

COUNCIL WORK SESSION

NOVEMBER 7, 2016

5:30 P.M. PROMPT

- **BUDGET HEARING –
Municipal Court**

- **EXECUTIVE SESSION – Personnel / Economic Development -AO (1 hr)**

- **DISCUSSION OF RESOLUTION NO. 2508-16 (Removed from the agenda 10/17/16)**

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF ARTS AND CULTURAL BOARD – (§149 / Ord. #9252-15 w/Bylaws) (10/17/16)**

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

Bedford, Ohio

November 7, 2016

Bedford City Council met in a Work Session at Bedford City Hall on Monday, November 7, 2016 at 5:35 p.m. Present: Council Members: Mayor Stan Koci, Marilyn Zolata, Walter Genutis, Greg Pozar, Don Saunders, Paula Mizsak, Sandy Spinks. Absent: None. Administration: City Manager Michael Mallis, Law Director John Montello, Finance Director Frank Gambosi, Clerk of Court Tom Day, Clerk of Council Lorree Villers and Building Commissioner Calvin Beverly.

Municipal Court

Mr. Day was present this evening to discuss the Bedford Municipal Court's budget serving in his 29th year as an employee. Mr. Mallis felt the City and Court had a great relationship. Mr. Day appreciated the joint cooperation and support from Council and the Administration. Both Judge Melling and Judge Paris were appreciative of the City's support as well. He said in 2016 the Court had a couple healthcare challenges which everyone hoped would improve in 2017. He spoke of the continued grant that was used for managing the Court's information, the necessary continuing education and the record retention. He explained the computer fund was a driven fund for professional services, computer maintenance and other items. He spoke of various special funds and how they were used. The Revenue portion of the budget for the General Fund varied throughout the years. Some of the money came from State funding from the Indigent Drivers Alcohol Treatment and the costs were divided accordingly. The remaining Revenue items were basically the same as the Expense portion of their budget. Some of the increases were due to treatment(s) to help the violators, ankle bracelet home devices, and the breathalyzer device was for those who were not allowed to consume alcohol and specific vendors who specialized in the kind of services the Court required. He explained there was an increase in indigent cases from last year. There were no major projects slated for next year. The Supervision line item had increased because an employee was already performing the duties and was moved to a higher paying position. Council had no major concerns regarding the Court budget which had been cut by approximately \$70,000. Council, the Administration and the Court employees felt the City and Court worked well together. Mr. Day thanked Council and the Administration for their time.

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

At 6:27 p.m., Bedford City Council, City Manager Mike Mallis, Law Director John Montello, went into an executive session to discuss Personnel and Economic Development.

Executive session adjourned at 7:48 p.m.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the Work Session of October 17, 2016, the Regular Meeting of October 17, 2016 and the Budget Work Session of October 24, 2016.

DISCUSSION OF RESOLUTION NO. 2508-16 (10/17/16 Removed from the Regular Council agenda)

The Mayor explained the Resolution needed to be voted/acted on by Council instead of just removed from the agenda. Clerk Villers had to be able to track the actions of the Administration and Council.

RESOLUTION NO. 2508-16 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH OAK GROUP, INC. REMOVED ON OCTOBER 17, 2016

At the previous Work Session Mayor Koci and Mr. Mallis said this Resolution needed removed from the agenda and would be placed on the November 7, 2016 Work Session as discussion. It was determined the Resolution needed to be passed or failed since there was no desire at this time to contract with this company.

ORDINANCE NO. 9437-16 AN ORDINANCE AMENDING ORDINANCE NO. 9342-15 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016

Mr. Gambosi explained the following: The General Fund increases in appropriations for 2016 was due to the Impact Marketing Plan \$32,700. The CDBG Fund expense was to demolish 16 Justin. The Street M & R Fund was to allow expenditure for Union Street Bridge repairs in the amount of \$13,275. The 213 Grants Fund was for the Heightened Enforcement grants that have been received and spent during 2016 and funds need appropriations to coincide with revenue received. The City expended recycling funds of \$437.50 more to date and Recreation received \$415 in donations and this allows funds to be spent. The Safety Forces Levy Fund was because the Police Department was short staffed earlier in 2016 and increased overtime in the amount of \$25,000. The General Obligation Debt Service Fund was used to pay escrow monies to refund the 2006 issue in 2016 or 10 years of prior debt service saving money starting in 2017. Plus the Water and Wastewater funds for their share of the escrow payment to fund old debt service at newer lower interest rates. The Capital Improvement Fund was for the planning of downtown and Bedford and was to be performed at a cost of \$11,600. The Waste Water Fund increased appropriation was to pay for municipal water usage in the projected amount of \$14,000 and a \$4,000 wage increase for the WWTP Superintendent.

ORDINANCE NO. 9438-16 AN ORDINANCE AMENDING ORDINANCE NO. 7382-01 PASSED SEPTEMBER 4, 2001 REGARDING A MORATORIUM ON THE ANNUAL COMPENSATION INCREASE FOR THE MAYOR AND COUNCIL

Mayor Koci explained Council would not be receiving their annual increase in 2017. Council had no concerns.

ORDINANCE NO.9439-16 AN ORDINANCE AMENDING ORDINANCE NO. 9330-15 PERMITTING ANOTHER ONE YEAR MORATORIUM ON THE THREE PERCENT (3%) INCREASE IN RESIDENT WATER RATES MANDATED BY SECTION 911.01 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD FOR THE CALENDAR YEAR 2017

Mr. Mallis explained the Administration and Council desired to permit another one year moratorium on the increase mandated by Section 911.01 to assist residents in the current economic climate. Council had no concerns.

ORDINANCE NO. 9440-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK, INC. TO PURCHASE A 2017 FORD EXPLORER

Mr. Mallis reminded Council this purchase was mentioned during the recent Service Department Budget discussion. Purchasing the vehicle early allowed time to equip the Blazer with the snow plow from the 1998 Chevy Blazer currently used at City Hall by the Facility Services Administrator. After the plow was installed, the 2001 Chevy Blazer would be used for City Hall business, errands and snow removal. The purchase for the new Explorer would be charged to the Water Fund not the General Fund.

ORDINANCE NO.9441-16 AN ORDINANCE ALLOWING EMPLOYEE PARTICIPANTS TO MAKE INSURANCE PLAN PREMIUM CONTRIBUTIONS ON A PRETAX BASIS FOR THE CALENDAR YEAR 2017 THROUGH WAGE WORKS

Mr. Mallis and Mr. Gambosi explained the City had established a Premium Only Plan (POP) within the meaning of Section 125 of the Internal Revenue Code of 1986 so that participants would not have to include as taxable income the amount of compensation they use to pay their premium contributions to eligible insurance plans.

ORDINANCE NO. 9442-16 AN ORDINANCE AMENDING ORDINANCE NO. 9314-15 CONCERNING THE REZONING OF THE SISTERS OF CHARITY PROPERTY DESCRIBED HEREIN FROM "R-1" TO "R-4" CLASSIFICATION

Mr. Mallis explained the original Ordinance needed to be amended to satisfy the new Federal Guidelines.

ORDINANCE NO.9443-15 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2017
Mr. Gambosi noted this was the 2017 appropriations for the year 2017.

ORDINANCE NO. 9444-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SIRNA CONSTRUCTION, INC.

Mr. Mallis explained the Recreation Director determined that there was a need for the stairs to be replaced at the West end of the Ellenwood Recreation Center as the current steps were in horrible shape. Sirna Construction, Inc. was the best bidder; not the lowest. The lowest bid did not meet the all the necessary requirements for the project.

ORDINANCE NO. 9445-16AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH C & J CONTRACTORS FOR THE DEMOLITION OF 154 GREENCROFT AVENUE (P.P. #811-02-046)

Mr. Mallis explained in September 2016 the City declared the property located at 154 Greencroft Avenue a nuisance and condemned as it needed significant repairs. The Building Commissioner had already determined the property was vacant and that there were life safety issues, including no electricity, water, or gas which render the premises not habitable. The home was in deplorable condition.

ORDINANCE NO. 9446-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH C & J CONTRACTORS FOR THE DEMOLITION OF 41 TUDOR AVENUE (P.P. #811-02-003)

Mr. Beverly explained there were two previous Ordinances that declared this property a nuisance and condemned due to the need of significant repairs. The Building Commissioner had determined the property was vacant and there were life safety issues, which render the premises not habitable including infestation by raccoons. The numerous owners have failed to maintain the premises as required per the City. The home remained in very bad shape. Mrs. Spinks was pleased the home would be removed.

Motion to accept the Planning Commission recommendation of November 1, 2016 for Saint Servan Centre LTD, 30799 Pinetree Road, #254, Cleveland, OH owner of 480 Northfield Road who is seeking relief from 1927.02 (j) of the Codified Ordinances of the City of Bedford for an Adult Day Care Service 5 days a week 9:00 a.m. to 3:00 p.m. (PC Tabled 9/7/16 – PC Tabled 9/20/16 – PC Approved 11/1/16)

Mr. Mallis explained the major issue was allowing/approving the applicant's request of the "use" in an R-2 District. The type of business was not the problem; it was opening up a can of worms allowing this specific business in an R-2 District. Once it was approved the City would not be able to refuse other similar requests. Council chose not to act on this issue this evening.

Discussion of the Regular Meeting agenda was concluded.

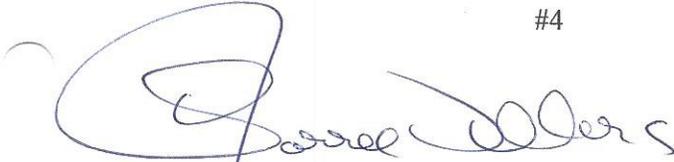
DISCUSSION OF ARTS AND CULTURAL BOARD– (§149 / Ord. #9252-15 w/Bylaws) (10/17/16)
This issue was not discussed this evening; it was forwarded to November 21, 2016.

Work Session adjourned at 7:58 p.m.

#4

Bedford, Ohio

November 7, 2016



Clerk of Council



Mayor – President of Council

AMENDED

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of October 17, 2016
 - b. Approval of Minutes of the Regular Meeting of October 17, 2016
 - c. Approval of Minutes of the Budget Work Session of October 24, 2016
5. **PRESENTATIONS** - PD Officer John Lobenthal / FD Steve Bowser
6. **OLD BUSINESS**
 - a. Resolution No. 2508-16 contract w/Oak Group, Inc for master plans examiner services (Removed 10/17/16)
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Ordinance No. 9437-16 amend Ordinance No. 9342-15 making additional appropriations
 - b. Ordinance No. 9438-16 waive 3% annual Council Pay Increase (Ref: Ord 7382-01)
 - c. Ordinance No. 9439-16 another 1 year moratorium on the 3% increase to water rates mandated by §911.01
 - d. Ordinance No. 9440-16 purchase of a 2017 Ford Explorer for the Service Department (\$31,855)
 - e. Ordinance No. 9441-16 employee participants to make insurance plan premium contributions (Plan 125)
 - f. Ordinance No. 9442-16 amend Ordinance No. 9314-15 Sisters of Charity conditions
 - g. Ordinance No. 9443-16 City of Bedford 2017 Appropriation Budget
 - h. Ordinance No. 9444-16 contract w/Sirna Construction for Ellenwood stairs (\$5,960)
 - i. Ordinance No. 9445-16 contract w/C & J Contractors to demolish 154 Greencroft (\$8,052)
 - j. Ordinance No. 9446-16 contract w/C & J Contractors to demolish 41 Tudor (\$7,064)
 - k. Ordinance No. 9447-16 terminate CRA Ord's # 7402-01, 9281-15 & 9428-16 at 100% to 80%
 - l. Ordinance No. 9448-16 terminate CRA Ord's # 7402-01, 9281-15 & 9428-16 at 70%
 - m. Ordinance No. 9449-16 terminate CRA Ord's # 7402-01, 9281-15 & 9428-16 at 80%
 - n. Motion to accept the Planning Commission recommendation of November 1, 2016 for Saint Servan Centre LTD, 30799 Pinetree Road, #254, Cleveland, OH owner of 480 Northfield Road who is seeking relief from 1927.02 (j) of the Codified Ordinances of the City of Bedford for an Adult Day Care Service 5 days a week 9:00 a.m. to 3:00 p.m. (roll call) (PC Tabled 9/7/16 – PC Tabled 9/20/16 – PC Approved 11/1/16)
9. **HEARING OF CITIZENS** - Beverly Goldstein
10. **ADJOURNMENT**

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of October 17, 2016
 - b. Approval of Minutes of the Regular Meeting of October 17, 2016
 - c. Approval of Minutes of the Budget Work Session of October 24, 2016

5. **PRESENTATIONS** - PD Officer John Lobenthal / FD Steve Bowser

6. **OLD BUSINESS**
 - a. Resolution No. 2508-16 contract w/Oak Group, Inc for master plans examiner services (Removed 10/17/16)

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

8. **NEW BUSINESS**
 - a. Ordinance No. 9437-16 amend Ordinance No. 9342-15 making additional appropriations
 - b. Ordinance No. 9438-16 Waive 3% annual Council Pay Increase (Ref: Ord 7382-01)
 - c. Ordinance No. 9439-16 another 1 year moratorium on the 3% increase to water rates mandated by §911.01
 - d. Ordinance No. 9440-16 purchase of a 2017 Ford Explorer for the Service Department (\$31,855)
 - e. Ordinance No. 9441-16 employee participants to make insurance plan premium contributions (Plan 125)
 - f. Ordinance No. 9442-16 amend Ordinance No. 9314-15 Sisters of Charity conditions
 - g. Ordinance No. 9443-16 City of Bedford 2017 Appropriation Budget
 - h. Ordinance No. 9444-16 contract w/Sirna Construction for Ellenwood stairs (\$5,960)
 - i. Ordinance No. 9445-16 contract w/C & J Contractors to demolish 154 Greencroft (\$8,052)
 - j. Ordinance No. 9446-16 contract w/C & J Contractors to demolish 41 Tudor (\$7,064)
 - k. Motion to accept the Planning Commission recommendation of November 1, 2016 for Saint Servan Centre LTD, 30799 Pinetree Road, #254, Cleveland, OH owner of 480 Northfield Road who is seeking relief from 1927.02 (j) of the Codified Ordinances of the City of Bedford for an Adult Day Care Service 5 days a week 9:00 a.m. to 3:00 p.m. (roll call) (PC Tabled 9/7/16 – PC Tabled 9/20/16 – PC Approved 11/1/16)

9. **HEARING OF CITIZENS** - Beverly Goldstein

10. **ADJOURNMENT**

Bedford, Ohio

November 7, 2016

Bedford City Council met in Regular Session at Bedford City Hall on Monday, November 7, 2016. Mayor Koci called the meeting to order at 8:01 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Saunders, Zolata, Spinks, Koci, Mizensak, Genutis, Pozar. Absent: None.

Motion made by Spinks and seconded by Zolata to approve the minutes of the Work Session Meeting of October 17, 2016. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizensak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Mizensak and seconded by Pozar to approve the minutes of the Regular Meeting of October 17, 2016. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizensak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Genutis to approve the minutes of the Budget Work Session of October 24, 2016. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Mizensak, Genutis, Pozar. Nays: None. Motion carried unanimously.

The Administration and Council congratulated Officer Lobenthal and Firefighter Bowser for being selected as Officer and Firefighter Paramedic of the year. The Eagles donated \$5,000 to each department for equipment.

RESOLUTION NO. 2508-16 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH OAK GROUP, INC. REMOVED FROM THE AGENDA ON OCTOBER 17, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Genutis to renew Resolution No. 2508-16. It was removed from the November 7, 2016 agenda without Council consideration.

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

Motion made by Mizensak seconded by Saunders to place Resolution No. **2508-16** on third and final reading and passed.

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

Again, the Administration and Council congratulated Officer Lobenthal and Firefighter Bowser for being selected as Officer and Firefighter Paramedic of the year. Everyone was pleased with another successful Halloween evening and the generous candy donation from Walgreens which was passed out by Officers.

City Manager Michael Mallis explained the City was asking the residents to approve a ½% income tax increase at a credit of 1 ½ in May to address the City's future infrastructure needs such as the street repair program, alleviate the deficit and balance the budget. The City was not in the position to borrow any more money. Rubbish pickup would be reduced to \$10 per month and there would be another moratorium on the annual 3% water rate increase. Since 2008 the City's revenue had decreased about \$4 million; however, the City managed to make up \$3 million without cutting City services or layoffs. He stressed the City was in need of financial help and by passing the levy it would help greatly to rebuild the infrastructure. He reminded everyone the Service Department was working on the leaf collection as the leaves fell and urged everyone to please place their leaves at the curb not in the street. He urged everyone to attend the Tree Lighting event on November 23rd. He explained the people that would be installing the new residential water meters all went through background checks. The residents would receive a letter in

the mail to set up an appointment for their new water meter installation. First Energy Solutions terminated their contract with NOPEC and NOPEC currently was working on a new contract with a new provider; the residents would be informed. He stated the 2017 Budget discussions were still underway; some departments cut their budget up to \$90,000 from their 2016 numbers.

No reports from Law Director John Montello and Councilman Genutis.

Finance Director Frank Gambosi reiterated the concerns from Mr. Mallis regarding the ½% income tax much needed levy. He stressed the reasons were: \$1.5 million in State cuts and \$2 million from Ben Venue withholding.

Councilman Saunders invited everyone to attend the November 11th Veteran's Day ceremony at 11:00 a.m. It was determined the Service Department would schedule leaf pickup accordingly as the leaves fell.

Councilwoman Zolata was pleased with the recent ODOT landscaping on Forbes Road; it was appreciated. The Bedford Eagles also donated money to the Historical Society and Meals on Wheels.

Councilwoman Spinks stated the next FriDates concert would be at Our Lady of Hope Church; the following Friday concert would be at Church of the Nazarene.

Councilwoman Mizsak said there were over 80 children who attended the Halloween Party at the Historical Society.

Councilman Pozar urged everyone to vote tomorrow on one of the difficult elections in history. The top two candidates on the ballot were not necessarily that attractive. He urged everyone to pay attention to the other candidates on the ballot. Bev4Congress would be speaking this evening.

Mayor Koci stated the Bedford Eagles had donated over \$200,000+ to the Police and Fire Departments over the years for equipment. He announced the Cleveland Ballet would be performing again at the Tree Lighting.

ORDINANCE NO. 9437-16 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 Mizsak seconded by Pozar to suspend the rule requiring the reading of said ordinance three different days.

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9437-16** on third and final reading and passed.

Mr. Gambosi explained a few adjustments: The General Fund increases in appropriations for 2016 was due to the City's marketing plan, the demolition of 16 Justin, Union Street Bridge repairs, the Heightened Enforcement grants that have been received and spent during the year, the Safety Forces Levy Fund, the General Obligation Debt Service Fund was used to pay escrow monies to refund the 2006 issue in 2016 or 10 years of prior debt service saving money starting in 2017 and the Water and Wastewater funds for their share of the escrow payment to fund old debt service at newer lower interest rates.

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

ORDINANCE NO. 9438-16 AN ORDINANCE AMENDING ORDINANCE NO. 7382-01 PASSED SEPTEMBER 4, 2001 REGARDING A MORATORIUM ON THE ANNUAL COMPENSATION INCREASE FOR THE MAYOR AND COUNCIL 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: Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: Pozar. Motion carried.

Motion made by Mizsak seconded by Saunders to place Ordinance No. **9438-16** on third and final reading and passed.

Mayor Koci explained Council was waiving their 3% compensation increase for 2017 a small token to show Council was not going to take a wage increase at a \$12,000 budget savings because the employees were not getting an increase. It was determined the total 3% increase for seven Council members was \$2,200 for 2017.

Mr. Pozar thought Council should be unanimous on this issue because it was such a small amount but he was voting against Ordinance No. 9438-16. He stressed Council should be seriously discussing the cost of Council's healthcare benefits as part time elected officials; the healthcare benefits Council received were significant. The talks of future cuts/layoffs of Police, Fire, Service and other employees were real. One or two positions could be saved if Council gave up their healthcare benefits. Ordinance No. 9438-16 a token gesture on the agenda was simply that "a token" and it didn't go far enough. Council has not addressed the major issue of their healthcare costs during the current budget discussions. He intended to introduce legislation in regards to Council healthcare cost cuts in conjunction with the ½% income tax levy to see just how serious Council was in budget reductions.

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

ORDINANCE NO. 9439-16 AN ORDINANCE AMENDING ORDINANCE NO. 9330-15 PERMITTING ANOTHER ONE YEAR MORATORIUM ON THE THREE PERCENT (3%) INCREASE IN RESIDENT WATER RATES MANDATED BY SECTION 911.01 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD FOR THE CALENDAR YEAR 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9439-16** on third and final reading and passed.

Mr. Gambosi explained the water fund was stable and the new residential water meter replacement program would also help bring in revenue for the City. The new meters would read accurately; older meters tend to slow down as they age. Sewer rates were increased by 4% as required by the County.

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

ORDINANCE NO. 9440-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK, INC. TO PURCHASE A 2017 FORD EXPLORER 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: Saunders, Zolata, Spinks, Koci, Mizesak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Pozar to place Ordinance No. **9440-16** on third and final reading and passed.

Mr. Mallis explained this was a state bid purchase. Mr. Bellar's current 2001 Blazer would be given to City Hall's Facility Services Administrator for use of errands and parking lot snowplowing. The purchase would be from the Water Fund; not the General Fund.

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

ORDINANCE NO. 9441-16 AN ORDINANCE ALLOWING EMPLOYEE PARTICIPANTS TO MAKE INSURANCE PLAN PREMIUM CONTRIBUTIONS ON A PRETAX BASIS FOR THE CALENDAR YEAR 2017 THROUGH WAGE WORKS 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: Saunders, Zolata, Spinks, Koci, Mizesak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to place Ordinance No. **9441-16** on third and final reading and passed.

Mr. Gambosi explained under the IRS Regulations the City had to adopt a plan for pretax basis.

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

ORDINANCE NO. 9442-16 AN ORDINANCE AMENDING ORDINANCE NO. 9314-15 CONCERNING THE REZONING OF THE SISTERS OF CHARITY PROPERTY DESCRIBED HEREIN FROM "R-1" TO "R-4" CLASSIFICATION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9442-16** on first reading.

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

ORDINANCE NO. 9443-15 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to place Ordinance No. **9443-16** on first reading.

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

ORDINANCE NO. 9444-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SIRNA CONSTRUCTION, INC. 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: Saunders, Zolata, Spinks, Koci, Mizesak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Mizesak to place Ordinance No. **9444-16** on third and final reading and passed.

Mr. Mallis explained Sirna Construction was not the lowest bid but the lower bid did not meet all of the specifications. Mr. Saunders wondered if it was going to be ADA accessible. Mr. Mallis explained only one entrance had to meet ADA specifications/requirements.

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

ORDINANCE NO. 9445-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH C & J CONTRACTORS FOR THE DEMOLITION OF 154 GREENCROFT AVENUE (P.P. #811-02-046) 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: Saunders, Zolata, Spinks, Koci, Mizesak, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to place Ordinance No. **9445-16** on third and final reading and passed.

Mr. Mallis explained this home was in deplorable condition, in need of significant repairs. The Building Commissioner previously determined that there were life safety issues, including no electricity, water, or gas which render the premises not habitable and was vacant. The owners have failed to maintain the premises as required per the Codified Ordinances.

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

ORDINANCE NO. 9446-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH C & J CONTRACTORS FOR THE DEMOLITION OF 41 TUDOR AVENUE (P.P. #811-02-003) AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9446-16** on third and final reading and passed.

Mr. Mallis said this home was also deplorable. Mrs. Spinks thanked everyone for following up on the condition and concerns of this home. Not only was it deplorable but it was infested with raccoons.

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

Mr. Gambosi clarified the CRA Ordinances involved with the next three Ordinances on the agenda were: Ordinance No. 7402-01 for Ordinance No. 9447-16, Ordinance No. 7716-05 for Ordinance No. 9448-16 and Ordinance No. 7940-07 for Ordinance No. 9449-16.

ORDINANCE NO. 9447-16 AN ORDINANCE TERMINATING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND BEN VENUE LABORATORIES INC. (ORDINANCE 7402-01), THEN TO WEST WARD PHARMACEUTICALS (ORDINANCE 9281-15), THEN TO XELLIA PHARMACEUTICALS USA, LLC (ORDINANCE 9428-16). (HEREINAFTER REFERRED TO AS “OWNER”) AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to place Ordinance No. **9447-16** on first reading.

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

ORDINANCE NO. 9448-16 AN ORDINANCE TERMINATING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND BEN VENUE LABORATORIES INC. (ORDINANCE 7402-01), THEN TO WEST WARD PHARMACEUTICALS (ORDINANCE 9281-15), THEN TO XELLIA PHARMACEUTICALS USA, LLC (ORDINANCE 9428-16). (HEREINAFTER REFERRED TO AS “OWNER”) AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Pozar to place Ordinance No. **9448-16** on first reading.

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

ORDINANCE NO. 9449-16 AN ORDINANCE TERMINATING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND BEN VENUE LABORATORIES INC. (ORDINANCE 7402-01), THEN TO WEST WARD PHARMACEUTICALS (ORDINANCE 9281-15), THEN TO XELLIA PHARMACEUTICALS USA, LLC (ORDINANCE 9428-16). (HEREINAFTER REFERRED TO AS "OWNER") AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9449-16** on first reading.

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

Motion to accept the Planning Commission recommendation of November 1, 2016 for Saint Servan Centre LTD, 30799 Pinetree Road, #254, Cleveland, OH owner of 480 Northfield Road who is seeking relief from 1927.02 (j) of the Codified Ordinances of the City of Bedford for an Adult Day Care Service 5 days a week 9:00 a.m. to 3:00 p.m. (PC Tabled 9/7/16 – PC Tabled 9/20/16 – PC Approved 11/1/2016)

Motion made by Mizensak seconded by Pozar to table the Planning Commission's recommendation of November 1, 2016 for Saint Servan Centre LTD.

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

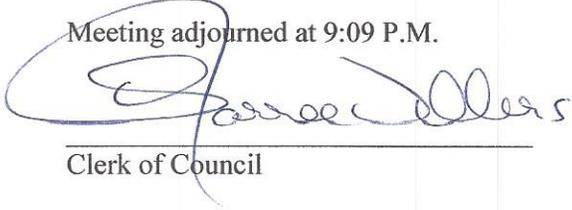
Beverly Goldstein, Bev4Congress, District 11, approached the lectern and gave her campaign speech for the District 11 seat the night before the election. She was running against congressional opponent Representative Marcia Fudge.

Bill Astalos, 685 Archer Road, had a complaint about the call he made to the Central Dispatch Center on October 27, 2016. He was not pleased with the quality of service he received and the fact the Officer in Charge did not follow up with him. He even came to the Police Department and was not still satisfied with the service. The Officer in Charge was usually the Chief or Deputy Chief. Mayor Koci said if he ever had another problem like this and didn't get the service he expected he was to stop by City Hall and/or call him personally. Mr. Mallis explained Officers were doubled up on traffic stops and/or house calls. He apologized to Mr. Astalos said he would look into the matter. Mayor Koci added he could call his Ward Councilman and/or him if he wasn't getting the service or information he needed.

Jeff Duber, 134 Harriman Street, had concerns/questions regarding NOPEC and wondered if the terms were going to be the same. Mr. Mallis recently received communication via email and believed the terms were the same. He would follow up with him if it were any different than stated.

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

Meeting adjourned at 9:09 P.M.


Clerk of Council


Mayor - President of Council