

COUNCIL WORK SESSION

JANUARY 3, 2017

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF EQUALIZATION OF WARDS** – (Charter Art. II, Section 1 (c)) (11/21/16-12/5/16-12/19/16)
- **DISCUSSION OF ARTS AND CULTURAL BOARD** – (§149 / Ord. #9252-15 w/Bylaws) (10/17/16-11/7/16-11/21/16-12/5/16-12/19/16)
- **EXECUTIVE SESSION** – (Personnel / Economic Development)

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, January 3, 2017 at 6:35 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Marilyn Zolata, Donald Saunders, Greg Pozar and Paula Mizsak. Absent: None. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello. Residents: Beth Housiaux-Stewart, 93 Avalon and Joyce Daunch, 86 Harriman Street.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the Regular Meeting of December 19, 2016 and the Work Session of December 19, 2016.

ORDINANCE NO. 9464-17 AN ORDINANCE AMENDING ORDINANCE NO. 9300-15, PASSED SEPTEMBER 8, 2015 PROVIDING COMPENSATION FOR THE CLERK OF COURT AND DECLARING AN EMERGENCY

Mr. Mallis explained Judge Melling recommended a five percent (5%) raise to coincide with the raises provided by the Supreme Court to the Judiciary and in consideration of the outstanding efforts of Mr. Day in regards to efficiency and economics of administration of the Court. This increase was mandated by the State. Mr. Day managed several employees performing several duties. The increase would be effective January 1, 2017.

ORDINANCE NO. 9465-17 AN ORDINANCE AMENDING ORDINANCE NO. 9335-15 PROVIDING FOR A CONTRACT WITH GPD GROUP FOR ENGINEERING SERVICES WITHIN THE CITY OF BEDFORD AND DECLARING AN EMERGENCY

Mr. Mallis explained this amendment to the contract and the increases would only be applied for projects addressed in 2017. The 2016 projects would be at the rate for 2016. He explained the engineering costs for the Dominion gas line project would be billed through GPD Group and reimbursed by Dominion so the City would not be paying the engineering costs. Mayor Koci mentioned this issue was explained by Mr. Ciuni at the Work Session on December 19, 2016.

ORDINANCE NO. 9466-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE YEAR EXTENSION OF THE CURRENT CONTRACT BETWEEN THE CITY OF BEDFORD AND OHIO COUNCIL 8 AND LOCAL 2007 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO AUTHORIZED BY ORDINANCE NO. 9322-15 AND DECLARING AN EMERGENCY

Mr. Mallis explained AFSCME agreed to extend the provisions of the existing agreement for an additional year until December 31, 2017 given the current financial condition of the City and the economy in general. He explained AFSCME requested a meeting with the Administration to discuss their several questions of concern. He assured Council the union employees realized the importance of the pay freeze for one year.

ORDINANCE NO. 9467-17 AN ORDINANCE AMENDING SECTIONS 178.012 "PURPOSES OF TAX; RATE" AND 178.013 "ALLOCATION OF FUNDS" OF THE CODIFIED ORDINANCES INCREASING THE INCOME TAX RATE BY THREE QUARTER PERCENT (3/4%) TO THREE PERCENT (3%) EFFECTIVE ON JULY 1, 2017 IN THE CITY BEDFORD AND DECLARING AN EMERGENCY

Mr. Mallis explained the three union contract pay increase freezes were three pieces of the big picture. Some of the other pieces considered were: the not yet determined levy percentage of 1/2% or 3/4%, the \$700,000 residential rubbish assessment, the restructuring of some of the employee positions and hiring at

a lower rate to avoid possible lay-offs. The goal at 3/4% was to bring back the road and sidewalk programs and hire three additional Police Officers. He stressed the additional Officers could only be hired if the tax increase was at 3/4% not 1/2% because three additional Officers would cost \$350,000. The City had contracted with Impact Group for marketing services to determine what direction and what percentage the residents wanted the Administration to take. If the residents wanted the 1/2% then other avenues would have to be considered. Discussion was held of the services Impact Group would take to contact the residents so they could get a good read on what the residents wanted. Discussion was held whether it was possible to shuffle the Fire Department to save money. One concern was the cost of overtime if a Firefighter was sick, on vacation or got hurt.

RESOLUTION NO. 2509-17 A RESOLUTION DIRECTING THE CUYAHOGA COUNTY BOARD OF ELECTIONS TO PLACE UPON THE BALLOT OF THE PRIMARY ELECTION TO BE HELD ON MAY 2, 2017, A QUESTION TO THE BEDFORD ELECTORATE TO INCREASE THE RATE OF THE BEDFORD CITY INCOME TAX BY THREE QUARTERS PERCENT (3/4%) TO A TOTAL OF THREE PERCENT (3%) FOR THE PURPOSE OF PAYMENT OF CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY OF BEDFORD AND DECLARING AN EMERGENCY

Mr. Mallis explained the amount of taxes raised at the current Income Tax rate would be insufficient to provide an adequate amount of the necessary requirements, basic City services and a balanced budget. It was necessary to increase the City Income Tax for the purpose of the payment of current expenses and general operation of the City. The wording for the ballot was: Shall the Ordinance providing for a three-quarters percent (3/4%) increase of the municipal income tax rate in the City of Bedford, to a rate of three percent (3%) per annum, effective January 1, 2018, for the purpose of the payment of current expenses and general operation of the City of Bedford including increasing Police personnel". It was clear the City was going to increase Police Officers.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF EQUALIZATION OF WARDS – (Charter Art. II, Section 1 (c)) (11/21/16-12/19/16)

Mr. Saunders previously requested the City needed to address the Wards after the Presidential election per the Charter. Mr. Montello said he had contacted the Board of Elections and believed it was going to be per population of each Ward. The one person he needed to talk to at the Board of Elections was on vacation until after the first of the year. He would follow up with Council at the next Work Session.

DISCUSSION OF ARTS AND CULTURAL BOARD – (§149 / Ord. #9252-15 w/Bylaws) (10/17/16-11/7/16-11/21/16-12/19/16)

Mayor Koci felt it was best to talk to the Chair and Vice-Chairman prior to Council making a decision. No decision was made this evening and would be discussed at the next Work Session.

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

At 7:15 p.m., Bedford City Council, City Manager Mike Mallis, Law Director John Montello and Finance Director Frank Gambosi went into an executive session to discuss Personnel / Economic Development.

Executive Session adjourned at 7:55 p.m.

Motion by Saunders and seconded by Spinks to adjourn executive session. The roll was called. Vote – Yeas: Zolata, Koci, Genutis, Mizesak, Saunders, Spinks, Pozar. Nays: None. Motion carried unanimously.

Work Session adjourned at 7:57 p.m.



Clerk of Council



Mayor – President of Council

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of December 19, 2016
 - b. Approval of Minutes of the Regular Meeting of December 19, 2016

5. **PRESENTATIONS**

6. **OLD BUSINESS**

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

8. **NEW BUSINESS**
 - a. Ordinance No. 9464-17 amend Ord. #9300-15 providing compensation for the Clerk of Court (\$106,973)
 - b. Ordinance No. 9465-17 amend Ord. #9335-15 contract w/GPD Group for Engineering services
 - c. Ordinance No. 9466-17 extension of Ohio Council 8 Local 2007 AFSCME AFL-CIO contract (Ref: 9322-15)
 - d. Ordinance No. 9467-17 amend §178.012 "Purposes of Tax; Rate" / §178.013 "Allocation of Funds"
 - e. Resolution No. 2509-17 directing Board of Elections to place upon the May ballot the question of whether the rate of Income Tax shall be increased by three-quarters percent (3/4%) to three percent (3%)

9. **HEARING OF CITIZENS**

10. **ADJOURNMENT**

Bedford City Council met in Regular Session at Bedford City Hall on Tuesday, January 3, 2017. 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: Mizensak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Absent: None.

Motion made by Spinks and seconded by Zolata to approve the minutes of the Work Session Meeting of December 19, 2016. The roll was called. Vote – Yeas: Mizensak, Genutis, Saunders, Zolata, Spinks, Koci. Nays: None. Abstain: Pozar. Motion carried.

Motion made by Mizensak and seconded by Saunders to approve the minutes of the Regular Meeting of December 19, 2016. The roll was called. Vote – Yeas: Mizensak, Genutis, Saunders, Zolata, Spinks, Koci. Nays: None. Abstain: Pozar. Motion carried.

Mayor Koci presented a Proclamation to the Grossenbaugh family regarding the recent passing of Rose Grossenbaugh. Council and the Administration expressed their heartfelt condolences to the Grossenbaugh family and shared memories of their father former Mayor Donald Grossenbaugh and the First Lady.

Council and the Administration wished everyone a Happy New Year.

City Manager Michael Mallis announced Impact Marketing would be holding a Public Meeting at Ellenwood Recreation Center on January 10, 2017 at 2:00 p.m. and 6:00 p.m. unless he could reschedule the later meeting to 7:30 p.m. to accommodate the working residents. This open forum would be for the proposed income tax increase the City was asking the residents to consider at $\frac{3}{4}\%$. The increase would generate enough money to start back up the road and sidewalk programs and hire three additional Police Officers. This issue would be on the May ballot. The State of the City would be at the LOHV on January 18, 2017 at 12:00 p.m.; the lunch cost was \$10 per person.

No reports from Law Director John Montello, Councilman Genutis and Councilman Pozar.

Finance Director Frank Gambosi reminded everyone the tax season was approaching and there were a few minor changes to the form.

Councilwoman Mizensak questioned how the Water Department payments were being collected. Mr. Gambosi said cash payments only at the window and the checks could be dropped in the white box in the parking lot. She thanked the Police Department for their professional services over the weekend.

Councilman Saunders reminded everyone not to park in the street during the snowfall. He urged everyone to shovel their sidewalks and help out their neighbors if they weren't able. He wished the Orthodox faith a Merry Christmas.

Councilwoman Zolata urged everyone to shovel their sidewalks and help their neighbors. She reminded the Administration to pay attention to the sidewalks on Northfield Road Bridge. She had concerns regarding the way some of the snow was plowed covering some of the sidewalks and how it made it difficult for all to walk.

Councilwoman Spinks talked about the service the Greencroft area received concerning the water leak from the company's bulldozer that damaged a waterline at the house that was demolished. She was thankful the temperature did not drop and the water freeze to ice.

Mayor Koci announced the next Council meeting would be Tuesday, January 17, 2017 at 8:00 p.m.

ORDINANCE NO. 9464-17 AN ORDINANCE AMENDING ORDINANCE NO. 9300-15, PASSED SEPTEMBER 8, 2015 PROVIDING COMPENSATION FOR THE CLERK OF COURT 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: Mizsak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Mizsak seconded by Pozar to place Ordinance No. **9464-17** on third and final reading and passed.

Mr. Gambosi explained this action allowed Bedford's Clerk of Court salary to be in line with the other elected Clerk of Courts. Bedford responsibility was 15% allocated by 14 other communities, 40% paid by Cuyahoga County. Mayor Koci said the pay increase was mandated by the State and Mr. Day was not getting a special raise above all the other employees that weren't receiving raises. Mr. Day did a great job.

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

ORDINANCE NO. 9465-17 AN ORDINANCE AMENDING ORDINANCE NO. 9335-15 PROVIDING FOR A CONTRACT WITH GPD GROUP FOR ENGINEERING SERVICES WITHIN THE CITY OF BEDFORD 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: Mizsak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Zolata to place Ordinance No. **9465-17** on third and final reading and passed.

Mr. Mallis explained the amendment to the contract for the GPD Group with an average increase of 2.2%. The City did not have any major projects planned for 2017; the existing projects would be billed at the previous rate. Some of the Inspectors would be paid by the company performing the project. Mayor Koci said the City's Engineer Joe Ciuni would not be receiving a raise.

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

ORDINANCE NO. 9466-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE YEAR EXTENSION OF THE CURRENT CONTRACT BETWEEN THE CITY OF BEDFORD AND OHIO COUNCIL 8 AND LOCAL 2007 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO AUTHORIZED BY ORDINANCE NO. 9322-15 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: Mizsak, Genutis, Pozar, Saunders, Zolata, Spinks, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9466-17** on third and final reading and passed.

Mr. Mallis explained the AFSCME agreed to take a pay freeze along with the Police and Fire unions.

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

Mayor Koci explained Ordinance No. 9467-17 and Resolution No. 2509-17 were the first step of placing this issue on the May 2, 2017 ballot. These two pieces of legislation could be amended after the January 10, 2017 Public Meeting at Ellenwood Recreation Center. Mr. Pozar clarified the issue itself would be placed on the ballot with the percentage either being ½% or ¾%. A ¾% tax increase would allow in the hiring of three additional Police Officers and bringing back the street and sidewalk programs.

ORDINANCE NO. 9467-17 AN ORDINANCE AMENDING SECTIONS 178.012 “PURPOSES OF TAX; RATE” AND 178.013 “ALLOCATION OF FUNDS” OF THE CODIFIED ORDINANCES INCREASING THE INCOME TAX RATE BY THREE QUARTER PERCENT (3/4%) TO THREE PERCENT (3%) EFFECTIVE ON JANUARY 1, 2018 IN THE CITY BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9467-17** on first reading.

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

RESOLUTION NO. 2509-17 A RESOLUTION DIRECTING THE CUYAHOGA COUNTY BOARD OF ELECTIONS TO PLACE UPON THE BALLOT OF THE PRIMARY ELECTION TO BE HELD ON MAY 2, 2017, A QUESTION TO THE BEDFORD ELECTORATE TO INCREASE THE RATE OF THE BEDFORD CITY INCOME TAX BY THREE QUARTERS PERCENT (3/4%) TO A TOTAL OF THREE PERCENT (3%) FOR THE PURPOSE OF PAYMENT OF CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY OF BEDFORD INCLUDING INCREASING POLICE PERSONNEL AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Spinks to place Resolution No. **2509-17** on first reading.

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

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

Sarah Gnoddie, 331 Marion, agreed the sidewalks needed to be shoveled by the residents and the businesses; she listed the businesses she felt were the worst and wondered if they could be cited. She also suggested the diversion children or another organization be put to task to shovel the sidewalks. She also pointed out the brick sidewalks at the interior of City Square were not shoveled to be able to enjoy the seasonal attractions. She asked what the current tax credit was. Mr. Gambosi replied 1 ½% but it depended on what the public wanted to do from the information gathered by Impact Marketing.

Eileen Barto, 155 W. Glendale, missed work because her street was not plowed timely. She was upset to see the Service Department plow trucks on her street the following Sunday three times getting paid overtime for a day the weather was not as bad.

Beth Housiaux-Stewart, 93 Avalon, was happy to hear the additional percentage was being considered for additional Police Officers. She reported in the last two weeks Walgreens was robbed, a murder was reported and gun fire at the apartments near her home. She talked about when her family members were here for the holidays and in conversation she pointed out the locations of the robberies of recent. She would support the cause to promote the tax increase but not the cause to pay Officers to cull deer.

Diane Astalos, 685 Archer Road, pointed out the best source of getting information to the residents was the Bedford Advantage. The recent one had nothing in it about the tax increase. She and Mr. Mallis discussed the confusion with the elderly residents who did not understand the CodeRed alert or how to sign up for it. She felt it was a shame the information was not in the recent Bedford Advantage.

Jeff Duber, 134 Harriman, pointed out the City Hall telephone recording had not been updated. He asked if the City had done anything about snow removal on the Northfield Road Bridge. Mr. Mallis explained the Northfield Road Bridge was the last to be addressed by the Service Department. The snow was removed by a small piece of equipment, loaded into a dump truck and hauled away. The main, secondary and side streets were cleared prior to the bridge.

Sandy Slater (Nash), 118 Tarbell, stated this was the first time she had heard the City was having financial problems; she requested complete information. Mr. Gambosi informed her there were many reasons which started back in 2008 when Ben Venue started having problems. He listed some of the reasons were: a \$4 million loss of the closing of Ben Venue, \$1.5 million loss from various State cuts, not being able to recoup the \$2 million from the 2009 levy, the closing of Wal-Mart and Bedford's housing levels had decreased. Over the past few years, the City had internally dealt with numerous cuts and it still wasn't enough money. To help with the cuts the City had to assess the residents for rubbish at an annual cost of \$700,000 but it was still not enough to make up the missing \$1 million. The tax increase burden would be on those who lived outside Bedford but work here at the businesses. He assured Ms. Slater this was a very brief version of the finances but he was willing to give her the long version after the meeting. Mr. Mallis clarified the City's money concerns was not something that happened yesterday; the Administration and Council had been dealing with the money loss for many years. The Administration was looking long term budgeting to cover projects, infrastructure, streets, waterlines, sidewalks and so on at the ½% increase. The additional ¼% would be used for three additional Police Officers. She was confused by the ordinance description on the agenda because she didn't understand the request was to increase the income tax "by three-quarters percent (¾%) to three percent (3%)". She didn't realize she currently paid 2 ¼%; so $2\frac{1}{4}\% + \frac{3}{4}\% = 3\%$.

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

Meeting adjourned at 8:51 P.M.


Clerk of Council


Mayor - President of Council