

COUNCIL WORK SESSION

MONDAY, JULY 20, 2015

6:00 P.M. PROMPT

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- **DISCUSSION OF AGENDA**
- **DISCUSSION OF CIVIL SERVICE COMMISSION RE-APPOINTMENT**
(James (Dell) Judd – August 2015 to 2018 adjusted 3 yr. term)
- **EXECUTIVE SESSION** – (Economic Development/Land Acquisition/Personnel)

Bedford, Ohio

July 20, 2015

Bedford City Council met in a Work Session at Bedford City Hall on Monday, July 20, 2015 at 6:09 p.m.

Present: Council Members: Mayor Stan Koci, Paula Mizensak, Marilyn Zolata, Walter Genutis, Don Saunders, Greg Pozar, Sandy Spinks. Absent: None. Administration: City Manager Michael Mallis, Law Director John Montello, Clerk of Council Lorree Villers. Also Present: Deacon LeVelle Woodruff.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council did not have any issues with the minutes of June 1, 2015, June 8, 2015 or the June 29, 2015 Public Hearing.

Ordinance No. 9270-15 amended Chapter 915.02 "Garbage and Refuse".

This was the final reading of this Ordinance this evening in order to allow resident/audience participation. *Clarification purposes: The Codified needed to be amended so any expense or cost incurred by the City for collecting and disposing of garbage/refuse collection, recycling and disposal would be paid by the owner of the building or premises. This includes any unpaid fees for garbage/refuse collection, recycling and disposal removal as outlined in Section 915.02. These expenses/costs incurred by the City would be recovered by an action at law or assessed against the lands of the owner, shall become a lien thereon and shall be collected in the manner provided by law for assessments. The Finance Director shall establish by July 1st of each year, an estimate of the next year's solid waste collection costs and projected fees. The fees shall be determined as follows: 1) Estimating the next year's expected solid waste collection costs, 2) Estimating the year-end balance in Fund #221, and 3) the Estimated "Required Resources" would be the sum of next year's expected costs; plus the repayment of any expected advances during the current year; less the expected year fund balance; the sum shall be increased by the delinquency percentage experienced in the current year's first half collection of the refuse assessments by the County Auditor and any indirect cost or allocations incurred by any department by providing services. 4) As of July 1st of the current year, the Finance Director would determine and identify the number of parcels having a one-family, two-family or three-family dwellings listed on the County Auditor's records and assessed as \$14.00 for a single family dwelling, \$28.00 for a two family dwelling and \$42.00 for a three family dwelling. Mr. Montello noted this assessment would be handled the same as the street lighting assessments. Vacant homes, delinquencies and the container cost were built into the monthly fee. It was determined there were 250 double and triple units in Bedford and the four unit dwellings had to contract with a private hauler. Another focus was to make recycling easier so the rubbish tonnage would decrease which would also be a cost savings. It was determined with the previous State budget cuts and the loss of Ben Venue it was unfortunately time to assess for rubbish collection.*

Council members and the Administration had no comments or concerns.

Ordinance No. 9271-15 levied assessments for Garbage and Refuse for 1, 2, 3 family dwellings.

This was the final reading of this Ordinance this evening in order to allow resident/audience participation. There was a Public Hearing on June 29, 2015 for resident participation as well. *Clarification purposes: The Ohio Revised Code Sections and soon to be revised Chapter 915 of the Codified Ordinances permit the assessment for the collection and disposal of garbage/refuse collection, recycling and disposal. Codified Chapter 915 would provide the Finance Director to establish an estimate of the next year's solid waste collection costs and projected fees for the purpose of establishing the applicable rates for the following year to be charged by the City of garbage/refuse collection, recycling and disposal. This basically allowed the Finance Director to set the rates.*

Mayor Koci referenced Ordinance No. 6035-89 that spoke of rubbish assessments in the 1990's. He did not feel a \$4 increase was too much considering the lapse of years and the numerous years the residents didn't pay for this service. There was discussion of the numerous surrounding communities that currently charged their residents for rubbish/recycling and some of the cities were currently in discussions to start charging.

Charging for rubbish was more common than most realized especially with the budget cuts and financial stresses some of the cities were experiencing. Some cities implemented an Income Tax/Property Tax increase instead of a rubbish fee. The Administration and Council understood the need of the assessment because of the financial difficulties. It was determined that most of the residents understood the assessment once they knew the facts. Council had no questions or concerns and was ready to move forward.

Resolution No. 2493-15 contracted with Constellation Energy Services, Inc. for Electric Aggregation. Mr. Gambosi and Mr. Mallis explained this rate was for non-NOPEC customers/facilities which affected the Municipal Buildings, WWTP pump stations and Ellenwood. In 2014, the rate was 6.3%-6.4% and it had decreased/dropped to 5.5%. This was a \$70,000 consumption savings for the City.

Ordinance No. 9276-15 was an agreement with UH Bedford Medical Center for UH Police Officers. This issue was previously discussed and UH wanted to hire Police Officers at the Bedford hospital but they were also considering a couple of their other locations. This would relieve additional responsibilities/strain for the Bedford Officers if UH employed their own Officers. There was discussion and concerns of the 300 feet distance. It was determined everyone needed clarification so this would be read as a first reading.

Ordinance No. 9277-15 authorized a street name change from Taylor Parkway back to Egbert Road at the request of Art of Beauty. Everyone understood the request and had no issues with it.

Ordinance No. 9278-15 amended Ordinance Nos. 8479-09, 8567-10 Codified §137.13 (a)(b)(c) "Fees for the use of the Bedford City Jail facilities by other governmental entities". The Administration had been in discussions with Oakwood Village and the City of Bedford Heights regarding the housing of their inmates at the Bedford Municipal Jail. Mr. Mallis explained the City of Bedford was not going to do it for free, there would be a benefit to the City in this joint effort and it would probably only be for one (1) year. It cost about \$120 per day per inmate which included all the overhead. The City of Bedford was willing to help out and partner with its neighbors but Bedford's Jail could not assist other neighboring communities. The Administration was working on a straight forward monthly fee regardless of the number of inmates. The monthly cost of one inmate was the same monthly cost if there were ten. It was determined if the jail was full, Bedford's inmates would take priority and the other inmates would have to seek housing elsewhere. Council had no concerns.

Ordinance No. 9279-15 levied assessments for Bedford's criminal activity nuisance. There were three outstanding calls from 2014 that needed assessed. (See attachments to the Ordinance) Mr. Genutis wanted to know the reasons these residents were being assessed. Clerk Villers replied, disorderly conduct and domestic dispute type of calls. Council had no concerns.

Ordinance No. 9280-15 amended Codified §713.01 and §713.02 (d)(f) Enterprises in Public Places. Mr. Mallis explained there had been damages to the City Square multiple times which was becoming costly. After discussion it was determined this needed to be discussed further and would be read as a first reading.

Ordinance No. 9281-15 transferred the CRA Boehringer Ingelheim/Ben Venue to Hikma/West Ward. Mr. Gambosi and Mr. Mallis explained there was a TIRC meeting on August 5, 2015 which would address 2014. It was determined this would have be adjusted over time but for now it needed to be transferred. The Schools, Cuyahoga County and the City would address this CRA accordingly.

Ordinance No. 9282-15 was an agreement with Bricker & Eckler for the Community Improvement Corporation in the amount of \$7,500. Mr. Gambosi explained this was different than the BCDC and had a different filing process. The City Manager and Finance Director recommend the formation of a CIC to foster economic development and redevelopment of the Historical District abutting the Metroparks. Mr.

Pozar questioned why the City's Law Director couldn't handle it. Mr. Montello said this was something he could not address; the CIC could act as the legal representative.

Ordinance No. 9283-15 authorized the purchase of a Navistar Cab and Chassis for the Salt Truck in the amount of \$125,693. Mr. Mallis said the truck was budgeted, the bid was through ODOT and it was necessary to start the process now to prepare for the winter months. Council agreed.

Ordinance No. 9284-15 authorized the purchase of a service body on the Mechanics Truck in the amount of \$8,619. Mr. Mallis explained this was replacement parts not a new truck; mechanically it ran fine but the body had rusted away. This was a good way to save money by not purchasing a new truck. This too was budgeted and the company selected was the lowest quote.

Ordinance No. 9285-15 authorized the purchase of Rockside Road Cuyahoga County four parcels. Mr. Mallis said this purchase had an end user and was a positive move for the City. Additional information would be presented in the Executive Session this evening.

Ordinance No. 9286-15 amended Ordinance No. 7419-01, Codified §747.01 "False Alarms". Mr. Gambosi explained there continued to be costs associated with these calls and when the company chose not to pay there was no recourse for the City so he suggested they be assessed as we do for other billings. The difference was letter (f) "The Finance Director shall, upon notification of the respective Chiefs, give five (5) days' notice by regular mail to the owner of such property, at the owner's last known address, to pay the fees set forth herein. If the same is not paid within 30 days after the mailing of such notice, then the amount shall be determined to be delinquent and shall be entered upon the tax list and tax duplicate and shall be a lien on the property. This section does not preclude or limit any other means of collection as permitted by law." Mr. Gambosi considered sending letters to the businesses to inform them of the change.

Ordinance No. 9287-15 adopted the Capital Asset Disposal Policy written by Mr. Gambosi. He said this policy kept everything transparent and addressed the fair market value. He referenced Page 3 (B), Page 4 (A) (6), (7) and (C) and Page 5 (B) as highlighted on the policy attached to the Ordinance.

Ordinance No. 9288-15 was an emergency purchase for the Bedford Municipal Court in the amount of \$3,557 due to broken air conditioner for the Courts. Mr. Mallis and Mr. Gambosi explained that "emergency purchases" were spelled out in the Purchasing Policy as any purchase over \$1,000 needed to be approved by Ordinance.

Ordinance No. 9289-15 amended Ordinance No. 9231-14 making additional appropriations. Mr. Gambosi referenced his memo to Council with the reasons. See attached memo to the Ordinance. These amendments pertained to several funds as listed in the memo.

DISCUSSION OF CIVIL SERVICE COMMISSION RE-APPOINTMENT

(James (Dell) Judd – August 2015 to 2018 adjusted 3 yr. term)

Mr. Gambosi supported the re-appointment of Mr. Judd. Council had no issues with the re-appointment or the term month. It was determined the term date would be August 2015 to August 2018 when re-appointed.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci added a few comments this evening:

- 1) Mayor Koci stated all Council complaints needed to be given to the Administrative Assistant to the City Manager so they could be addressed accordingly and followed up in a timelier manner. As the

complaints were received they were added to the appropriate department's schedules and prioritized per their work load/manpower. He asked Council to be patient as the Administration worked through the process; some of these problems could not be addressed immediately/overnight. He urged Council to submit legit complaints and not a lot of minor issues as they were becoming overwhelming. If the process was not followed and complaints were told/given to several employees it was a waste of resources and man hours. Several employees being involved with the same complaint only caused confusion, a result in delaying the process and could affect the end result. It was determined if there was a situation over the weekend(s) that the Dispatchers could handle then the call was to go directly to Dispatch. (Examples: a dead animal on the road/sidewalk or an illegally parked vehicle.) It was determined certain situations needed to be called into the Police Department/Dispatch immediately as the situation could change before it could be added to the specific department's schedules and prioritized. He appreciated all the hard work the employees did handling the complaints along with their everyday tasks and deadlines. Again, he asked for everyone to be patient and let the complaint(s) go through the Administration's process.

- 2) Mayor Koci passed out information on United Way 2-1-1. If Council was talking to a resident that needed additional assistance they should tell the resident to call United Way 2-1-1 for assistance. This was a good organization and could be very beneficial to the resident.

At 7:37 p.m., Bedford City Council, City Manager Mike Mallis and Law Director John Montello went into an executive session to discuss Economic Development, Personnel and Land Acquisition.

Executive session adjourned at 7:57 p.m.

Work Session adjourned at 7:59 p.m.



Garret J. Miller

Clerk of Council



Steve Koci

Mayor - President of Council

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1. **CALL TO ORDER**
 2. **PLEDGE OF ALLEGIANCE**
 3. **ROLL CALL**
 4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of June 1, 2015
 - b. Approval of Minutes of the Regular Meeting of June 1, 2015
 - c. Approval of Minutes of the Special Work Session of June 8, 2015
 - d. Approval of Minutes of the Special Meeting of June 8, 2015
 - e. Approval of Minutes of the Public Hearing of June 29, 2015 [as corrected]
 5. **PRESENTATIONS** (None)
 6. **OLD BUSINESS** (1st Reading 5/18/15 -2nd Reading 6/1/15 – PH 6/29/15)
 - a. Ordinance No. 9270-15 amending Chapter 915.02 “Garbage and Refuse”
 - b. Ordinance No. 9271-15 levying assessments for Garbage/Refuse/Recycling for 1, 2, 3 family dwellings
 7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
 8. **NEW BUSINESS**
 - a. Resolution No. 2493-15 contract with Constellation Energy Services, Inc. for Electric Aggregation
 - b. Ordinance No. 9276-15 agreement w/UH Bedford Medical Center – UH Police Officers
 - c. Ordinance No. 9277-15 authorizing street name change from Taylor Parkway back to Egbert Road
 - d. Ordinance No. 9278-15 amending Ordinance Nos. 8479-09, 8567-10 Codified §137.13 (a)(b)(c) “Fees for the use of the Bedford City Jail facilities by other governmental entities”
 - e. Ordinance No. 9279-15 levy assessments for Bedford’s criminal activity nuisance
 - f. Ordinance No. 9280-15 amending Codified §713.01 and §713.02 (d)(f) Enterprises in Public Places
 - g. Ordinance No. 9281-15 transferring CRA Boehringer Ingelheim/Ben Venue to Hikma/West Ward
 - h. Ordinance No. 9282-15 agreement w/Bricker & Eckler for Community Improvement Corporation (\$7,500)
 - i. Ordinance No. 9283-15 authorize purchase of a Navistar Cab & Chassis Salt Truck (\$125,693)
 - j. Ordinance No. 9284-15 authorize purchase of a service body on the Mechanics Truck (\$8,619)
 - k. Ordinance No. 9285-15 authorize purchase of Rockside Road Cuyahoga County parcels
 - l. Ordinance No. 9286-15 amending Ordinance No. 7419-01- Codified §747.01 “False Alarms”
 - m. Ordinance No. 9287-15 adopt the Capital Asset Disposal Policy
 - n. Ordinance No. 9288-15 emergency purchase for the Bedford Municipal Court (\$3,557)
 - o. Ordinance No. 9289-15 amending Ordinance No. 9231-14 making additional appropriations
 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

July 20, 2015

Bedford City Council met in Regular Session at Bedford City Hall on Monday, July 20, 2015. Mayor Koci called the meeting to order at 8:03 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 Pozar to approve the minutes of the Work Session of June 1, 2015. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Genutis to approve the minutes of the Regular Meeting of June 1, 2015. 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 Pozar to approve the minutes of the Special Work Session of June 8, 2015. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Zolata, Spinks. Nays: None. Abstain: Saunders. Motion carried.

Motion made by Spinks and seconded by Zolata to approve the minutes of the Special Meeting of June 8, 2015. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Zolata, Spinks. Nays: None. Abstain: Saunders. Motion carried.

Motion made by Pozar and seconded by Saunders to approve the minutes as corrected of the Public Hearing of June 29, 2015 [as corrected]. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9270-15 AN ORDINANCE AMENDING CODIFIED ORDINANCE 915.02 ENTITLED “GARBAGE AND REFUSE” PLACED ON FIRST READING MAY 18, 2015 AND SECOND READING ON JUNE 1, 2015 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, Mizesak, Genutis, Pozar, Zolata, Spinks. Nays: Saunders. Motion carried.

Motion made by Spinks seconded by Zolata to place Ordinance No. **9270-15** on third and final reading and passed.

Mr. Mallis explained the changes gave the City the ability to charge and assess for the rubbish service. Mayor Koci said the Ordinance was read three times. He asked if Council had any comments. None stated.

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

ORDINANCE NO. 9271-15 AN ORDINANCE DECLARING THE NECESSITY OF ASSESSING THE EXPENSE OF GARBAGE/REFUSE COLLECTION, RECYCLING AND DISPOSAL WITHIN THE CITY OF BEDFORD AND CERTIFYING TO THE COUNTY AUDITOR THE COSTS DUE TO THE CITY OF BEDFORD FOR GARBAGE AND RUBBISH COLLECTIONS PLACED ON FIRST READING MAY 18, 2015, SECOND READING ON JUNE 1, 2015 AND PUBLIC HEARING ON JUNE 29, 2015 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. 9271-15 on third and final reading and passed.

Mr. Mallis explained the increase would be placed on the 2016 Tax Duplicate for one-family, two-family or three-family dwellings and assessed as \$14.00 for a single family dwelling, \$28.00 for a two family dwelling and \$42.00 for a three family dwellings. The annual cost would save the City \$700,000 for said services and currently the collection was being paid out of the General Fund. This assessment would only assist in the City's current deficit; it would not correct the entire issue. Mr. Gambosi added this item was mentioned at the Ward meetings, read three different times at Regular Council meetings and a Public Hearing held for resident input.

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

The Administration and Council were all pleased with the July 4th parade and appreciated all the efforts that made this wonderful parade happen. It was a great turn-out and the weather was beautiful.

City Manager Michael Mallis spoke of the recent and local flooding problems; however, he thought the Service Department had done a great job addressing the flooding issues. Preventative measures have been taken by jetting the sewer lines and catch basins. He had only received one complaint from someone from Bedford Heights regarding the parade. The Ellenwood Baseball Days were underway, World Changers were back and doing great work, the Columbus Road bridge bid had been delayed with a rebid in hopes the project be started by October 2015. It was determined the project would be completed faster with the inconvenience of the road/bridge being 100% closed.

Law Director John Montello announced the Maple Heights Senior Center Spaghetti Dinner fund raiser on August 2, 2015 at St. Andrews Orthodox Church for a cost of \$20 per ticket.

Finance Director Frank Gambosi attended the OML Tax seminar regarding HB5/SB5. He stated these changes would affect the residents and businesses; letters would be mailed by the end of the year.

Councilwoman Mizensak asked the City Manager to check on sign that was knocked down by Walgreens. She stated the process to file a complaint at City Hall was through the Administrative Assistant to the City Manager, Michelle Hollo, and in her absence the Council Clerk, Lorree Villers. There were 750+ tree concerns/complaints throughout the City. The Service Director informed her that the City was not participating in a tree replacement program; however, if the resident wanted to plant a tree they needed to call the Service Director Mr. Bellar for approval. She thanked the Building Department for their efforts in resolving some of her Ward issues.

Councilman Genutis believed the rubbish/recycling assessment fee was necessary due to the financial situation the City was experiencing. It was his job to represent the residents but the fee was necessary. Everything in Ward 2 was running smoothly.

Councilman Pozar gave kudos to the Building Department due to the heavy emphasis in Ward 5 specifically Noran Circle; the citations would improve the neighborhood. He asked if Mr. Goudreau had any plans for his empty store fronts. Mr. Mallis explained the discussions have been ongoing with Mr.

Goudreau and the property broker; however, nothing was carved in stone. With the recent former Target Store roof giving way due to standing water because of faulty roof drainage the demolition was viewed as a positive direction to free up 16 acres of developable land for construction of a big box store which was the focus. On another note, Mr. Pozar was surprised to hear Mr. Saunders' "no" vote pertaining to Ordinance No. 9271-15 at the City's time of need. There had been no opposition or negative discussion at any of the Work Sessions or during the reading process. The City really needed the funds during this crucial time. He requested the minutes be reflective of the thoughts of Mr. Saunders and why the opposition and a solution to recoup \$700,000.

Councilman Saunders had doubts of how the County was going to handle the construction to the Columbus Road Bridge starting in October; he felt the project should be started in February or March 2016. He pointed out the children would be in the dark on school mornings. He didn't think the whole project would be completed until the end of 2016. He said the Cuyahoga County Board of Elections recently completed a precinct reduction plan for a number of municipalities in the County. As a result, some precinct-to-polling place assignments were revised. They plan to proceed with these moves on Monday, July 27, 2015 due to lack of voting and petition signatures. The County also reduced the number of precinct locations in Wards 5 and 6 because of the decrease in population. He clarified the reason he voted "no" on the rubbish/recycling assessment was because the City has known about the deficit problem for 1 ½ years. He thought the deficit problem should have been dealt with in 2014. The issue should have been placed on the ballot like the City promised people in 2009 that if the City ran into a financial problem that the City would approach the residents and allow them to make the decision. In 2009 the City promised the residents if they passed the property tax increase the City would not institute a rubbish fee. The City "probably" told the residents that in the future the City would do the same type of thing. He said the City broke its promise by doing this even though times have changed and the City was in serious financial trouble. The City needed income but he thought the City should have let the residents know last November and let the residents make some type of an effort as to what the City should and shouldn't do. There was no doubts the City needed the money and a rubbish assessment may be reasonable. He was not 100% against the rubbish assessment because almost all communities had a rubbish collection. He said due to the fact that the City had already experienced this subject he wasn't breaking a promise and that's why he voted "no".

Councilwoman Zolata stated from 2009 to 2015 was a six (6) year period and during those years things had changed drastically in the City. She was not for the rubbish assessment; Council themselves would have to pay the assessment but if and/or when the financial deficit improved the assessment could be rescinded. She said in 2009 when the promise was made the City meant it but things had changed drastically since 2009. Nobody likes to do these kinds of things but sometimes it had to be done. She referred to the recent survey Clerk Villers had worked on and many, many communities now charged for many, many things. Her children in the City of Aurora paid for their rubbish/recycling all the time and they were billed by the company not the City. She added a lot of residents paid an additional sewer fee to the Regional Sewer District. She stated a Public Hearing was held regarding the rubbish/recycling assessment and her observation was the residents were very understanding and very good about it; nobody loved the idea but that was the way it was. The City had made an effort not to lay employees off or break any other promises, services had not been cut but prioritized and streamlined; she felt the City had kept its promises. She was proud of the Service Department and Water Department employees' efforts regarding the recent water main break on Broadway Avenue. The employees were there at 10:00 p.m. and were committed to the project/problem until 7:30 a.m. the next morning. She pointed out that sometimes this might be the reason a new complaint called in the next day might not be handled immediately that day was because the employees worked through the night on another issue and had to go home and get some sleep. When there was a major problem employees from another department assisted so re-prioritizing the next day's workload was expected and should be understood. She commended the efforts of the Ellenwood Recreation Department and the efforts they all do for the programs. She urged

others to get involved with the Meals on Wheels program and urged everyone to donate, volunteer and assist with the events on the City Square.

Councilwoman Spinks stressed things in the City had changed since 2009, she gave kudos to the Finance Director and the City Manager for being proactive in the City's financial concerns. Council members were also residents and were also affected by the rubbish assessment. She tried not to make promises because sometimes there were times you just can't keep the promise. She gave kudos to the Chamber of Commerce, Dot Schwende and others involved in different organizations for their efforts to make Bedford a great place. The Sunday Serve was another success this year helping several families. She spoke about a joint program with the Church of Nazarene and the Senior Program on assisting some of the residents on projects around their homes. She reported the Wal-Mart Grand Re-opening was July 31, 2015; currently the store was still under construction. She reminded everyone the Hoop It Up program was August 8, 2015.

Mayor Koci said there needed to be a special attention at Wal-Mart for those that were climbing over the fence. He reminded the residents the Chipper Service was the first full week of each month and their debris needed to be reported to the Service Department otherwise they don't know it exists. He stated all of the employees were doing a great job by going above and beyond during these tough times; the City's employees were dedicated. He informed everyone that there was a rubbish assessment in 1989 and the nice thing about an assessment was it could be removed which in this case it was removed when the Safety Forces Levy was approved by the residents. He reminded everyone decisions were made by the Administration and Council for the greater good for the City to maintain the services those expect to keep.

RESOLUTION NO. 2493-15 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR ELECTRICAL POWER WITH CONSTELLATION ENERGY SERVICES, 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 resolution three different days.

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

Motion made by Saunders seconded by Mizsak to place Resolution No. 2493-15 on third and final reading and passed.

Mr. Mallis explained the contract provided electrical to all the non-NOPEC consumption accounts at the Municipal facilities/buildings at a one year rate of 6.3% and a three year rate of 5.5% at a savings of \$70,000. This would help with the City's financial deficit.

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

ORDINANCE NO. 9276-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH UH REGIONAL HOSPITALS BDA UNIVERSITY HOSPITALS BEDFORD MEDICAL CENTER (“UH”) TO AUTHORIZE UH TO DESIGNATE PERSONS TO ACT AS POLICE OFFICERS FOR UH AS PERMITTED BY THE OHIO REVISED CODE (“RC”) AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to place Ordinance No. 9276-15 on first reading. This would allow UH to have actual sworn-in Officers on duty to assist our Officers. UH offers this service in other locations.

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

ORDINANCE NO. 9277-15 AN ORDINANCE ESTABLISHING TAYLOR PARKWAY BETWEEN UNION STREET AND THE MUNICIPAL BOUNDARY LINE AS EGBERT ROAD 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: Koci, Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Zolata to place Ordinance No. 9277-15 on third and final reading and passed.

Mr. Mallis explained this action was merely to change it back to the original road name of Egbert Road.

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

ORDINANCE NO. 9278-15 AN ORDINANCE AMENDING SECTION 137.13 (a) (b) (c), ENTITLED “FEES FOR THE USE OF THE BEDFORD CITY JAIL FACILITIES BY OTHER GOVERNMENTAL ENTITIES” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Genutis to suspend the rule requiring the reading of said ordinance 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 Saunders to place Ordinance No. 9278-15 on third and final reading and passed.

Mr. Mallis explained the amendment allowed the Chief of Police and the City Manager to negotiate rates for housing prisoners. The City of Bedford Heights closed their facility so they had to make sure their prisoners had somewhere to go.

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

ORDINANCE NO. 9279-15 AN ORDINANCE TO LEVY ASSESSMENTS FOR BEDFORD'S CRIMINAL ACTIVITY NUISANCE ORDINANCE IN THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizsak seconded by Pozar to place Ordinance No. **9279-15** on third and final reading and passed.

Mr. Mallis explained this was the assessment process for those residents/landlords that did not pay their criminal nuisance activity per the Police Department.

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

ORDINANCE NO. 9280-15 AN ORDINANCE AMENDING CHAPTER 713.01 ENTITLED “PERMIT FOR USE OF PUBLIC PLACE” AND CHAPTER 713.02 (d) (f) ENTITLED “CONDITIONS OF PERMIT” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Saunders to place Ordinance No. **9280-15** on first reading.

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

ORDINANCE NO. 9281-15 AN ORDINANCE TRANSFERRING THE COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF BEDFORD AND BEN VENUE LABORATORIES, INC. /BOEHRINGER INGELHEIM (“BEN VENUE”) TO WEST WARD PHARMACEUTICALS (“WEST WARD”) AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9281-15** on third and final reading and passed.

Mr. Mallis explained this was the transfer of the tax abatements that was offered to West Ward during their relocation to Bedford. This would be amended/revised annually accordingly.

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

ORDINANCE NO. 9282-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BRICKER & ECKLER LLP FOR COMMUNITY IMPROVEMENT CORPORATION (CIC) 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: Koci, Mizsak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to place Ordinance No. **9282-15** on third and final reading and passed.

Mr. Mallis allowed Bricker and Eckler LLP to act as a facilitator for the City on certain matters centered on Economic Development for numerous parcels that were prime land for development.

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

ORDINANCE NO. 9283-15 AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE 2016 INTERNATIONAL NAVISTAR TRUCK 7400 SFA 4X2 (SA525) CAB AND CHASSIS EQUIPPED WITH A STAINLESS STEEL SPREADER AND PLOW HITCH 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 Spinks seconded by Zolata to place Ordinance No. **9283-15** on third and final reading and passed.

Mr. Mallis explained this purchase would replace the 1992 salt truck that was in poor condition through the ODOT bidding process and was previously budgeted for.

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

ORDINANCE NO. 9284-15 AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) 2015 SERVICE BODY TO BE INSTALLED ON A 2000 CHEVROLET CAB AND CHASSIS FOR THE SERVICE DEPARTMENT (Mechanics Truck) FROM CENWELD TRUCK BODIES AND EQUIPMENT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Mizensak seconded by Pozar to place Ordinance No. **9284-15** on third and final reading and passed.

Mr. Mallis explained this purchase was for replacement panels; not a new vehicle and was previously budgeted for. This was the lowest quote out of the two presented.

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

ORDINANCE NO. 9285-15 AN ORDINANCE AUTHORIZING THE CITY OF BEDFORD TO PURCHASE PERMANENT PARCELS #812-02-001, #812-02-002, #812-02-004 AND #812-02-011 LOCATED ON THE NORTH SIDE OF OLD ROCKSIDE ROAD IN BEDFORD, OHIO PRESENTLY OWNED BY CUYAHOGA COUNTY, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9285-15** on third and final reading and passed.

Mr. Gambosi explained these parcels were currently leased by Cuyahoga County and the City had an end user interested in purchasing these parcels working with the CIC; this was benefit for the City.

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

ORDINANCE NO. 9286-15 AN ORDINANCE AMENDEING ORDINANCE NO. 7419-01 CHAPTER 747.01 ENTITLED “FALSE ALARMS” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD 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, Mizsak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Ordinance No. **9286-15** on third and final reading and passed.

Mr. Gambosi explained the City Police and Fire Departments continued to respond to “false alarms”; this amendment allowed the City to assess those violators if they chose not to pay when billed by the City.

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

ORDINANCE NO. 9287-15 AN ORDINANCE ADOPTING THE CITY OF BEDFORD’S CAPITAL ASSET DISPOSAL POLICY 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, Mizsak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9287-15** on third and final reading and passed.

Mr. Gambosi explained the amendments were for real estate transactions done by the City.

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

ORDINANCE NO. 9288-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMFORT SYSTEMS USA FOR AN EMERGENCY PURCHASE AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis seconded by Spinks 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 Saunders seconded by Pozar to place Ordinance No. **9288-15** on third and final reading and passed.

Mr. Gambosi explained the emergency purchase was for the air conditioning system for the data processing center which needed to be kept cool. There was a process for emergency purchases per the Purchasing Policy.

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

ORDINANCE NO. 9289-15 AN ORDINANCE AMENDING ORDINANCE NO. 9231-14 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2015 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, Mizesak, Genutis, Pozar, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Ordinance No. **9289-15** on third and final reading and passed.

Mayor Koci explained these transactions kept the budget balanced. Mr. Gambosi said these were mostly grants, a new computer system and a new phone system; updates were necessary.

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

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

Kathy Williams, 149 Lamson Street, referenced Ordinance No. 9278-15 regarding the jail facilities and asked: How many? How often? What cities? Mr. Mallis explained the City of Bedford Heights closed their jail abruptly and the prisoners needed to be housed elsewhere. This was not a long term agreement;

however, Bedford Heights and Oakwood would be responsible for all costs involved concerning their prisoners. The Village of Oakwood kindly provided the City of Bedford with a very nice used K-9 unit for our new K-9 Officer. The City of Bedford would negotiate the agreement. He assured her prisoners would be contained and not running around her neighborhood. Safety measures and professionalism would continue as expected.

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

Meeting adjourned at 9:33 P.M.


Clerk of Council


Mayor – President of Council