

COUNCIL WORK SESSION

MONDAY, APRIL 21, 2014

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF SEWER RATE INCREASE OF 10% - Gambosi**

- **DISCUSSION OF BUILDING DEPARTMENT FEES - Beverly**
(§1303 – §1305)

- **DISCUSSION OF BOARD OF ZONING APPEALS RE-APPOINTMENTS**
(John Trzeciak/Jim Wagner)

- **DISCUSSION OF CIVIL SERVICE RE-APPOINTMENTS**
(Nancy Lachowski/Richard Novak/John Whittaker)

- **DISCUSSION OF HISTORICAL PRESERVATION BOARD RE-APPOINTMENT**
(Janet Caldwell)

- **DISCUSSION OF BEDFORD HISTORICAL SOCIETY FUNDING**

- **DISCUSSION OF WEEKEND OF THE POOKA FUNDING**

- **DISCUSSION OF SUMMER MEETING DATES**

- **EXECUTIVE SESSION - Economic Development/Personnel**

Bedford City Council met in a Work Session at Bedford City Hall on Monday, April 21, 2014 at 6:32 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis [joined the meeting at 6:34 p.m.], Marilyn Zolata, Paula Mizsak, Greg Pozar, Don Saunders. Administration: Acting City Manager Michael Mallis, Finance Director Frank Gambosi, Assistant Law Director John Montello, Clerk of Council Lorree Villers, Building Commissioner Calvin Beverly. Absent: None. Also present: Stephen J. Schreiber, P.E., GPD's Project Manager and Jason Milani, Superintendent.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of April 7, 2014 and the Regular Meeting of April 7, 2014.

Ordinance No. 9160-14 repealed two sections of the dangerous and vicious dog ordinance. Mr. Montello explained the state law no longer defines a dangerous and vicious dog by breed. There needed to be an aggressive action from a dog to be declared dangerous and/or vicious. The City has to change the ordinance to be the same as the state law.

Ordinance No. 9161-14 amends the current ordinances regarding lot area, frontage and yard requirements for R-1, R-2 and R-3 Districts. Mr. Beverly requested changes to the regulations for buildable lots: (1) minimum lot area of 5,000 square feet, (2) minimum lot width of 50 feet, (3) a single family dwelling is limited to a maximum square footage of 30 percent of lot area and the current regulations, existing vacant lots and future demolitions, these lots were not buildable. This was brought up because of an interested buyer for the former Bentbrook development; they proposed to build 21 single family dwellings. If the minimum lot width was changed to 50 feet, 1,500 square foot homes could be built. Passing this legislation this evening would allow the investors to move forward with the property purchase.

Ordinance No. 9162-14 amends the section of the Building Code dealing with rental inspections. The code needed the language to be amended to Certificates of Rental License and Inspection and the annual fee increased as follows: \$50.00 for single family dwelling, \$75.00 for two-family dwelling, and \$100.00 for a three-family dwelling. If the yearly rental license fees are not paid by the deadline, the penalty would be doubled. All rental properties were required to have an inspection bi-annually or when tenants change. The proposed fee increase would be \$50.00 for the initial rental inspection and one re-inspection. If additional inspections were required, there would be an additional charge of \$50.00 per inspection.

Ordinance No. 9163-14 was a contract with Nerone & Sons, Inc. for the 2014 Bedford Pump Station Improvements - Contract F. Mr. Schreiber explained the engineer's estimate was \$500,000.00 but did not include any electrical control replacements to the pump stations, which needed to be replaced. Nerone & Son's bid came in at \$675,470.00 which included the replacement of the electrical controls. There was discussion as to why the cost of a roof for the pump station was \$18,000.00. Mr. Schreiber explained he checked around on a price on the cost of the roof and there was a lot of work and materials; however, the roof should last 25-50 years. It was determined the re-bidding of this project would not lower the price but the City was taking a chance of a higher cost if Council requested the project to be re-bid.

Ordinance No. 9164-14 authorized a change order, in the amount of \$250,990.00, for the Broadway Waterline Project with Fabrizi Paving and Trucking. Mr. Schreiber spoke about the additional costs were for asphalt replacement that was not in the original scope of the contract. Fabrizi would asphalt the large section in the area of Broadway Avenue around the William and Union Streets. Mr. Saunders had

concerns regarding the traffic flow in this area because he felt the road was too narrow. It was determined the fire hydrants would be moved on one side of the road.

Ordinance No. 9167-14 was to rezone property described herein from "I-2" to "B-2A" classification as P.P. Nos. 812-02-008/812-02-010 at 18111 Rockside Road and P.P. 812-02-009 at 18035 Rockside Road. This item had already been before the Planning Commission for their consideration on February 19, 2014 and a Planning Commission Public Hearing on April 15, 2014. It was determined this was an appropriate rezoning for this area. Council would read this ordinance as a first reading this evening.

Ordinance No. 9168-14 authorized a contract with Motorola Solutions for ten (10) APX 6500 mobile radios in the amount of \$27,706.50. Mr. Mallis briefly explained 95% of the cost was covered by a FEMA grant and the City was only responsible for \$1,360. This was a joint contract with the City of Cleveland and an excellent purchase.

Ordinance No. 9169-14 authorized a sale agreement for 741 Washington Street with Sandra Hahn in the amount of \$82,500.00. Mr. Mallis explained the buyer was taking responsibility of the \$5,320.00 costs involved with the structural damage. The appraisal was submitted at \$90,000 and Cuyahoga County valued the property at \$86,000-\$88,000. He pointed out this home was sold with no commission being paid to a real estate agency because the home was sold prior to signing with the real estate company.

Ordinance No. 9170-14 amended §1944.05 and would create 1944.051 pertaining to requirements in the Historical Downtown District. Mr. Beverly said he reviewed and studied the Prohibited Uses and Conditional Uses in depth. This issue was before Council for consideration.

Ordinance No. 9171-14 authorized the purchase of a Video Inspection System/Sewer Camera in the amount of \$8,500.00. Mr. Mallis explained the current camera was broke and this was a necessity.

The motion to appoint John Powers to the Planning Commission was a unanimous approval of Council.

The motion to accept the recommendation of the Planning Commission recommendation of April 15, 2014 regarding Leon Sampat, 22082 Lorain Road, Fairview Park, OH 44126 - Business Dental Office located at 22301 Rockside Road, Bedford, OH – curb cut, exterior renovations and parking area. Mr. Beverly said the purchase of this property was contingent on Council's passage.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF SEWER RATE INCREASE OF 10%

Mr. Gambosi brought to Council's attention this fund because it was beginning to show concern. It was important that the General Fund, Water Fund and the Sewer Fund be stable. The increase would be minimal to the residents at a cost of \$3-\$4 per month. Council understood the concerns. See attached spreadsheet.

DISCUSSION OF BUILDING DEPARTMENT FEES

Mr. Beverly noted the two (2) sections to be amended was §1303 and §1305. He had compared Bedford to the surrounding communities and Bedford was below everyone else. Mr. Mallis agreed all the fees should be looked at.

DISCUSSION OF BOARD OF ZONING APPEALS RE-APPOINTMENTS

John Trzeciak and Jim Wagner's terms would expire in May 2014; they both requested to be re-appointed. Clerk Villers had contacted them prior to the meeting and they were still interested in serving.

DISCUSSION OF CIVIL SERVICE RE-APPOINTMENTS

Nancy Lachowski, Richard Novak and John Whittaker's terms would expire in May 2014 and they were also up for re-appointment. Mr. Gambosi had not contacted them to see whether they were interested in re-appointment. Clerk Villers was instructed to contact these individuals; however, Council did not have any objections.

DISCUSSION OF HISTORICAL PRESERVATION BOARD RE-APPOINTMENT

Janet Caldwell had requested to be re-appointed. Council did not have any concerns in her desire to serve another term.

DISCUSSION OF BEDFORD HISTORICAL SOCIETY FUNDING

At the April 7, 2014 Work Session discussion, Mayor Koci had met with Dana Best-Mizsak, Director of the Bedford Historical Society, regarding funding. The Historical Society was the recipient of a \$100,000 grant from the Governor's State Capital Bill. The funds will be used to waterproof the basement of the Old Church and making the building ADA compliant. In checking with other municipalities, our Historical Society was the only one who owns the buildings. Most other cities own the historical buildings and are responsible for maintaining them. The Historical Society was looking for ongoing funding from the City of Bedford. At this time a levy or fee on the water bill was not the answer. Further discussion held regarding the use of tax dollars for Historical Society operations or capital improvements and city procedures. Mr. Gambosi would need to see quotes for the funding and would need to know how funds are being spent. Council was not recommending any action at this time.

DISCUSSION OF WEEKEND OF THE POOKA FUNDING

Mr. Mallis was not recommending any funds be taken out of the General Fund for this event. He suggested two separate options totaling \$15,000: \$5,000 from Ellenwood Recreation Center as previously discussed with Mr. Lewis and \$10,000 from the Impact line item since the contract with Impact the City's Marketing Group was ending. He thought if this was not acceptable then Council would have to find the funds somewhere else in the budget. Any leftover monies would go back to the appropriate department. Mr. Mallis pointed out there was not any savings or leftover monies in the Law Department; the Law Department budget was being spent on two other individuals to continue professional services. The previous City Manager's separation pay was just fulfilled recently. Mayor Koci and Mr. Gambosi thought Mr. Mallis' suggestion was acceptable understanding the leftover monies would go back to the appropriate departments.

DISCUSSION OF SUMMER MEETING DATES

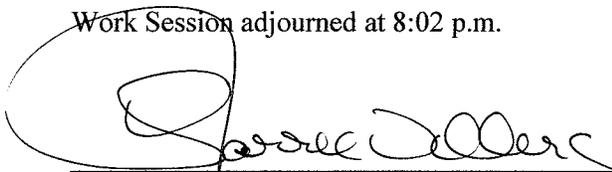
It was determined June 16th, July 21st and August 18th would be the Council summer meeting dates.

Mayor Koci requested a Special Work Session be held on Monday, April 28, 2014 at 11:00 a.m. as an Executive Session for Council members only to discuss the hiring for the vacant City Manager position. Council did not have any issues with the date and time.

At 7:57 p.m., Bedford City Council and Administration went into an executive session to discuss Economic Development and Personnel.

Executive Session adjourned at 8:00 p.m.

Work Session adjourned at 8:02 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 April 7, 2014
- b. Approval of Minutes of the Regular Meeting of April 7, 2014

5. OLD BUSINESS

- a. Ordinance No. 9160-14 repeal §505.21(a)(4)(A)(7) and §505.21 (A)(4)(C) "Dangerous and Vicious Dogs"
- b. Ordinance No. 9161-14 amend §1925.05, 1927.05, 1929.05 "Lot Area, Frontage and Yard Requirements"
- c. Ordinance No. 9162-14 amend §1311.29, 1311.30, 1311.31, 1311.32, 1311.33 "Certificate of Rental License and Inspection"
- d. Ordinance No. 9163-14 authorize bid contract w/ Nerone and Sons, Inc for Pump Station Improvements (\$675,470.00)
- e. Ordinance No. 9164-14 authorize change order for Broadway Waterline Project w/Fabrizi (\$250,990)

6. REPORTS

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

7. NEW BUSINESS

- a. Ordinance No. 9167-14 rezoning property described herein from "I-2" to "B-2A" classification – (P.P. Nos. 812-02-008/812-02-010 at 18111 Rockside & 812-02-009 at 18035 Rockside)
- b. Ordinance No. 9168-14 authorizing contract w/Motorola Solutions for 10 APX 6500 mobile radios (\$27,706.50)
- c. Ordinance No. 9169-14 authorizing sale agreement for 741 Washington Street with Sandra Hahn (\$85,200)
- d. Ordinance No. 9170-14 amend §1944.05 & create 1944.051 requirements for in the Historical Downtown District
- e. Ordinance No. 9171-14 authorizing the purchase of a Video Inspection System/Sewer Camera (\$8,500)
- f. Motion to appoint John Powers to the Planning Commission - Oath of Office
- g. Motion to accept the recommendation of the Planning Commission recommendation of April 15, 2014 regarding Leon Sampat, 22082 Lorain Road, Fairview Park, OH 44126 - Business Dental Office located at 22301 Rockside Road, Bedford, OH – curb cut, exterior renovations and parking area

8. HEARING OF CITIZENS

9. ADJOURNMENT

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

Bedford, Ohio

April 21, 2014

Bedford City Council met in Regular Session at Bedford City Hall on Monday, April 21, 2014. Mayor Koci called the meeting to order at 8:06 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. Absent: None.

Motion made by Mizesak and seconded by Zolata to approve the minutes of the Work Session of April 7, 2014. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Saunders, Zolata. Abstain: Pozar. Nays: None. Motion carried.

Motion made by Spinks and seconded by Zolata to approve the minutes of the Regular Meeting of April 7, 2014. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Saunders, Zolata. Abstain: Pozar. Nays: None. Motion carried.

ORDINANCE NO. 9160-14, AN ORDINANCE REPEALING SECTION 505.21(a)(4)(A)(7) AND SECTION 505.21 (A)(4)(C) ENTITLED “DANGEROUS AND VICIOUS DOGS” OF THE GENERAL OFFENSE CODE OF THE BEDFORD CODIFIED ORDINANCES AND DECLARING AN EMERGENCY PLACED ON FIRST READING ON APRIL 7, 2014 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: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Genutis seconded by Zolata to place Ordinance No. **9160-14** on third and final reading and passed.

Mr. Montello explained this was a State change so the City Codified Ordinances needed to be amended. Mr. Pozar asked if the State of Ohio felt Pit Bulls were no longer considered a dangerous dog. He pointed out Bedford had a history of Pit Bulls and/or Rottweilers being dangerous dogs. Mr. Montello said not the specific breed itself but any dog could be considered dangerous. Court cases were being thrown out based on State law. Mr. Saunders thought it was a shame because someone needed to be injured before the City could address this issue. Mayor Koci noted the ordinance stated “aggressive action” not just someone getting injured.

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

ORDINANCE NO. 9161-14, AN ORDINANCE AMENDING ORDINANCE NO. 7139-99 CHAPTERS 1925.05, 1927.05 AND 1929.05 OF THE BEDFORD CODIFIED ORDINANCES ENTITLED “LOT AREA, FRONTAGE AND YARD REQUIREMENTS” AND DECLARING AN EMERGENCY PLACED ON FIRST READING ON APRIL 7, 2014 WAS READ BY TITLE ONLY.

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

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

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9161-14** on third and final reading and passed.

Mr. Mallis explained this was an adjustment on lot areas for the buildable lots; some of the lots were too small according to the current City Codes for new home construction. Mr. Beverly researched this in detail. He explained the size of the lot would determine the size/footage of the new home but the City Codes still needed to be met. This would allow several lots throughout the City to become buildable even though some of the lots could be left as open space. The thought was to help the City in taking advantage of real estate/property taxes, water and sewer rates plus an empty piece of property was no benefit to the City. Mr. Mallis explained the City was not ruling out green space and if the neighbors wanted to split the vacant City owned lot between them, the City was willing to work with them. The newly constructed homes would be built according to the same style or type per neighborhood. Mayor Koci said the City Codes and set backs would have to be adhered to.

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

ORDINANCE NO. 9162-14, AN ORDINANCE AMENDING SECTIONS 1311.29, 1311.30, 1311.31, 1311.32, 1311.33 ENTITLED “CERTIFICATE OF INSPECTION FOR RESIDENTIAL BUILDING CODE OF OHIO FOR ONE, TWO AND THREE-FAMILY DWELLINGS” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AND DECLARING AN EMERGENCY PLACED ON FIRST READING ON APRIL 7, 2014 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: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9162-14** on third and final reading and passed.

Mr. Mallis explained this was basically a housekeeping measure to address adjustments, rental and licensing fees.

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

ORDINANCE NO. 9163-14, AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NERONE AND SONS, INC. BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY PLACED ON FIRST READING ON APRIL 7, 2014 WAS READ BY TITLE ONLY.

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

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9163-14** on third and final reading and passed.

Mr. Mallis explained that this was improvements for the six (6) pump stations throughout the City. This was the lowest, responsive and responsible bidder. During the Work Session, Stephen J. Schreiber, P.E., GPD's Project Manager and the Superintendent of the Waste Water Department came in for clarification.

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

ORDINANCE NO. 9164-14, AN ORDINANCE AUTHORIZING CHANGE ORDER #1 FOR THE BROADWAY AVENUE WATERLINE IMPROVEMENTS PROJECT WITH FABRIZI TRUCKING AND PAVING AND DECLARING AN EMERGENCY PLACED ON FIRST READING ON APRIL 7, 2014 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: Spinks, Koci, Mizensak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Zolata to place Ordinance No. **9164-14** on third and final reading and passed.

Mr. Mallis explained this change order included additional road repairs that were not in the original estimate as explained by Stephen J. Schreiber, P.E., GPD's Project Manager.

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

Acting City Manager Michael Mallis handed out kudos to the Recreation Department in another successful Easter holiday event and a great turnout. He explained AT&T did a National Press Release regarding the top 25 metropolitan areas that included 100 municipalities across the United States which allowed the fastest fiber Internet broad band speed called Gigga Power for customers. He said Bedford was among the surrounding cities of Akron, Cleveland, Massillon and Canton. Greater Cleveland Partnership was interested in how Bedford was awarded this service. (See attached)

Assistant Law Director John Montello said he enjoyed the Rotary Club luncheon and he urged others to get involved. He thought the Civil Service Commission members were outstanding Board members.

Finance Director Frank Gambosi announced the Pancake Breakfast this Saturday at the Bedford High School. He said the tax season went very well this year; kudos to the public for filing on time and his staff.

Councilwoman Zolata congratulated the Recreation Department on the Easter Egg Hunt. She said Dana Best-Mizensak at the Historical Society received a \$100,000 grant from the State of Ohio which was well deserved. It was important to keep the Historical Society alive. She noted the second phase of the Broadway waterline project starting at Pinecrest toward William Street. She announced the Light of Hearts Villa Rock-a-thon this Saturday. Donations and pledges were welcome for those who like to sit in rocking chairs and rock. She was told there were more activities in Bedford than most communities. She was happy to see the residents taking pride in cleaning up their yards.

Councilman Genutis had a pleasant experience using the City's Tax Department. He explained the Administration and Council reviewed all the projects in detail for the best interest of the City.

Councilwoman Spinks also enjoyed the recent Recreation Department's Easter celebration. She mentioned the vacant homes in the City were being addressed by the Building Department their hard work. She noted the raccoon situation was being addressed by the City and the Health Department. She attended a Deer Management seminar recently and pointed out the deer were eating her deer resistant bushes. The City Manager's Office would be setting up a seminar for the residents to attend in the near future.

Councilman Saunders mentioned the deer were adapting to different plants that they have never eaten before. He expressed his disappointment with AT&T; his entire neighborhood has experienced landline phone service problems for over the past six months. He felt AT&T's equipment and electronics was basically "garbage" because with the additional repairs, AT&T was blaming the issues on the homeowners. He stressed his disgust with the overwhelming unnecessary littering throughout the City; he suggested this be addressed in an upcoming resident newsletter along with educating the residents that their garbage needed to be in containers and not a bag thrown at the curb for pickup. He suggested a spring leaf pickup or a notice regarding the yard debris that was being piled at the curb.

No report from Councilman Pozar.

Councilwoman Mizesak noticed after the high winds there was an abundance of leaves. She stressed some residents were walking their dogs without a leash, allowing their dogs to do its business everywhere so she suggested the Dog Warden's hours be changed to catch these violators. She asked for the Columbus Road Bridge update. Mr. Mallis explained the project was underway and hoped the temporary road would be open in a couple weeks.

Mr. Mallis commended the recent Police Department's three hour Active Shooter Training they put together for the employees. The employees were now prepared if such a tragedy should happen. The City was also working with the local schools on the training. He stressed the City of Bedford had a great group of employees handling the day to day operations and additional duties.

Mayor Koci mentioned a branch of a college and a restaurant that might be coming to Bedford. He would advise at a later date. He noted the Planning Commission and Board of Zoning Appeals meetings were increasing so the City was moving forward in a positive direction.

ORDINANCE NO. **9167-14**, BEING AN ORDINANCE REZONING PROPERTY DESCRIBED HEREIN FROM "I-2" TO "B-2A" CLASSIFICATION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9167-14** on first reading.

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

ORDINANCE NO. **9168-14**, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MOTOROLA SOLUTIONS, INC. TO PURCHASE TEN (10) APX 6500 MOBILE RADIOS 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: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9168-14** on third and final reading and passed.

Mr. Mallis explained this was a State bid contract in conjunction with the City of Cleveland; the total cost was \$27,706 of which \$26,346 was paid by a 2013 FEMA grant and the City had to pay the difference of \$1,360.

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

ORDINANCE NO. 9169-14, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT WITH SANDRA HAHN SELLING THE RESIDENCE AT 741 WASHINGTON STREET, BEDFORD, OHIO 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: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9169-14** on third and final reading and passed.

Mr. Mallis explained this was the sale of one of the City's NSP homes. He noted the appraisal was submitted at \$90,000 and Cuyahoga County valued the property at \$86,000-\$88,000. This home was sold with no commission being paid to a real estate agency and for a reasonable price.

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

ORDINANCE NO. 9170-14, AN ORDINANCE AMENDING ORDINANCE NO. 7539-03, CHAPTER 1944 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO WHICH OUTLINES THE REQUIREMENTS FOR PROHIBITED USES IN THE H-D HISTORICAL DOWNTOWN DISTRICT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY.

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

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

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9170-14** on third and final reading and passed.

Mr. Mallis explained this was a change which increased the amount of Prohibited Uses and Conditional Uses. Mayor Koci added this was to clean up uses in the Historic District. Mr. Pozar felt it was more than just clean up in this district. He did not feel this Ordinance should be passed as an emergency measure as the other Ordinances. He thought in face of the media pressure for emergency measures being shoved through by Councils. This particular Ordinance he felt stretched the authority of somebody who was yet to be determined as he referred to "businesses selling products commonly used for drug paraphernalia". He pointed out in most of the convenient stores these types of products existed." He referred to "Any use

that is determined to be substantially similar to any of the above listed Prohibited Uses”, which he felt was unclear, over reaching and he was surprised Ordinance No. 9170-14 was being passed as an emergency measure. He hoped Council would reconsider passing it as an emergency measure. Mayor Koci said the City was not outlawing businesses such as: tattoo shops, gambling establishments, pawnshops as listed. He added these types of business could be in other areas of the City. Mr. Pozar stated the City did not have the authority to outlaw these businesses. He felt this ordinance should be considered the “horse out of the barn legislation” because some of it already existed. His objection was not to the content of these listed, he went on the record saying he did not want any of them downtown but rather the method of how Council addressed it should be re-examined.

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

ORDINANCE NO. 9171-14, AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) VU TEK GT SERIES VIDEO INSPECTION SYSTEM FROM JACK DOHENY COMPANIES 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: Spinks, Koci, Mizensak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Genutis seconded by Zolata to place Ordinance No. 9171-14 on third and final reading and passed.

Mr. Mallis explained the current camera was not working and the use of this equipment was well worth the money and was used nearly every day. The use of this equipment could also be used in the Building Department. Mr. Bellar and Mr. Frances tested this camera prior to requesting purchase.

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

Motion made by Spinks seconded by Zolata to appoint John Powers to the Planning Commission. The roll was called. Vote – Yeas: Spinks, Koci, Mizensak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously. Mr. Powers was sworn in by Mayor Koci.

Motion made by Saunders seconded by Mizensak to accept the recommendation of the Planning Commission recommendation of April 15, 2014 regarding Leon Sampat, 22082 Lorain Road, Fairview Park, OH 44126 - Business Dental Office located at 22301 Rockside Road, Bedford, Ohio for curb cut, exterior renovations and parking area. The roll was called. Vote – Yeas: Spinks, Koci, Mizensak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

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

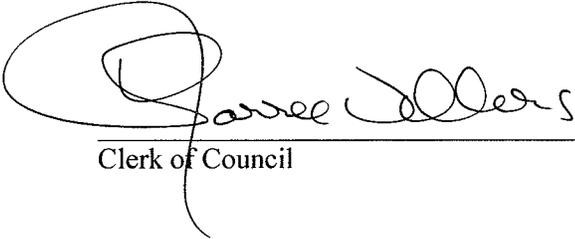
Joyce Daunch, 86 Harriman Street, announced the next FriDates event on April 25, 2014 at 7:30 p.m. She asked for clarification regarding the lot sizes legislation that was passed this evening. It was determined that if the lot was split the newly constructed home could be built on the split lot as long as it met the requirements, codes and both lots were sufficient size. There was a process to address this.

Orlando Rosario, 257 Deborah Lane, pointed out the poor condition of the rocky sidewalk near the railroad tracks. Mr. Mallis explained the City had already contacted the railroad in 2013 regarding this area and the railroad said they would address this issue. It was stated the City did not have a sidewalk program and it was the responsibility of the homeowner. However, the City would let the residents know the company's name and the cost per sidewalk block that the homeowner wished to replace. The City was doing the research for the residents to ensure the best price. The sidewalks were being inspected by the Building Department during Rental or POS Inspections. Mr. Rosairo asked if he could pass out flyers regarding the Fund Raiser he was having for his dog's surgery. Mayor Koci had no problem with him passing out flyers.

Dot Schwende, 513 Lamson Drive, pointed out the two homes that she felt was out of proportion on the corner of Lamson and East Grace Street. She also pointed out the grass that was growing over the sidewalk on East Grace Street; she would email in the address.

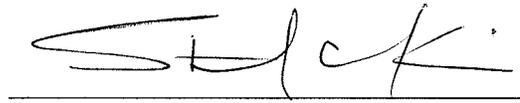
Mayor Koci asked if there were any further comments. There being no reply, motion made by Spinks seconded Zolata to adjourn. The roll was called. Vote – Yeas: Spinks, Koci, Mizesak, Genutis, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Meeting adjourned at 9:18 P.M.



James Zolata

Clerk of Council



Mayor - President of Council