

COUNCIL WORK SESSION

SEPTEMBER 6, 2016

6:00 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)
- **EXECUTIVE SESSION**
(Personnel)

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 Tuesday, September 6, 2016 at 6:05 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: Building Commissioner Calvin Beverly and Law Director John Montello.

Council had no changes to the minutes of the Work Session and the Regular Meeting of August 1, 2016 or the Special Work Session of August 29, 2016.

ORDINANCE NO. 9403-16 AN ORDINANCE ENACTING SECTION 549.20 ENTITLED "FLYING MODEL AIRCRAFT" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD
It was determined this Ordinance would remain tabled. Mr. Mallis said there needed to be further investigations because there was new information from the OML and FAA that needed to be reviewed and considered. Someone from the Police Department would be at the September 19th Work Session to address any questions or concerns.

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 had been about 15 applicants and he intended to hire someone in October so the ordinance did not have to be passed this evening.

ORDINANCE NO. 9407-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR GRASS CUTTING ON VARIOUS LOTS IN THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 AND DECLARING AN EMERGENCY
Mr. Gambosi noted the attached exhibit was current and reflected the July billings. Council had no questions and it needed to be passed this evening.

ORDINANCE NO. 9417-16 AN ORDINANCE REPEALING ORDINANCE NO. 9396-16 REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE VI, SECTION 3 (b) OF THE CHARTER OF THE CITY OF BEDFORD REGARDING INITIATIVE, REFERENDUM
Mr. Montello explained Ordinance No. 9396-16 authorized an amendment to Article VI, Section 3 (b). Cuyahoga County Board of Elections had requested that Bedford amend its Charter to streamline filing deadlines in regards to absentee balloting to conform to recent changes in Ohio and Federal Law to allow more preparation. He issued an opinion that the City must conform to the request to comply with the Ohio Constitution and Federal Law and instructed that the Charter be amended. This item would not go before the voters in November.

ORDINANCE NO. 9418-16 AN ORDINANCE REPEALING ORDINANCE NO. 9397-16 REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE VI, SECTION 4 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING INITIATIVE, REFERENDUM AND RECALL
Mr. Montello explained Ordinance No. 9397-16 authorized an amendment to Charter Section Article VI, Section 4. Cuyahoga County Board of Elections had requested that Bedford amend its Charter to streamline filing deadlines in regards to absentee balloting to conform to recent changes in Ohio and Federal Law to allow more preparation. He issued an opinion that the city must conform to the request to comply with the Ohio Constitution and Federal Law and has instructed that the Charter be amended. This item would not go before the voters in November.

ORDINANCE NO. 9419-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TUCKER LANDSCAPING INC.

Mr. Mallis explained the location was at Broadway Avenue and Forbes Road in the amount of \$5,122.25. The Ohio Department of Transportation (ODOT) had funds available to improve gateways into communities. He recommended that the City contract with Tucker Landscaping Inc. to improve the gateway into Bedford. The materials would be reimbursed by ODOT; however, the city had to pay for the labor.

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 first reading.

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 start on October 1, 2016. This would be read as a first reading.

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 first reading.

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 first reading.

ORDINANCE NO. 9424-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 16 JUSTIN STREET (P.P. #814-14-018)

Mr. Mallis and Mr. Beverly explained in February 2016 the property was declared a nuisance and was in need of significant repairs. The Building Commissioner determined that there were safety issues, including deterioration and unsafe conditions and notified the owners. The owners failed to make the repairs and he requested the City demolish this structure by contracting with TRW Construction LLC who submitted an acceptable quote.

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 first reading.

ORDINANCE NO. 9426-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 154 GREENCROFT (P.P. No. 811-02-046), ORDERING ACTION

Mr. Beverly explained the property was in need of significant repairs. He determined that there were safety issues, including no electricity, water, or gas which made the premises not habitable plus the property was vacant.

ORDINANCE NO. 9427-16 AN ORDINANCE AMENDING ORDINANCE NO. 9317-15 CHAPTER 178 "MUNICIPAL INCOME TAX" FOR THE TAX YEARS COMMENCING JANUARY 1, 2016 AND DECLARING AN EMERGENCY

Mr. Gambosi explained the amendment needed to be done because of the new laws of HB172. The amended Chapter 178 was attached to the original ordinance and would be submitted to the Codifying Agent. This item needed to be passed this evening.

ORDINANCE NO. 9428-16 AN ORDINANCE TRANSFERRING THE COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND WEST WARD PHARMACETICALS ("WEST WARD") TO XELLIA PHARMACETICALS ("XELLIA")

Mr. Mallis and Mr. Gambosi said since the property formerly owned by West Ward was purchased by Xellia the City needed to act on the agreement. The City desired to transfer the CRA agreements from West Ward to Xellia on the same terms and conditions as the original CRA agreement. The City would continue to address any other necessary changes that needed to be done. Xellia was a good corporate neighbor.

RESOLUTION NO. 2505-16 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Mr. Gambosi explained this was an annual Resolution to address rates that had to be adopted for the taxation of real estate for 2016 taxed in 2017. The rates had not changed since last year.

Motion to re-appoint Dennis Kotmel to the Board of Zoning & Appeals for another three year term. This was previously discussed so there were no questions.

Motion to appoint Randy Lewis to the Record Retention Committee for a three year term.

Mr. Saunders questioned why the Administration would appoint Mr. Lewis because he was eligible for retirement and it wasn't clear as to how long he would be an employee.

Motion to accept the August 2, 2016 recommendation of the Planning Commission for Steve & Eileen Barto, 155 West Glendale Street who is seeking relief from §1913.07 (o) to construct a new 600 foot two car detached garage.

Mr. Mallis and Mr. Beverly explained the Planning Commission had no concerns regarding the applicant's request.

Motion to accept the TIRC recommendation of August 30, 2016.

Mr. Gambosi read the businesses listed on the packet memo. (See attached) There were no major concerns to address this year.

Discussion of the Regular Meeting agenda was concluded.

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

At the August Work Session 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. The City was not being insensitive by any means but it was getting to the point that it was causing a problem because of the numerous calls. At the one address the caretaker could not control the two young adults she was watching and continually called 911 because the house was not staffed correctly for the needs. Police and/or Fire still continued to respond and address the situation. Mr. Montello said he would review the situation and report his findings. Still a concern was if the calls continued to happen and there was a more serious or different situation there would not be adequate Police and/or Fire available. Previously a suggestion was made for someone to call ODJFS to see if there was a program or some type of assistance. It needed to be determined if the County was responsible or involved/aware of the two situations. A resident said she understood the situation and the reason the Police Department was getting so many calls was because there needed to be documentation that there were issues within the home before a social worker would get involved. Mr. Genutis did not understand the Police Department Weekly Report in its entirety because there was no summary or explanations of what the actual numbers meant. Mr. Mallis reviewed the police reports daily and alerted Council of any serious issues in the City. It was determined there needed to be more discussion on this topic so someone from the Police Department would be present at the September 19th Work Session for questions or concerns.

DISCUSSION OF APPOINTMENT TO THE HOUSING COUNCIL

This was a Mayor appointment for a four year term. No appointees were considered or discussed.

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 7:26 p.m., Bedford City Council, City Manager Mallis and Finance Director Gambosi went into an executive session to discuss Personnel.

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

At 9:36 p.m., Council reconvened Executive Session with Bedford City Council, City Manager Mallis and Finance Director Gambosi.

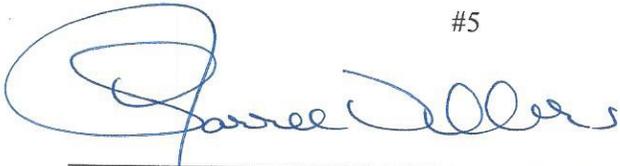
At 10:50 p.m., Council adjourned executive session.

Work Session adjourned at 10:52 p.m.

#5

Bedford, Ohio

September 6, 2016



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 August 1, 2016
- b. Approval of Minutes of the Regular Meeting of August 1, 2016
- c. Approval of Minutes of the Special Work Session of August 29, 2016

5. PRESENTATIONS – Prostate Cancer Awareness Month / Bedford Lions Club 90th year Anniversary

6. OLD BUSINESS (1st Rdg: 7/5/16 – 2nd Rdg: 8/1/16)

- a. Ordinance No. 9403-16 enacting §549.20 entitled “Flying Model Aircraft” (Tabled 8/1/16)
- b. Ordinance No. 9405-16 amend Ordinance No. 9358-16 Pay Ordinance (Amended 8/1/16)
- c. Ordinance No. 9407-16 levy assessments for grass cutting on various lots in the City of Bedford

7. REPORTS

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

8. NEW BUSINESS

- a. Ordinance No. 9417-16 repealing Ordinance No. 9396-16 Article VI, Section 3 (b) of the Charter
- b. Ordinance No. 9418-16 repealing Ordinance No. 9397-16 Article VI, Section 4 of the Charter
- c. Ordinance No. 9419-16 contract w/Tucker Landscaping (Broadway / Forbes \$5,122.25)
- d. Ordinance No. 9420-16 amend Ordinance No. 9212-14 Purchasing Policy/Guidelines
- e. Ordinance No. 9421-16 amend Ordinance No. 9325-15 §913.02 “Sewer Rates”
- f. Ordinance No. 9422-16 amend Ordinance No. 9326-15 §913.03 “Rate Reduction for Senior Citizens and the Permanently Disabled”
- g. Ordinance No. 9423-16 amend Ordinance No. 9337-15 §911.03 “Rate Reduction for Disabled Persons / Senior Citizens”
- h. Ordinance No. 9424-16 contract w/TRW Construction to demolish 16 Justin (PP#814-14-018)
- i. Ordinance No. 9425-16 adopt Fixed Asset (Capital Asset) Policy (2008/2010)
- j. Ordinance No. 9426-16 condemning the property and structures at 154 Greencroft (PP#811-02-046)
- k. Ordinance No. 9427-16 amend Ordinance No. 9317-15 Chapter 178 “Municipal Income Tax”
- l. Ordinance No. 9428-16 transferring CRA West Ward to Xellia
- m. Resolution No. 2505-16 accept Amounts and Rates as determined by the tax budget
- n. Motion to re-appoint Dennis Kotmel to the Board of Zoning & Appeals (3 yr term)
- o. Motion to appoint Randy Lewis to the Record Retention Committee (3 yr term)
- p. Motion to accept the August 2, 2016 recommendation of the Planning Commission for Steve & Eileen Barto, 155 West Glendale Street who is seeking relief from §1913.07 (o) to construct a new 600 foot two car detached garage
- q. Motion to accept the TIRC recommendation of August 30, 2016

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, Ohio

September 6, 2016

Bedford City Council met in Regular Session at Bedford City Hall on Tuesday, September 6, 2016. 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, Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks. Absent: None.

Motion made by Mizesak and seconded by Saunders to approve the minutes of the Work Session Meeting of August 1, 2016. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to approve the minutes of the Regular Meeting of August 1, 2016. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Saunders to approve the minutes of the Special Work Session Meeting of August 29, 2016. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Mayor Koci read the presentations this evening: Proclamations for National Prostate Cancer Awareness, the Bedford Lions Club 90th Anniversary and the Paul G. Ward Jr. Way street sign. Firefighter/Paramedic Mike Millet gave a passionate presentation in regards to the 15 year anniversary of 9/11. He was a member of the Cuyahoga County Critical Incident Stress Management Team and served at Ground Zero following the attacks of 9/11. Mayor Koci asked for a moment of silence.

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 DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Mayor Koci stated Ordinance No. 9403-16 would remain tabled. There was no motion.

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 AND SECOND READING ON AUGUST 1, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to place Ordinance No. **9405-16** on second reading again.

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

ORDINANCE NO. 9407-16 AN ORDINANCE TO LEVY ASSESSMENTS FOR GRASS CUTTING ON VARIOUS LOTS IN THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 PLACED ON FIRST READING AUGUST 1, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Spinks to place Ordinance No. 9407-16 on third and final reading and passed.

Mr. Gambosi explained this was annual assessment for grass cutting.

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

City Manager Michael Mallis pointed out there was an informational flyer in the lobby that pertained to the Cleveland Metro Parks Open House on September 21, 2016 at 5:30 p.m. at Shawnee Golf Course. He congratulated the Police Department on the laser they received for the Click It or Ticket Program. He spoke about two large grants the City would be working on in October; there would be public input as required by the grant process. He appreciated everyone's cooperation while Dominion Gas Company continued their project throughout the City. He understood it would be completed in November. There were additional inspections assigned to the project to assist with the project. He urged everyone to attend the Weekend of Pooka City event on September 16, 2016. He explained the City continued to discuss how the generous bike donation from Bedford Cyclery would be best utilized before accepting the bike; the City had its challenges with Officer staffing. He hoped to have everything in place in 2017.

Finance Director Frank Gambosi explained the Finance Department was very busy addressing reports, the upcoming budget, software training and day to day operations.

No reports from Law Director John Montello and Councilman Genutis.

Councilwoman Mizesak urged everyone to watch out for the children since school had started for safety reasons.

Councilman Pozar gave kudos to Firefighter/Paramedic Mike Millet who gave a passionate presentation regarding the 15 year anniversary of 9/11. He referred to the safety forces weekly report that listed the many different types of calls. He couldn't praise them enough for their professionalism on a day to day basis. EMS responded on an average of seven times a day helping those in need. He stated that last week the Police Department responded to 347 different incidents, seventy which were traffic violations. The remaining incidents were a reflection of our society which has changed significantly from even ten years ago, and continues to change. The officers who respond to domestic calls, had to perform many other duties and functions such as a psychiatrist, arbitrator, and military watchmen, placing themselves in the middle of domestic situations. Police Officers these days are tasked with a performing a job completely different than that of years ago. He thought Officers' were truly taken for granted and underappreciated.

He said Council will shortly be tasked with setting the 2017 budget. With an understanding of provided services, and the cost of such services. Currently the cost of the services is not matching the revenue side of the budget, which means Council will be confronted with difficult decisions. Council will focus on keeping the much needed Officers on the streets. His opinion is that the Police Department Officers were our first line of defense. He felt Officers' services were more essential than some other services. In his 25 years of being on Council, the upcoming budget discussions were going to be much more difficult than those of the past. The choices and remedies will be very tough, and challenging. He hoped the residents would be understanding, as Council and the Administration address the budget realities. In reviewing the Police Department's weekly reports he noticed the neighborhood disruptions were increasing every week. He felt the Officers roles had changed over the years and the positions were not "traditional" roles anymore. He couldn't emphasize the Officers thankless work enough, and he was sure the residents felt the same as he does.

Councilman Saunders felt there was considerable work that had to be done concerning the Dominion Gas project and it wouldn't be completed on time in November. He said the freshmen students would now be taught about the 9/11 incident in history class because they were not born at the time. He was pleased to report the Bearcats were undefeated and seniors got in free. He urged everyone to attend the games.

Councilwoman Zolata appreciated the 9/11 presentation and the report from Mr. Pozar. She was pleased Ordinance Nos. 9419-16 and 9424-16 were being addressed; both well needed and long overdue. She invited everyone to attend the LOHV information meeting from Testa concerning the Villa San Bernardo property and structures. She mentioned the raccoons were getting into the rubbish cans.

Councilwoman Spinks agreed with Mrs. Mizesak that everyone needed to watch out for the children since school had started. She liked the sign she saw that said: "Drive like your child lives here". She announced the next FriDates free concert and urged everyone to attend at the Nature Stone business. Data Basics was a generous sponsor/donator of \$2,000 for the Weekend of the Pooka event. She had Cleveland Ballet tickets if anyone was interested. She thanked Law Director Montello for his generous donation.

Mayor Koci thanked the Chamber of Commerce for their efforts in the Parties in the Park. He announced the Southeast Clergy Meals on Wheels fundraiser on September 30, 2016.

Mr. Montello explained Ordinance Nos. 9417-16 and 9418-16, he wrote a legal opinion that addressed these two issues. The request from the Cuyahoga County Board of Elections to extend the filing time for voters. This was a law of general nature not an issue of home rule. The City was following the Federal and State Laws and the Ohio Constitution. Even if the voters voted the issues down it wouldn't matter.

ORDINANCE NO. 9417-16 AN ORDINANCE REPEALING ORDINANCE NO. 9396-16 REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE VI, SECTION 3 (b) OF THE CHARTER OF THE CITY OF BEDFORD REGARDING INITIATIVE, REFERENDUM AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9417-16** on third and final reading and passed.

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

ORDINANCE NO. 9418-16 AN ORDINANCE REPEALING ORDINANCE NO. 9397-16 REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE VI, SECTION 4 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING INITIATIVE, REFERENDUM AND RECALL 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 three different days.

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

Motion made by Mizensak seconded by Pozar to place Ordinance No. **9418-16** on third and final reading and passed.

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

ORDINANCE NO. 9419-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TUCKER LANDSCAPING INC. 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: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Spinks to place Ordinance No. **9419-16** on third and final reading and passed.

Mr. Mallis explained the improvements/landscaping would be located at Broadway Avenue and Forbes Road on ODOT owned property because the City wanted to spruce up the entrance of Bedford. The City would be responsible to pay for the labor and the ODOT program would be responsible for the materials.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. 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 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9420-16** on first reading.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. 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 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizensak seconded by Pozar to place Ordinance No. **9421-16** on first reading.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. 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 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to place Ordinance No. **9422-16** on first reading.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. 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 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizensak seconded by Saunders to place Ordinance No. **9423-16** on first reading.

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

ORDINANCE NO. 9424-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 16 JUSTIN STREET (P.P. #814-14-018) 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: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Genutis to place Ordinance No. **9424-16** on third and final reading and passed.

Mr. Mallis explained this property was in deplorable condition and the owner was deceased.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. 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 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizensak seconded by Pozar to place Ordinance No. **9425-16** on first reading.

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

ORDINANCE NO. 9426-16 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 154 GREENCROFT (P.P. No. 811-02-046), ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9426-16** on third and final reading and passed.

Mr. Mallis explained this property had been vacant for years and was infested with raccoons.

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

ORDINANCE NO. 9427-16 AN ORDINANCE AMENDING ORDINANCE NO. 9317-15 CHAPTER 178 “MUNICIPAL INCOME TAX” FOR THE TAX YEARS COMMENCING JANUARY 1, 2016 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 three different days.

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

Motion made by Pozar seconded by Saunders to place Ordinance No. **9427-16** on third and final reading and passed.

Mr. Gambosi explained the reasons for the change was to reflect the new laws of HB172.

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

ORDINANCE NO. 9428-16 AN ORDINANCE TRANSFERRING THE COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND WEST WARD PHARMACEUTICALS (“WEST WARD”) TO XELLIA PHARMACEUTICALS (“XELLIA”) 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, Mizens, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. **9428-16** on third and final reading and passed.

Mr. Mallis explained since the sale to Xellia the CRA needed amended. The remaining CRA’s would be addressed accordingly moving forward.

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

RESOLUTION NO. 2505-16 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR 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 resolution three different days.

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

Motion made by Spinks seconded by Genutis to place Resolution No. **2505-16** on third and final reading and passed.

Mr. Gambosi explained the millage had not changed since last year; this was an annual Resolution.

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

Motion made by Spinks seconded by Genutis to re-appoint Dennis Kotmel to the Board of Zoning & Appeals for another three year term.

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

Motion made by Mizensak seconded by Pozar to appoint Randy Lewis to the Record Retention Committee for a three year term.

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

Motion made by Mizensak and seconded by Pozar to accept the August 2, 2016 recommendation of the Planning Commission for Steve & Eileen Barto, 155 West Glendale Street who is seeking relief from §1913.07 (o) to construct a new 600 foot two car detached garage.

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

Motion made by Spinks seconded by Genutis to accept the TIRC recommendation of August 30, 2016.

The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously. Mayor Koci thanked everyone for their efforts. He was pleased to announce Xellia was committed to Bedford.

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

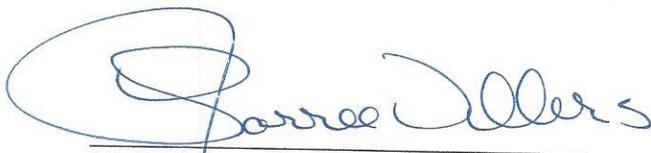
Anita Wilson, 21 Natalie Avenue, listed areas of concern: the home at Center Road and Natalie Avenue was vacant and looking poorly, she asked how often the City cleaned the main sewers, she was not pleased with her neighbor(s) allowing their dog to defecate in her yard and porch; the Animal Warden was aware of the problem, how often do the Police Officers patrol her area and there was a dead tree located on her neighbor's property. It was determined the Administration would contact her about her items of concern.

Nick Badah Enterprise, Inc. of Gasway Service Station located at 1483 Broadway Avenue thanked the City of Bedford for welcoming his new service station to Bedford. He was very appreciative of all the support and efforts of Building Commissioner Beverly. He was impressed with the knowledge Mr. Beverly had while they were building their new station. Mrs. Zolata welcomed Mr. Badah to Bedford.

Mayor Koci announced the Work Session Executive Session would reconvene shortly.

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

Meeting adjourned at 9:16 P.M.


Clerk of Council


Mayor - President of Council