

COUNCIL WORK SESSION

SEPTEMBER 19, 2016

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF CRIMINAL ACTIVITY NUISANCES, COSTS OF ENFORCEMENT**
(§511.12)

- **DISCUSSION OF APPOINTMENT TO THE HOUSING COUNCIL** (Mayor Appt 4 yr term)

- **DISCUSSION OF BUDGET MEETING DATES**

- **DISCUSSION OF MEDICAL MARIJUANA**

- **EXECUTIVE SESSION**
(Personnel / Economic Development / Litigation)

PLEASE TURN OFF ALL CELL PHONES BEFORE MEETING
(Council Minutes and Agendas posted at www.bedfordoh.gov)

Bedford City Council met in a Work Session at Bedford City Hall on Monday, September 19, 2016 at 6:34 p.m.

Present: Council Members: Mayor Stan Koci, Marilyn Zolata, Walter Genutis, Sandy Spinks, Greg Pozar, Don Saunders, Paula Mizesak. Absent: None. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Clerk of Council Lorree Villers. Also in attendance: Law Director John Montello, Police Chief Nietert and Beth Housiaux-Steward, 93 Avalon Avenue.

Council had no changes to the minutes of the Work Session and the Regular Meeting of September 6, 2016.

ORDINANCE NO. 9403-16 AN ORDINANCE ENACTING SECTION 549.20 ENTITLED "FLYING MODEL AIRCRAFT" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD
ORDINANCE NO. 9403-16 AN ORDINANCE ENACTING SECTION 549.20 ENTITLED "FLYING MODEL AIRCRAFT" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD

Discussion was held with concerns that "if" the City purchased a drone the Officers could misuse it to infringe on resident's 4th amendment rights protecting against unreasonable search. Chief Nietert assured everyone that Federal Law and case law prohibit the use of drones for illegal search. If a drone were used to search for a suspect and something else was discovered that wasn't pertinent to the arrest it couldn't be considered. It would be considered an illegal search which was not permissible in court. Example: if a drone was being used to search for a bank robber and an Officer came across marijuana growing in someone's backyard while searching for the robber a marijuana arrest couldn't occur. Currently the Police Department didn't own or wasn't in the process of purchasing a drone; however, the intent was not to use a drone for illegal searches/spying on residents/people. If Bedford had a drone it would be used in emergency situations. The Chief said Officers would not be driving around with drones in their patrol cars; an effort would have to be made to come back to the Police Department to retrieve it. It was determined obtaining a warrant(s) for drone use in an emergency situation would also be counterproductive. Discussion was held about the pros and cons of robots and thermal imaging when these instruments were introduced; however, using these instruments have saved Officers lives, other lives and were beneficial/successful in arrests. It was determined there would always be someone who would misuse these types of instruments as some people don't follow the laws. Chief Nietert stressed Council and the Administration had to have a "level of trust" to allow Officers to do their jobs professionally. An example of "level of trust" was allowing an Officer to carry a side arm/gun. Officers don't drive around town misusing their fire arms because their carrying one. It was determined the Chief was made aware and/or updated regarding new technology, instruments and/or equipment from many different credible agencies. It was important to be proactive on this issue because the recent popularity of drones with residents, businesses, contractors and visitors. The Police Department/Offices needed this added to the Codified Ordinances so the department could enforce the law if a drone was being misused by residents, businesses, contractors or visitors. Many suggestions were made on how to amend the current ordinance but none were completely agreed on so Chief Nietert would amend the current ordinance and submit his changes to Council prior to the October 3, 2016 Regular Council meeting for review. Mr. Mallis and Chief Nietert felt it was important to amend and enact Section 549.20 as soon as possible before an incident occurred. This Ordinance would be removed from the table and read as a second reading as currently written.

ORDINANCE NO. 9405-16 AN ORDINANCE AMENDING ORDINANCE NO. 9358-16 PASSED JANUARY 19, 2016 ESTABLISHING PAY RANGES AS SUBSEQUENTLY AMENDED

Mr. Mallis said there were several applicants interested in the position. This job description had changed slightly since the newspaper posting which wouldn't be an issue for the applicants. The focus was to have someone in place in October.

ORDINANCE NO. 9420-16 AN ORDINANCE AMENDING ORDINANCE NO. 9212-14 THE CITY OF BEDFORD PURCHASING POLICY/GUIDELINES TO CONFORM WITH THE REQUIREMENTS OF THE OHIO REVISED CODE, TO CLARIFY PROCEDURES

Mr. Gambosi suggested the City's Purchasing Policy/Guidelines be adopted and amended to conform to changes in the law and to clarify the procedures. He noted the changes were: 1) materials, services and supplies from businesses located within the city if costs are within 10% of outside business quotes or bids as listed on pages 5, 6, 7, and 8. This would be read as a second reading this evening.

ORDINANCE NO. 9421-16 BEING AN ORDINANCE AMENDING ORDINANCE NO. 9325-15 CONCERNING SECTION 913.02 "SEWER RATES" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES

Mr. Gambosi explained the charges of its sewer system was designed to cover the costs of operating, maintaining and improving its sewer system. The revenues derived from sewer service charges were used for the operation, maintenance and improvements to the system. The sewer rates and sewer service charges were based on water consumption. The water consumption was measured monthly and water charges based on the readings were billed. The increase would commence on October 1, 2016. This would be read as a second reading this evening.

ORDINANCE NO. 9422-16 BEING AN ORDINANCE AMENDING ORDINANCE NO. 9326-15 CONCERNING SECTION 913.03 "RATE REDUCTION FOR SENIOR CITIZENS AND THE PERMANENTLY DISABLED" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES

Mr. Gambosi explained Bedford has owned and operated its sewer utility for the benefit of its residents. The City charged rates designed to cover the costs of operating, maintaining and improving its sewer system. All revenues from the sewer service charges were used toward the operation, maintenance, and improvement of the system. The sewer rates and sewer service charges were based on water consumption. The water consumption was measured monthly and charges were billed accordingly. It was necessary to increase sewer service charges starting January 1, 2017. This would be read as a second reading this evening.

ORDINANCE NO. 9423-16 AN ORDINANCE AMENDING ORDINANCE NO. 9337-15 CODIFIED ORDINANCE §911.03 "RATE REDUCTION FOR DISABLED PERSONS AND SENIOR CITIZENS" FOR WATER AND SEWER DISCOUNTS

Mr. Gambosi explained the City recognizes the need to assist Senior Citizens and the permanently disabled whose income levels were not sufficient to pay normal water and sewer rates. The City still intended to provide a 30 percent discount (30%) in water and sewer base rates to applicants age 65 or older or have been declared 100 percent (100%) totally and permanently disabled by a State or Federal Agency having the function of so classifying persons per Ohio Revised Code 323.15, the applicant, their spouse and any other household members residing in the premises must have a combined income of less than \$32,406.00 for the year 2015 to receive the discount in the year 2017, the applicant must own and occupy the residence which means the residents residing in rental property do not qualify for the water and sewer discount and the applicant, their spouse and household must not have more than \$3,000 per year in dividend and interest income. This would be read as a second reading this evening.

ORDINANCE NO. 9425-16 AN ORDINANCE ADOPTING THE CITY OF BEDFORD FIXED ASSET (CAPITAL ASSET) POLICY TO CONFORM WITH THE REQUIREMENTS OF THE OHIO REVISED CODE, TO CLARIFY PROCEDURES

Mr. Gambosi recommended that Council adopt the Fixed Asset (Capital Asset) Policy to conform to the changes in the law and to clarify the procedures necessary. This would be read as a second reading this evening.

ORDINANCE NO. 9429-16 AN ORDINANCE AMENDING ORDINANCE NO. 9342-15 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 AND DECLARING AN EMERGENCY

Mr. Gambosi explained the following changes: General Fund: Increases in were due to Police employees paid to perform other duties charged to personnel accounts and the funds available in the SECC other accounts in Police Department of \$8,000. Municipal Court needed more appropriations due to claims, the Finance Department needed \$500 for unexpected insurance claims, the Income Tax Department settled a tax refund case in the amount of \$75,000 and the Spider Marketing contract for six months was \$9,000. Fund 204 Recreation Fund: allowed expenditure of \$3,075 for tractor above budgeted figure. Fund 209 Street M & R Fund: allowed expenditure for the snow plow truck at costs above budgeted figure of \$4,250. Fund 213 Grants Fund: Heightened Enforcement Grants were received and spent during 2016 and funds need appropriation to coincide with revenue received, Community Diversion received fees of \$350 for use by the department, the city expended recycling funds of \$4,153.44 and the City received a Fire COML Training Grant in the amount of \$1,197.64. Fund 501 Waste Water Fund: Increase was to pay for Municipal water usage in the projected amount of \$15,000.

ORDINANCE NO. 9430-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 41 TUDOR AVENUE (P.P. NO. 811-02-003) ORDERING ACTION AND DECLARING AN EMERGENCY

Everyone was aware of the deplorable condition of the home, the infestation of wild animals and violations. The home was determined in 2015 as a nuisance property and would be condemned this evening moving forward in hopes of demolishing it. Mrs. Spinks and the neighbors were pleased with the results. This property has been a nuisance for 3-5 years and was now infested with raccoons, skunks and rats.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF CRIMINAL ACTIVITY NUISANCES, COSTS OF ENFORCEMENT (§511.12)

At the August and September Work Sessions Mr. Mallis explained the Fire and Police Departments were experiencing several calls for mentally disabled children/young adults. Mentally disabled children/young adults were not listed in the codified ordinances as a violation and couldn't be billed for the numerous calls. Chief Nietert recently had discussions with the County regarding the third party hires who were supposed to be taking care of these people. The third party caretaker on William Street could not control the two young adults she was watching and continually called 911. It was determined the Police Department would continue to monitor until December 31, 2016 to see if the County was addressing the situations accordingly. Mr. Mallis also explained to Council that if Police or Fire were present at an address frequently did not mean it was a "criminal offense or nuisance" situation. A resident counting the times the Safety Forces show up did not mean they were being charged "criminally" and it didn't mean they were going to receive a Criminal Nuisance letter from the Police Department. It was important residents understood the difference.

DISCUSSION OF APPOINTMENT TO THE HOUSING COUNCIL

This was a Mayor appointment for a four year term. There was no discussion.

DISCUSSION OF BUDGET MEETING DATES

It was determined the dates would be as follows: October 3rd, 17th, 24th and November 7th, 21st and December 5th. Mr. Gambosi requested the readings be as follows: 1st reading November 7th, second reading November 21st and 3rd and final on December 5th.

DISCUSSION OF MEDICAL MARIJUANA

Discussion was held that the Administration and Council needed to be proactive on this matter. Chief Nietert said there was nothing "medical" about marijuana and it was not a prescription. See attached memorandum dated September 9, 2016 from Matty, Henridson & Greve LLC, Attorneys at Law. It was determined a moratorium Resolution would be created for the October 3, 2016 Regular Council meeting.

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

At 7:50 p.m., Bedford City Council, City Manager Mallis and Finance Director Gambosi went into an executive session to discuss Personnel, Economic Development and Litigation.

At 7:59 p.m., Bedford City Council recessed Executive Session to attend the Regular Council Meeting.

At 9:22 p.m., Council reconvened Executive Session with Bedford City Council, City Manager Mallis and Finance Director Gambosi.

At 10:28 p.m., Council adjourned executive session.

Work Session adjourned at 10:29 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 September 6, 2016
 - b. Approval of Minutes of the Regular Meeting of September 6, 2016

5. **PRESENTATIONS**

6. **OLD BUSINESS**
 - a. Ordinance No. 9403-16 enacting §549.20 entitled "Flying Model Aircraft" (1st Rdg: 7/5/16, Tabled 8/1/16-9/6/16)
 - b. Ordinance No. 9405-16 amend Ordinance No. 9358-16 Pay Ordinance (1st Rdg: 7/5/16, 2nd Rdg: 8/1/16, 2nd Rdg: 9/6/16)
 - c. Ordinance No. 9420-16 amend Ordinance No. 9212-14 Purchasing Policy/Guidelines (1st Rdg: 9/6/16)
 - d. Ordinance No. 9421-16 amend Ordinance No. 9325-15 §913.02 "Sewer Rates" (1st Rdg: 9/6/16)
 - e. Ordinance No. 9422-16 amend Ordinance No. 9326-15 §913.03 "Rate Reduction for Senior Citizens and the Permanently Disabled" (1st Rdg: 9/6/16)
 - f. Ordinance No. 9423-16 amend Ordinance No. 9337-15 §911.03 "Rate Reduction for Disabled Persons / Senior Citizens" (1st Rdg: 9/6/16)
 - g. Ordinance No. 9425-16 adopt Fixed Asset (Capital Asset) Policy (2008/2010) (1st Rdg: 9/6/16)

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

8. **NEW BUSINESS**
 - a. Ordinance No. 9429-16 amend Ordinance No. 9342-15 making additional appropriations
 - b. Ordinance No. 9430-16 condemning the property and structures at 41 Tudor

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, September 19, 2016. Mayor Koci called the meeting to order at 8:05 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Absent: None.

Motion made by Mizensak and seconded by Pozar to approve the minutes of the Work Session Meeting of September 6, 2016. The roll was called. Vote – Yeas: Mizensak, 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 Regular Meeting of September 6, 2016. The roll was called. Vote – Yeas: Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9403-16 AN ORDINANCE ENACTING SECTION 549.20 ENTITLED “FLYING MODEL AIRCRAFT” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING JULY 5, 2016, TABLED AUGUST 1, 2016 AND SEPTEMBER 6, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizensak seconded by Spinks to remove Ordinance No. **9403-16** from the table.

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9403-16** on second reading.

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

ORDINANCE NO. 9405-16 AN ORDINANCE AMENDING ORDINANCE NO. 9358-16 PASSED JANUARY 19, 2016 ESTABLISHING PAY RANGES AS SUBSEQUENTLY AMENDED PLACED ON FIRST READING JULY 5, 2016, SECOND READING ON AUGUST 1, 2016 AND SECOND READING ON SEPTEMBER 6, 2016 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: Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Spinks to place Ordinance No. **9405-16** on third and final reading and passed.

Mr. Mallis explained there was a part time position available for a Part Time Receptionist/Office Clerk with a goal to have the position filled within the next 30 days.

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

ORDINANCE NO. 9420-16 AN ORDINANCE AMENDING ORDINANCE NO. 9212-14 THE CITY OF BEDFORD PURCHASING POLICY/GUIDELINES TO CONFORM WITH THE REQUIREMENTS OF THE OHIO REVISED CODE, TO CLARIFY PROCEDURES PLACED ON FIRST READING SEPTEMBER 6, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Pozar to place Ordinance No. **9420-16** on second reading.

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

ORDINANCE NO. 9421-16 BEING AN ORDINANCE AMENDING ORDINANCE NO. 9325-15 CONCERNING SECTION 913.02 “SEWER RATES” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES PLACED ON FIRST READING SEPTEMBER 6, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Genutis to place Ordinance No. **9421-16** on second reading.

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

ORDINANCE NO. 9422-16 BEING AN ORDINANCE AMENDING ORDINANCE NO. 9326-15 CONCERNING SECTION 913.03 “RATE REDUCTION FOR SENIOR CITIZENS AND THE PERMANENTLY DISABLED” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES PLACED ON FIRST READING SEPTEMBER 6, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Pozar seconded by Saunders to place Ordinance No. **9422-16** on second reading.

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

ORDINANCE NO. 9423-16 AN ORDINANCE AMENDING ORDINANCE NO. 9337-15 CODIFIED ORDINANCE §911.03 “RATE REDUCTION FOR DISABLED PERSONS AND SENIOR CITIZENS” FOR WATER AND SEWER DISCOUNTS PLACED ON FIRST READING SEPTEMBER 6, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis seconded by Zolata to place Ordinance No. **9423-16** on second reading.

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

ORDINANCE NO. 9425-16 AN ORDINANCE ADOPTING THE CITY OF BEDFORD FIXED ASSET (CAPITAL ASSET) POLICY TO CONFORM WITH THE REQUIREMENTS OF THE OHIO REVISED CODE, TO CLARIFY PROCEDURES PLACED ON FIRST READING SEPTEMBER 6, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded Zolata to place Ordinance No. **9425-16** on second reading.

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

Council and the Administration wished Clerk Villers a happy birthday, congratulated Mr. Montello on the birth of his first grandchild and gave condolences to Councilman Pozar on the recent passing of his father. The City experienced another successful Weekend of the Pooka event and everyone was pleased. Several people were praised for their efforts, hard work and dedication. The Cleveland Ballet was phenomenal.

City Manager Michael Mallis urged everyone to attend the Metro Parks Master Plan meeting at Shawnee Golf Course. He hoped the property located at 42 Harrison would be demolished within the next 30-45 days; the City applied for a grant that would be used to raze the facility. He reminded everyone the Service Department would be addressing the catch basins prior to the winter season and final road patching. The Administration was moving forward in discussions regarding the 2017 City Budget. The City would be dealing with a one million dollar deficit.

No reports from Law Director John Montello.

Finance Director Frank Gambosi explained the Tax Department mailed several hundred non-filer letters; however, he urged everyone to give attention to the letter for updates and collection. The 2017 budget was in the works and everyone was working diligently.

Councilwoman Mizsak announced the Cleveland Ballet would be giving a Nut Cracker performance on December 9, 2016, the Children's Fall Fest at 2:00 p.m. to 4:00 p.m. on was October 1, 2016. She asked if CEI was going to trim any trees on the tree lawns blocking the street lights.

Councilman Genutis was pleased to announce it was a wonderful growing season for vegetables. Where he farmed was featured in Edible Cleveland Magazine free and widely available at finer food outlets. September 23, 2016 was the first fundraiser for Meals on Wheels at Catered Elegance a very worthy service to support. He spoke about people who live in between the Circle of Life of births and deaths. He talked about the Quality of Life issues in the City which often involves someone's subjective opinion of what is orderly and aesthetically pleasing to the eye. He wondered prior to his father's passing, even though he lived a long life in relatively good health, why he was prescribed several different pharmaceutical drugs and expensive testing. He explained it wasn't surprising that family healthcare can cost as much as \$20,000 annually with high deductibles. A cost higher than housing, clothing, and food combined, a totally unsustainable cost, based entirely on our society's poor health. Mr. Pozar may well ask Council to multiply that cost times the 150 or so city employees for some real-world perspective in the on-going discussion of our current budget constraints. He said on the other side of the Circle of Life was the health of our precious children, in particular, pesticides and children's health. Children's health was threatened through the poor quality of food available to them. There was several people concerned about home food production in order to assure quality food. He believed the City had the responsibility to support pure food and pure land. He called upon Council and the Administration for assistance in this effort. Scientists have discovered a way to make the most nutritious food on our planet poisonous to humans. So a growing number of people were realizing the importance of home-food production in order to assure and provide pure, unadulterated, nutrient-dense food for their families. He believe the City had a responsibility to support pure food and pure land. He called upon his colleagues to support an effort to amend the various local ordinances which presently serve to prohibit home-food production in the City, with kind regard to their well-intended purpose in our distant past.

Councilman Pozar agreed with Mr. Genutis regarding the health care issues in the purity of the foods and awareness of what the foods were doing to humans. This wouldn't be a normal conversation for Council; however, the costs involved with health and health care treatment was significant for those contemplating retirement that in the current state of one's life expectancy. The City was dealing with the major challenge and cost of the health care during the budget. He asked for clarification on the grant money that was to be used to demolish the 42 Harrison property. Mr. Mallis explained the application process had to identify specific properties and an estimate of the costs to demolish each property. Bedford was the first to request

commercial property such as 42 Harrison. The cost ended up being six figures to do so; however, the City continued to seek other properties. Mr. Pozar felt it was commendable of Mr. Mallis to address a property out of sight out of mind as the Administration envisioned another use for this piece of property. It was important for a compatible government and business to package a purpose and look for tax revenues. This was a classic example of the government working together for the betterment of the City.

Councilman Saunders informed everyone Regional Sewer was raising their rates 8% over the next three years and a storm water management increase; the City's increase was only 4%. Clarification was explained that the City demanded Dominion resurface Center Road curb to curb as to the recent damages during the Dominion Gas Line Project. Mr. Saunders voiced his concerns that the base be repaired properly prior to the paving on Center and Columbus Roads. Chipper Service would be available in the month of October along with leaf removal.

Councilwoman Zolata commended everyone on their outstanding job regarding the Weekend of the Pooka event. She received a notice from CEI that they would be trimming trees on Broadway Avenue. She also noticed some tree lawn trees needed to be trimmed and/or removed. Mr. Mallis requested the trees in question be reported.

Councilwoman Spinks thanked everyone and appreciated everyone for their efforts in the successful unique Weekend of the Pooka event started by Joyce Daunch. She was pleased with the streetlight repair at Grand Boulevard and Bexley. She explained broken branches needed to be reported so the Service Department knows. She had Meals on Wheels fund raiser tickets if anyone was interested to attend; 250 tickets were purchased. She was proud to display the new drawing of Bedford drawn by Chris Deighan; she had copies for \$20.

Mayor Koci was very pleased with the professional Cleveland Ballet performance and the performers. He has come to grow to appreciate more and more of what he saw. He announced the LOHV Testa meeting last week was moving forward being 80% funded. Hattie Larlham would also incorporate their students at the facility and other jobs. He said the landscaping done by Dominion Gas Line Project needed to be addressed and overseen.

ORDINANCE NO. 9429-16 AN ORDINANCE AMENDING ORDINANCE NO. 9342-15 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 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: Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9429-16** on third and final reading and passed.

Mr. Gambosi explained the reasons for the changes were as follows: General Fund: Increases in were due to Police employees paid to perform other duties charged to personnel accounts and the funds available in the SECC other accounts in Police Department of \$8,000. Municipal Court needed more appropriations due to claims, the Finance Department needed \$500 for unexpected insurance claims, the Income Tax Department settled a tax refund case in the amount of \$75,000 and the Spider Marketing contract for six months was \$9,000. Fund 204 Recreation Fund: allowed expenditure of \$3,075 for a tractor above the budgeted figure. Fund 209 Street M & R Fund: allowed expenditure for the snow plow truck at costs

above budgeted figure of \$4,250. Fund 213 Grants Fund: Heightened Enforcement Grants were received and spent during 2016 and funds need appropriation to coincide with revenue received, Community Diversion received fees of \$350 for use by the department, the city expended recycling funds of \$4,153.44 and the City received a Fire COML Training Grant in the amount of \$1,197.64. Fund 501 Waste Water Fund: Increase was to pay for Municipal water usage in the projected amount of \$15,000.

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

ORDINANCE NO. 9430-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 41 TUDOR AVENUE (P.P. NO. 811-02-003) ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9430-16** on third and final reading and passed.

Mr. Mallis explained the property was deplorable and there was numerous owners and LLC's which added to the problem of condemning it. He assured everyone the City has been on top of the issues surrounding this home. Mrs. Spinks explained it was infested with raccoons, skunks and rats. She appreciated all the efforts of the Administration in condemning the home and hopefully demolishing it.

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

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

Attorney Michael Goldstein from Beachwood spoke on behalf of his wife Beverly Goldstein who was running for Congress in District 11. He listed several points of interest such as: Cleveland was third in the US for hunger. Of all 435 US House Districts, only 14 districts were poorer than District 11. Over 21,000 persons in Cuyahoga County and over 6,600 persons in Summit County were homeless to name a few. See attached information.

Dana Best-Mizensak, 35 Satin Circle, Bedford Historical Society listed several items of interest: the BHS received a second \$100k grant from the State of Ohio for the Old Church. This grant would be announced at our Phase 2 kick-off fundraiser Friday, September 30th at 6:30 p.m. in the Sedlon Garden; tickets were \$25 per person or \$40 per couple. The popular Haunted Bedford walking tour was returning for four dates in October; information was on BHS Facebook page. BHS next Lyceum program was October 6th about former Bedford resident Lillian Collins. The program had aired in China and the BHS were able to share parts of it with the public. Members of Lillian's family would be on-hand to talk about her and their experience with their new cousin. BHS continued its World War 1 commemoration with a free screening of All Quiet on the Western Front on October 12th at 6:30 p.m. Afterwards, visitors would have a chance to tour the new exhibit. BHS was pleased to bring the 3rd Annual Garfield Symposium to Bedford on Saturday, November 12th. This academic conference would focus on the 20th President's "Road to

