. Nays: None. Motion carried unanimously.

Mayor Koci, City Council and the Administration were proud to present Certificates of Appreciation to Lt. Greg Miller, Lt. Dave Moore, Lt. Jeff Diederich, Firefighters Mark Nakel, Steve Copelin, Pat Guhde, Mike Scabbo, Mike Millet and Assistant Fire Chief Shawn Solar for an outstanding job and their overall cooperative efforts to assist at the Maple Heights warehouse fire on Thanksgiving Day. Mayor Koci, City Council and the Administration wished to commend all of them for their actions and professionalism. Mayor Koci and City Manager Mallis recognized and congratulated those who were present. Assistant Chief Solar praised the Bedford Fire Department for their professionalism, fantastic job and for efforts they made to protect the ammonia storage tank(s) in the facility. This was a group effort of several fire departments. Wal-Mart and Burger King were again thanked for their food donations to the firefighters.

ORDINANCE NO. 9231-14, AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2015 PLACED ON FIRST READING NOVEMBER 17, 2014, SECOND READING ON DECEMBER 1, 2014 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Mizsak seconded by Saunders to place Ordinance No. 9231-14 on third and final reading and passed.

Mayor Koci clarified this was for the upcoming year of 2015. Mr. Saunders explained out of his 17 years as a Councilman this was the first time the budget was not balanced by several million dollars. Council and the Administration would be working throughout the next year concerning the loss of Ben Venue. Mayor Koci explained through the due diligence of the past Administration's discipline, the rainy day fund was available.

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

City Manager Mike Mallis explained the 2015 budget would feel the full effect of Ben Venue leaving Bedford in an amount of \$2.3 million. The City was in better standing than anticipated since West Ward was conducting business in the Ben Venue location along with employee's medical insurance changes. The regionalization efforts of the participating cities and Cuyahoga County for the new Dispatch Center would be up and running early in 2015. Bedford hosted the successful Shop with a Cop event this year with 150+ cruisers.

Assistant Law Director John Montello thanked the City of Bedford on behalf of the City of Maple Heights for the professional services regarding the Thanksgiving Day warehouse fire.

Council and the Administration wished everyone a very Merry Christmas, Happy Holidays, Happy New Year and all agreed the Christmas in Bedford Falls event was another success. Various comments were made regarding the abundance of deer throughout the City. Council and the Administration congratulated all the City employees; all in all they do a great job.

Councilman Saunders reminded everyone there would be a Municipal election for Wards 2, 4 and 6. He spoke about Benedictine High School's opportunity to be at the OSU stadium. His son had a once in a life time opportunity to lead the band onto the field. He felt the Service Department was doing a great job keeping up with the seasons.

Councilwoman Mizsak asked if the over-population of deer were going to be addressed. Mr. Mallis said there was no resolution regarding the deer population; this could take years before it would even be noticed.

Councilwoman Zolata was pleased with the work Finance Director Frank Gambosi did over the years for the City of Bedford. She spoke of the great services provided for the residents but there needed to be some changes. Bedford was on the tour of Christmas lights. She spoke to the Manager at Circle K regarding the amount of litter on and near the property.

Councilwoman Spinks spoke about the theft problems during this time of year. She urged everyone to lock their cars and homes.

Mayor Koci explained the deer were considered property of the State so the State needed to address the problem over a very large area in order to make a difference. The deer have been and will continue to be an ongoing problem unless it's addressed. He clarified the City had \$9.2 million in the bank but if nothing changes then the budget would be depleted. The Administration continued to address issues daily.

ORDINANCE NO. 9232-14 AN ORDINANCE AMENDING ORDINANCE NO. 9128-13 PROVIDING FOR A CONTRACT WITH GPD GROUP FOR ENGINEERING SERVICES WITHIN THE CITY OF BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9232-14** on first reading.

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

ORDINANCE NO. 9233-14 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT BETWEEN THE CITY OF BEDFORD AND FRATERNAL ORDER OF POLICE LODGE 67 ADOPTING THE TERMS OF THE ATTACHED CONTRACT AND ORDERING THEM INTO EFFECT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9233-14** on first reading.

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

ORDINANCE NO. 9234-14 AN ORDINANCE AMENDING ORDINANCE NO. 9122-13 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2014 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: Koci, Mizensak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Saunders to place Ordinance No. 9234-14 on third and final reading and passed.

Mayor Koci and Mr. Mallis explained this was a housekeeping issue.

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

ORDINANCE NO. 9235-14 AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURES LOCATED AT 787 ARCHER ROAD (P.P. NO. 813-30-045) A NUISANCE, ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

The roll was called. Vote – Yeas: Koci, Mizensak, Saunders, Zolata, Spinks. Nays: Genutis. Motion failed. (Ref: 123.10, ADMINISTRATIVE CODE - LEGISLATION: Where, by the affirmative vote of six (6) of the members elected to Council, a motion is passed to suspend the rules requiring that an ordinance or resolution be read on three (3) different days... ”)

Motion made by Zolata seconded by Spinks to place Ordinance No. 9235-14 on third and final reading and passed.

Mr. Mallis explained this property had multiple orders against it for repairs and clean-up based on the recent Building Department’s assessment of the exterior and interior conditions. Currently the property has no utilities; this was a public safety and health issue. The goal was to resolve the issues by either addressing the repairs or working with the property owners.

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

[Ordinance No. 9235-14 would be considered a first reading on December 15, 2014]

ORDINANCE NO. 9236-14 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (“CCLRC”) 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: Koci, Mizensak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. 9236-14 on third and final reading and passed.

Mr. Mallis explained this was a \$50 million bond for residential and commercial demolitions.

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

Beth Housiaux-Steward, 93 Avalon Avenue, urged everyone to participate in the “Lights Out for Hunger” donations on December 17, 2014. She thanked everyone for their efforts; the idea was growing throughout the surrounding communities. The proceeds would go to Southeast Clergy Hunger Center and Messiah International Ministries Food Bank 50/50. (See attached) She had her own opinion regarding the culling of the deer; she liked the deer.

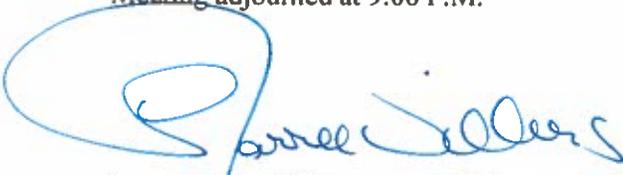
Dick Bender, 69 Wandle Avenue, spoke to the Wal-Mart manager regarding their efforts in cleaning up their property. He reminded everyone of the next FriDates event on December 19, 2014 at 7:30 p.m.

Helen Briggs, 149 Grand Boulevard, spoke of the poor looking fence that currently surrounded the future dental clinic located in the old KFC building. She spoke of the requirements residents were expected to do for an installation of their fence. Did commercial fencing have lessor expectations? Mr. Mallis said the City had addressed this very issue with this property owner. The current owner of KFC and the property owner of the shopping plaza had been recently in litigation. Mrs. Briggs understood there were issues but the fence should be at least a decent fence and the tall grass was not keeping the geese out. She felt the reasoning behind why these things were happening were not valid reasons. Mr. Mallis appreciated Mrs. Briggs concerns and stating this for the record. This was not the first time she had brought this issue to Council. She was a resident that brags about Bedford and it was hard to defend/argue for the City when people see this type of stuff. Mr. Mallis stated the owner knew the City’s stance and he knew what the City wanted to see happen but the owner had taken a loss. It wasn’t about just filling a store for rent but filling a store with something sustainable that would represent the City well. Mr. Mallis and Mrs. Briggs both were thankful for this type of approach even though the City had dealt with this situation for the last 3-6 years. Mr. Montello clarified the lawsuit Mr. Mallis spoke of was dismissed by agreement of all the parties with the understanding everyone was going to work together to resolve the problems. Mrs. Briggs felt there should be some type of deer regionalization; she did not think it was nature’s course to be hit by a car and the meat/venison could be utilized elsewhere like food banks. Deer culling would continue.

Kathy Williams, 491 Lamson, asked if the nativity scene was going to be displayed at the Fire Department. Mr. Mallis was taking care of it; he was out of town for 10 days.

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

Meeting adjourned at 9:06 P.M.



Clerk of Council



Mayor – President of Council