

**COUNCIL WORK SESSION**

**MONDAY, OCTOBER 16, 2017**

**6:00 P.M. PROMPT**

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- **DISCUSSION OF AGENDA**
- **DISCUSSION OF HAWTHORN VALLEY YOUTH COUNCIL –**  
Liaison & Additional Student – (Ord. #9521-17)
- **DISCUSSION OF PARKING ON CITY STREETS**
- **EXECUTIVE SESSION –** (Personnel / Economic Development / Litigation) 121.22 (B) (1)

**PLEASE TURN OFF ALL CELL PHONES BEFORE MEETING**  
(Council Minutes and Agendas posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))

Bedford City Council met in a Work Session at Bedford City Hall on Monday, October 2, 2017 at 6:35 p.m.

Present: Council Members: Mayor Stan Koci, Donald Saunders, Sandy Spinks, Walter Genutis, Greg Pozar and Marilyn Zolata. Absent: Paula Mizsak. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi and Law Director John Montello. Residents: Trish Karabowicz, Jeff Asbury, Heather Rhodes, Bud and David Neff.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Mrs. Spinks requested to make a few amendments on Page 3 of the September 18, 2017 Work Session minutes. Mrs. Spinks read: 1) "Mr. Pozar noticed Mrs. Spinks was making comments and why she was sitting there laughing and she was clueless." Mrs. Spinks said it was the other way around, she told Mr. Pozar he was being disrespectful to Council when he asked her why she was laughing. Mr. Pozar disagreed, he felt what was documented was accurate. 2) Mrs. Spinks read: "Mrs. Spinks agreed with the Mayor and felt Mr. Pozar was campaigning." Mrs. Spinks said she never said that. Clerk Villers said she did make that comment. 3) Mrs. Spinks read: "Mrs. Spinks stated her husband made a lot of money and the recent 3% income tax increase was going to affect their home budget." Mrs. Spinks asked to have that comment removed. Mayor Koci said the comment was a personal issue. 4) Mrs. Spinks asked for the word "suggested" be changed to "asked" when she was talking to Mr. Gambosi about the spouses being removed from the hospitalization. Mr. Pozar was not in agreement with some of the amendments listed above by Mrs. Spinks. He felt the Clerk had documented what happened at the Work Session accurately. Mayor Koci said if Council did not agree to the items Mrs. Spinks listed as amendments he would ask for a comment to be added to the Regular Meeting minutes on Page 4 that Mr. Pozar made a gesture/reaction when Mrs. Spinks and Mrs. Zolata incorrectly voted "no" on her amendment to Ordinance No. 9524-17. Mr. Pozar said he did have a reaction when she voted "no" because he couldn't believe she voted "no" on her own amendment. Mayor Koci, Mrs. Spinks and Mr. Pozar were not in agreement of all the amendments. Clerk Villers asked Mrs. Spinks for her set of minutes with her requested amendments so she was clear as to what she wanted. Mrs. Spinks did not give Clerk Villers the amendments. Mr. Saunders, Mrs. Zolata and Mr. Genutis made no comments regarding the minute amendments. Mr. Pozar asked Mr. Montello what his ruling was regarding the motion at the September 18, 2017 Regular Council meeting when the Mayor as the Chairman was the first on a motion. He wanted to know if the motion needed to be clarified regarding the Mayor's and Mrs. Spinks amendment to Ordinance No. 9524-17. Mr. Montello explained the Mayor did have a "voice" per the Charter.

ORDINANCE NO. 9512-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION THE REAL PROPERTY LOCATED 83 HENRY STREET REGARDING PERMANENT PARCEL NUMBER 814-14-063 FROM THE CITY'S LAND BANK AND DECLARING AN EMERGENCY

Mr. Mallis reminded Council the property owners of 83 Henry Street offered to donate the lot; this lot had the garage on it. Mr. Montello felt it was best to fail the acceptance of the property and let the Land Bank take it because the City would have to pay the back taxes. Council agreed to fail this ordinance.

ORDINANCE NO. 9518-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 38 GOULD AVENUE (P.P. #811-21-029) AND DECLARING AN EMERGENCY

Mr. Mallis explained Ordinance Nos. 8931-12, 9088-13 and 9359-16 declared the property a nuisance and condemnable because of significant repairs. He said the Building Commissioner determined that there were life safety issues, including deterioration and unsafe conditions. The owners were previously notified and failed to repair the premises as requested by the City; however, now that the City was taking



action to demo the home the bank was now in panic mode. He said Mr. Beverly would inform them of all the issues that needed to be 100% completed; the deadline was October 8, 2017. Mr. Genutis questioned the idea of passing the ordinance this evening. Mr. Mallis explained they've had ample time to address some of the issues plus the home had been vacant for four (4) years. He reminded everyone this was the property that was infested with cockroaches and the Board of Health had to remove the children. He added the City also was getting different stories from the bank and the contractor because of the lack of communication. Council decided to pass the ordinance this evening.

Mayor Koci asked Mr. Gambosi to clarify Ordinance Nos. 9524-17 and 9525-17. Mr. Gambosi explained the terms of office were set and Council's compensation could not be changed while in office. He stated Council members could not give themselves a raise while they were in the middle of their term of office per State laws. Council has looked in regards to health care and the costs that have been escalating over the last three years. Current claims and administrative costs had reached \$150,000 for six (6) members of Council; the last two (2) years and the current past year was \$240,000. During the hospitalization benefit package discussions, there were discussions regarding their compensation in order to buy their own insurance and cost of living per their salaries. The increase would be a total of \$50,000 for seven (7) Council members at a \$600 per month increase in line with the costs of medical. In 2018, the Mayor, Ward 1, Ward 3 and Ward 5 would be offered this package and in 2020 it would affect Ward 2, Ward 4 and Ward 6. If the City had made this change three years ago the City would have netted \$390,000 in savings. These two Ordinances would be placed on second reading this evening in order to continue discussions.

ORDINANCE NO. 9524-17 AN ORDINANCE AMENDING ORDINANCE NO. 3457-69, PASSED DECEMBER 1, 1969, SECTION 151.26 ENTITLED "HOSPITALIZATION FOR COUNCIL AND MUNICIPAL COURT JUDGE" AND DECLARING AN EMERGENCY

Mayor Koci said this would be read as a second reading this evening. There were no comments from Council.

ORDINANCE NO. 9525-17 AN ORDINANCE MODIFYING THE SALARIES OF THE MAYOR AND COUNCIL FOR TERMS COMMENCING ON OR AFTER JANUARY 1, 2018 AND JANUARY 1, 2020 AND DECLARING AN EMERGENCY

Mr. Saunders questioned if this Ordinance repealed the original ordinance that gave Council a 3% pay increase every year. The first "whereas" was not clear. It was determined the annual percentage pay increase for Council would be discussed at a future meeting. Mayor Koci said this would be read as a second reading this evening.

ORDINANCE NO. 9528-17 AN ORDINANCE AMENDING ORDINANCE NO. 9405-16 ESTABLISHING PAY RANGES AS SUBSEQUENTLY AMENDED AND DECLARING AN EMERGENCY

Mr. Mallis explained the three positions were: Assistant Finance Director, Assistant Recreation Director both at a beginning pay range of \$42,000 - \$59,000 and the Business Development Liaison / Community Planning (permanent part-time) at a beginning pay range of \$33,000 - \$48,000. The Housing Inspector position was removed because there was no intentions in filling the position. Mr. Gambosi suggested a slight increase for the Assistant Finance Director's position for the flexibility in hiring a better qualified person. He requested VI be increased from \$59,000 to \$60,000. The thought was it could be amended at the Regular Council Meeting this evening. Mayor Koci said looking at the "Levels" of the positions he felt a Building Inspector was more important than an Assistant Recreation Director because of their duties and qualifications. It was requested this be passed this evening.

**RESOLUTION NO. 2517-17 A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF BEDFORD TO ENTER INTO A CONTRACT ON BEHALF OF THE CITY OF BEDFORD WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY FOR HEALTH SERVICES FOR THE YEAR 2018 AND DECLARING AN EMERGENCY**

Mr. Mallis explained this was an annual contract with the Health Department to contract for health services for the City with the General Health District of Cuyahoga County as required by the Ohio Revised Code. It was required all cities have a Health Department and since Bedford did not they contracted with the Board of Health. The Board of Health was a very handy tool for the City and businesses. He listed several areas in which their services were utilized including assisting businesses with grant opportunities when relocating. It was determined the cost was the same as last year at \$53,865.00.

**DISCUSSION OF SPECIAL ASSESSMENTS**

Mr. Gambosi wished to increase the cost from \$10 to \$40 for said services. The time that was spent doing the research by several employees was costly to the City when researching parcels, various assessments and so on. This would only affect those leaving the City not the residents. It was determined this would be submitted in Ordinance form at the October 16, 2017 Regular Council meeting to start the three reading process.

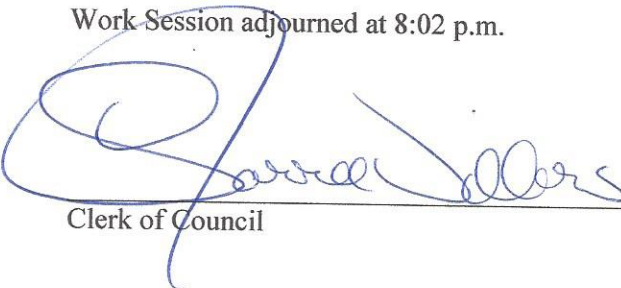
Motion made by Zolata seconded by Spinks to go into executive session to discuss Personnel / Economic Development / Litigation. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Genutis, Pozar. Nays: None. Motion carried unanimously.

At 7:38 p.m., Bedford City Council, City Manager Mike Mallis, Finance Director Frank Gambosi and Law Director John Montello went into an executive session to discuss Personnel / Economic Development / Litigation.

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

Executive Session adjourned at 8:00 p.m.

Work Session adjourned at 8:02 p.m.



Clerk of Council



Mayor – President of Council



**REGULAR MEETING**

**BEDFORD CITY COUNCIL  
STATE OF OHIO  
COUNTY OF CUYAHOGA**

**DATE: October 16, 2017**

**AGENDA**

**TIME: 8:00 P.M.**

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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 October 2, 2017
  - b. Approval of Minutes of the Regular Meeting of October 2, 2017
5. **PRESENTATIONS** – Hawthorne Valley Youth Council
6. **OLD BUSINESS** - (1<sup>st</sup> Rdg: 9/18/17 – 2<sup>nd</sup> Rdg: 10/2/17)
  - a. Ordinance No. 9524-17 amend Ord #3457-69, §151.26 pertaining to “Hospitalization for Council”
  - b. Ordinance No. 9525-17 amend Ords. #7382-01/#9438-16 salaries for the Mayor and members of Council
7. **REPORTS**
  - a. City Manager
  - b. Law Director
  - c. Finance Director
  - d. Council Reports
8. **NEW BUSINESS**
  - a. Ordinance No. 9529-17 amend Ordinance No. 8485-09 / §1901.03 Special Assessment Fee
  - b. Ordinance No. 9530-17 five year contract w/Julian & Grube, Inc. Auditor of State (\$26,000 per yr.)
  - c. Ordinance No. 9531-17 three year contract w/Auditor of State for Local Government Services (\$19,500 per yr.)
  - d. Ordinance No. 9532-17 enacting Chapter 750 - “Medical Marijuana”
9. **HEARING OF CITIZENS**
10. **ADJOURNMENT**

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(Council Minutes and Agendas posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))

Bedford City Council met in Regular Session at Bedford City Hall on Monday, October 2, 2017. Mayor Koci called the meeting to order at 8:05 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Saunders, Zolata, Spinks, Koci, Genutis, Pozar. Absent: Mizesak.

Motion made by Pozar seconded by Saunders to excuse Councilwoman Mizesak. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to approve the minutes of the Work Session Meeting of September 18, 2017. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to approve the minutes of the Regular Meeting of September 18, 2017. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Genutis, Pozar. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9512-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION THE REAL PROPERTY LOCATED 83 HENRY STREET REGARDING PERMANENT PARCEL NUMBER 814-14-063 FROM THE CITY'S LAND BANK PLACED ON FIRST READING SEPTEMBER 5, 2017 AND SECOND READING SEPTEMBER 18, 2017 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, Koci. Nays: Spinks, Genutis, Pozar. Motion carried. Mrs. Zolata and Mayor Koci pointed out this was a motion to suspend the rules.

Motion made by Spinks seconded by Genutis to reconsider. The roll was called. Vote – Yeas: Saunders, Zolata, Spinks, Koci, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Zolata to place Ordinance No. **9512-17** on third and final reading and passed.

Mayor Koci explained this property had some issues and it was the wish of Council to defeat Ordinance No. 9512-17 and allow the property to be placed in the County's hands.

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

ORDINANCE NO. 9518-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 38 GOULD AVENUE (P.P. #811-21-029) PLACED ON FIRST READING SEPTEMBER 5, 2017 AND SECOND READING SEPTEMBER 18, 2017 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, Genutis, Pozar. Nays: None. Motion carried unanimously.



Motion made by Genutis seconded by Spinks to place Ordinance No. **9528-17** on third and final reading and passed.

Mr. Mallis explained this specific piece of property had been a serious nuisance for 4+ years and vacant for years. The note was purchased by the mortgage holder and treats this piece of property as a number with zero efforts to remediate the property. The Mortgage holder recently responded knowing the City was moving forward of the demolition of the home. It was the City's intent to demolish the home but would work with the Mortgage holder if they showed good faith to address the issues at the home. He assured Mr. Saunders he would check on the length of the contract.

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

Mayor Koci asked Mr. Gambosi to clarify Ordinance Nos. 9524-17 and 9525-17. Mr. Gambosi explained the terms of office were set and Council's compensation could not be changed while in office. He stated Council members could not give themselves a raise while they were in the middle of their term of office per the State of Ohio. Council has looked in regards to health care and the costs that have been escalating over the last three years. Current claims and administrative costs had reached \$150,000 for six (6) members of Council; the last two (2) years and the current past year was \$240,000. Giving Council members credit and it being a tough issue to discuss in regards to their own hospitalization benefit package because of the escalation of costs. During the hospitalization benefit package discussions there were discussions regarding their compensation in order to buy their own insurance and cost of living per their salaries. The increase would be a total of \$50,000 for seven (7) Council members at a \$600 per month increase in line with the costs of medical. In 2018 the Mayor, Ward 1, Ward 3 and Ward 5 would be offered this package and in 2020 it would affect Ward 2, Ward 4 and Ward 6. The Administration and Council continued to discuss the hospitalization and compensation package. If the City had made this change three years ago the City would have netted \$390,000 in savings. It was substantial in the amount that had been happening plus knowing the costs in the future would never decrease. These two Ordinances would be placed on second reading this evening in order to continue discussions.

ORDINANCE NO. 9524-17 AN ORDINANCE AMENDING ORDINANCE NO. 3457-69, PASSED DECEMBER 1, 1969, SECTION 151.26 ENTITLED "HOSPITALIZATION FOR COUNCIL AND MUNICIPAL COURT JUDGE" PLACED ON FIRST READING SEPTEMBER 18, 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Genutis to place Ordinance No. **9524-17** on second reading.

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

ORDINANCE NO. 9525-17 AN ORDINANCE MODIFYING THE SALARIES OF THE MAYOR AND COUNCIL FOR TERMS COMMENCING ON OR AFTER JANUARY 1, 2018 AND JANUARY 1, 2020 PLACED ON FIRST READING SEPTEMBER 18, 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9525-17** on second reading.

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

City Manager Michael Mallis announced the Children's Fall Festival was this weekend starting at 10:00 a.m. He urged the residents to call the Service Department to schedule and take advantage of the chipper



service because this week was the last week for the service; next week the Service Department would start picking up leaves. The City and Police Department were cracking down on the unregistered solicitors throughout the City; three individuals had been cited. One solicitor was pretending he was working with the City; that individual was arrested recently. A Lanier was being considered as identification for those who were registered. He said the City was not having any solicitors going door to door for ADT Alarm Systems or AT&T. He urged the residents to call City Hall/Police Department if a solicitor knocked on their door. Mayor Koci stated Religious or Political solicitors did not have to be registered. He stated the flags were half-staff because of the tragedy in Las Vegas on Sunday, October 1, 2017. Thoughts and Prayers goes out to those victims and their families.

Law Director Montello said the City of Aurora also was experiencing a rash of vehicle break-ins which he thought had something to do with the opiate problems everywhere.

Finance Director Frank Gambosi explained the Tax Department mailed letters in regards to renters who were renting homes and/or facilities.

Councilman Saunders was wearing a pink shirt this evening for Breast Cancer Awareness Month; he lost his sister to cancer. He informed Mr. Mallis the County Council had before them an Ordinance to increase the Registration Fee by \$5.00 on vehicles. The fee would go toward road repair and pavement. Mr. Mallis explained the County was already aware of Union Street and Solon Road which were in very bad shape. The Issue #2 Grant Union Street waterline project starting at Broadway Avenue toward Northfield Road would also resurface Union Street. He hoped after the Union Street project Solon Road could be addressed.

Councilwoman Zolata was pleased with the events held this year; she thanked David Neff for the produce he had at Five Points Farmer's Market and the yoga class conducted by Heather Young. The recent Shred Day was another great success. She explained there was a fundraiser for Colleen Novak whose house caught fire on Paul Street. Also the Fire Department did a phenomenal job.

Councilwoman Spinks said she would be painting faces again this year at the upcoming Fall Festival. She gave her sincere condolences to those affected by the senseless shooting in Las Vegas. She talked about Senator Yuko's wife who was currently dealing with breast cancer and she gave kudos to Senator Yuko for all the good things he does for the State.

Councilman Genutis understood with the recent changes to the POS topic that the Court allowed the City to resume the POS inspections. Mr. Mallis explained the City would be resuming the POS inspections after the lawsuit was settled completely. It was determined exterior POS inspections were still being conducted; however, if someone called and wanted an interior POS inspection their request was being addressed. Mr. Genutis was immensely grateful for the amount of vegetables he produced this season. The Farmer's Market was greatly appreciated and so was the yoga in the park. He thanked Mr. Neff and Ms. Young for the efforts and participation in the Five Points event. He stated he would be attending a healthy foods discussion for supermarkets by the Cuyahoga County Board of Health. He said a local grocer would be opening a supermarket in the Meadowbrook plaza which would be a positive change for Bedford.

Councilman Pozar stated the United States passed the \$20 trillion in debt mark this week and in 2007 it was \$9 trillion. He felt the United States was a transition from a society that relied on borrowing and as opposed to a society that was actually productive. It was alarming to him because there were union employees that had to cut back on certain benefits as quickly as next year. Some Cities and States were seriously in debt with a chance of no recovery. Health benefits were being affected where people were working less on purpose to avoid having to pay for the Federal Government imposed health care regulations. In conjunction with the Federal Government, this Council was currently working on trying to



do their part in saving \$200,000 in the next budget. In November 2016 Council participated in a pay increase moratorium which amounted to a savings of \$2,200. Council was on the same page in saving the City \$200,000 and it's in an effort to foresee what was going to happen and what the City would be faced with in all departments, all unions and all employees. That being said the City's debt was totally manageable thanks to the residents who voted for the recent 3% income tax increase and the understanding in the upcoming Union negotiations. He supported Mr. Gambosi on the hiring of the new Assistant Finance Director's position because ultimately the new hire would take his place. He was very pleased with the new park located in Ward 3 on Broadway Avenue that was created by a grant. He hoped some of the grant money could be used on a project at the corner of Oakwood and Forest Drive. Mr. Mallis explained this lot was not a buildable lot and it would be reseeded soon. Mr. Pozar explained the process after a house had been razed by the Land Bank and how it could benefit the neighbors in a lot split. He announced the Bedford Soccer team was 10 to 1 coached by Nick Schaffer. He requested Council consider the abolishment of Beggar's Night/Trick or Treat and utilize Ellenwood for the event which would have the same effect without the safety issues as a controlled environment would be much safer.

Mayor Koci expressed his feelings regarding the recent mass shooting in Las Vegas. He and others had the opportunity to discuss a new local paper with the owner who has been in business since 1957. This would be a subscription type service.

ORDINANCE NO. 9528-17 AN ORDINANCE AMENDING **ORDINANCE NO. 9405-16** ESTABLISHING PAY RANGES AS SUBSEQUENTLY AMENDED 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, Genutis, Pozar. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Zolata to place Ordinance No. **9528-17** on third and final reading and passed.

Mr. Mallis explained the three positions were: Assistant Finance Director, Assistant Recreation Director both at a beginning pay range of \$42,000 - \$59,000 and the Business Development Liaison / Community Planning (permanent part-time) at a beginning pay range of \$33,000 - \$48,000. The Housing Inspector was removed as the City did not have this specific position. Mayor Koci explained this was not a pay increase but a tool used to hire new employees at a beginning pay range aka starting salaries.

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

RESOLUTION NO. 2517-17 A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF BEDFORD TO ENTER INTO A CONTRACT ON BEHALF OF THE CITY OF BEDFORD WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY FOR HEALTH SERVICES FOR THE YEAR 2018 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 resolution three different days.



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

Motion made by Saunders seconded by Pozar to place Resolution No. **2517-17** on third and final reading and passed.

Mayor Koci explained this was an annual contract with the Health Department to contract for health services for the City with the General Health District of Cuyahoga County as required by the State. The cost was the same as last year at \$53,865.00. Mr. Mallis explained this was a State requirement since the City did not have its own department. Sometimes the Board of Health would assist a new business moving into a City with grant opportunities.

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

Jeff Asbury, 71 Eldred Avenue, announced there would be a town hall presentation with the Bedford Firefighters on October 11<sup>th</sup> starting at 6:00 p.m. to 8:00 p.m. at LOHV.

Karla Miller, 114 Noran Circle, a 26 year Bedford resident felt her family has never been welcomed on Noran Circle because she was told a comment from her insurance agent. She felt the neighbors should be neighborly if there was a problem concerning her family. The Miller's had a business helping those who had special needs. Recently she received a parking ticket because she had not noticed the new No Parking signs that were installed. She contacted Clerk Villers for the Council minutes which were provided. She talked to Mayor Koci and Councilman Pozar at length. She was trying to collect information for the reason of the new No Parking signs because there hadn't been any issues over the 26 years they've lived there. She referred to the minutes that stated the Chief's did not have any safety issues with people parking on the street. She was confused that the entire street was posted with No Parking signs. Some of the complaints were: a Noran Circle resident landscaper parking in the street, some residents thought non-resident people were bringing in rubbish into the City for pickup which was not a parking issue, drug trafficking on Noran Circle which was not a parking issue and their passenger vans were obstructing people's access. She said if a neighbor actually said this it was a lie and she invited the complainants to confront her so she could tell them directly they lied to Mr. Pozar. The No Parking on Noran Circle was something her family was in opposition of and asked Mayor Koci how this decision could be reversed because it was unacceptable. She understood this No Parking on Noran Circle was a test case and felt the individuals that complained had another agenda. Her family has never been welcomed on Noran Circle and she offered to share stories. Mayor Koci apologized for the behavior of her neighbors as to how she was welcomed to Bedford. He assured her there were not these kinds of issues in other areas of the City. He said the Administration and Council could revisit the issue.

Mr. Pozar said they had a nice conversation regarding her position and what happened as she saw it. The duty of Council members who received complaint(s) was to act upon them accordingly. He said he introduced the topic on the agenda; however, the final decision was up to everyone. He clarified he supported the idea Mr. Saunders brought forward about a no parking ban throughout the entire City especially in the winter. He felt his current street, Button Road, should be considered a No Parking street. The decision to make Noran Circle a No Parking street was a pilot program instead of making the entire City a No Parking on City streets. The City had adequate and sufficient concerns over the years concerning Noran Circle and what was regrettable was the racial undertone delivered this evening that started 26 years ago transmitted through gossip from her insurance agent which he found deplorable. He said all of Council felt the same way when it came to harmony but after the emotions of who hates who



and actually address the issue at hand which was simply their four (4) 15 passenger vans in a residential district which people/residents wonder what kind of business was being ran out of their house. There were repeated citations involving her vans supported by the record. The four (4) vans with a capacity of 60 passengers were always in the drive or street; never in the garage. The landscaper parking on Noran Circle did not concern her family but was taken into consideration. Council could not legislate morality and it was abhorrent if what she thought was the case per her perception and was regrettable. He wasn't sure if those who complained would come forward and state their position but the actions of Council was based on the complaints, the documented Police reports and continual concerns of the neighbors on the street. He said if Council chose to revisit the issue he would vote the same way.

Mr. Pozar said until he understood why or what kind of business was being operated out of the home and why the other properties in the City housed their vans may be operating a similar business. Mrs. Miller replied she does not operate her business from their home nor does anyone live at her home on Noran Circle; she parked their licensed passenger vehicles at their home. The vans were also used to take people with disabilities and certain Bedford students on various trips and places. The vans were parked in the drive and on the street for easier access for the family; the two (2) vans that were over the weight limit for the residential district were no longer parked on Noran Circle but at a neighboring church. Mr. Pozar asked for clarification as to why the vans were parked at the home because it appeared to the neighbors a business was being operated from their home. Mrs. Miller explained the older vans were not over the weight limit for the residential district. Mr. Pozar explained to Mrs. Miller that the complainants requested to be anonymous which he respected but the residents felt a business was being ran out of their home. He asked her to explain if a business was being ran out of their home as it appeared. Mrs. Miller spoke about a situation years ago that one of the individuals they cared for used to walk the cul-de-sac for exercise. At that time she was contacted by the City Manager to discuss this individual walking the cul-de-sac because a neighbor was concerned. She said she spoke to the City Manager and assured him they had all the certifications required through the County for this disabled person. She explained their residential and business address was the same but she does not have a physical place that was her business. She told a story that happened a couple years after they moved in that an adult child used to walk the street drunk often at night which was more of a threat than the disabled person. Mr. Pozar felt Mrs. Miller was avoiding the question whether they were running a business out of their home. Mrs. Miller requested to discuss something with her attorney daughter who was in attendance. Mr. Montello asked Mrs. Miller if she wanted to discuss this situation after the meeting instead in a public forum. Mrs. Miller explained for legal purposes she had to have an actual physical address but she does not have clients/individuals visiting the home as an office; she did not have an office. Mr. Pozar asked if the drivers were dispatched from the home. Mrs. Miller replied no, these individuals gather at the location of where the vans were parked. Mr. Pozar asked if the drivers were on their payroll. Mrs. Miller replied yes. Mr. Pozar asked if their home address was listed on their tax returns. Mrs. Miller stated the tax returns were listed as their home address on Noran Circle. Mr. Pozar asked these questions because they were brought to his attention by the neighbors. It was important to hear both sides of the story so the City can revisit this issue in a civil fashion. He offered her to stop by City Hall and talk to the City Manager and/or Law Director. Mrs. Miller said she did not feel the need to hide anything and she wanted to be above board and honest. The problem was they had neighbors who did not want to be neighborly and were very, very nosey and they did not care. Mr. Pozar said it was difficult to address feelings, gossip or one's heart; however, the City could only respond according to the facts. Mrs. Miller said she could only speak of past experiences. Mayor Koci assured Mrs. Miller Council makes their decisions based on the facts not a racial type things. Mrs. Miller talked about a parking issue of a neighbor who was going to the prom and a former Council member's [City Manager] home who had a lot of visitors for Father's Day. She alerted the family who had cars parked on both sides of the street because she did not want them to get a ticket. She was informed by this neighbor nobody would get a ticket it was Father's Day. She said this past weekend there were cars parked on both sides of the street and this specific individual knows the laws. She asked what she was to do if cars were illegally parked. Mayor Koci told her to call the Police, she didn't have to give her name and it was wrong to park on both sides of the street. Mr. Mallis told her she should call the



Police if cars were illegally parked. He said he was willing to talk to her about the concerns on the street. He said "parking" issues had been a topic for a couple years. When the complaints came in regarding Noran Circle the City started to research other cities who were experiencing the same problems on difficult streets. He knew there were 9-11 various citations on Noran Circle. He explained per stated in the minutes the City would also be discussing Logan and Washington Streets. Mrs. Miller asked for the justification for "safety reasons" when the Police and Fire Chiefs had no safety concerns and she wanted the justification for no parking on the entire street. Mr. Pozar said the Chiefs were not in attendance at the meeting nor was it targeted to Noran Circle specifically but rather parking throughout the City was not a safety issue. Mrs. Miller quoted, "Mr. Mallis reminded Council the Police and Fire Department Chiefs were not concerned with the safety or police vehicles getting to the emergency call". Mr. Pozar said the streets were public property not public parking lots so if the parking is regulated in an appropriate fashion for the situation. Mrs. Miller asked how this issue would be addressed moving forward. Mayor Koci said it would be revisited by the Administration and Council; residents could contact City Hall to share their concerns. Mr. Pozar asked what factors had changed since the decision was made; most of Mrs. Miller's presenting her side of the issue and most of it was heartfelt but nothing contradicts the facts that the vans continued to be parked at their home, there were a number of citations, some of the vans exceeded the weight limit and apparently there was a business being run out of the home. Mr. Montello said the City would revisit the issue internally and possibly be placed on the Work Session agenda for further discussion.

Orlando Walker, 108 Noran Circle, a 24-25 year resident also had concerns with the signs posted on Noran Circle. He wondered why Noran Circle was targeted to be the pilot. If posting No Parking signs were being posted throughout the City he did not have problem with Noran Circle being posted. He felt Noran Circle being targeted sounded like something else. Mr. Pozar stated that remark was a false accusation. Mr. Walker replied from his ear that was what it sounded like. Mr. Pozar said he said the word "pilot" and it was his interpretation of not doing a City wide parking ban. Mr. Walker said he did not have vans but cars and people who visit the family. The no parking on Noran Circle was going to cause problems in his home. Mr. Pozar asked him to please get past the targeted part as it was not the cause. Mr. Walker said he attended the meeting to give a statement and per the minutes Noran Circle was the only street that had no parking on it.

Attorney Sharece Miller-Curry, 114 Noran Circle, understood one of the concerns was criminal or drug activity and wanted to know if there were reports on Noran Circle. Mr. Mallis said he could follow up with the Police Department. Mrs. Miller-Curry stated she was an attorney and practiced with Mr. Montello, as attorneys they always look at facts and evidence before making a decision. She questioned if some of the complaints that were made by the resident neighbors were actually followed up on. She felt 11 tickets in 365 days was not a lot of tickets; she volunteered she was one of those tickets. She felt a neighbor was watching and called the Police. She asked Mr. Mallis to follow up on the criminal/drug activity on Noran Circle to see if it was a legitimate concern as to why there should be a parking ban.

Heather Rhodes, 241 Center Road, needed clarification on Council's hospitalization. She understood the savings to the City would be \$200,000; Mr. Gambosi replied \$190,000 in 2017. Ms. Rhodes asked if the same hospitalization covered the remaining employees; she knows Police and Fire had different insurance. Mr. Gambosi and Mayor Koci said everyone was under the same coverage. Ms. Rhodes asked if the City was self-insured. Mr. Gambosi replied, yes. Ms. Rhodes asked if the City took insurance away from seven (7) other employees if the savings would be the same. Mr. Gambosi replied, no and as a whole Council was more expensive. Upon her own research Ms. Rhodes figured the cost of \$18,700 was the average cost for family coverage per year. She figured Council was being insured at \$28,000 annually. Mr. Gambosi replied six (6) people at \$240,000. Ms. Rhodes asked if the same figures applied to the City employees. Mr. Gambosi replied the City budgeted \$2.5 million for the whole City and Court employees per year but closer to \$3 million. Ms. Rhodes asked how many employees. Mr. Gambosi replied, 150 employees. Ms. Rhodes thought that was significantly more than the average. Mr. Gambosi said there



were three (3) unions that the City had to negotiate with. Ms. Rhodes asked why the City was still self-insured. Mr. Gambosi figured it with the 10% to 15% more. There were three parts to the insurance program: 1) administrative, 2) claims and 3) reserves with a premium based system unless capped. He said with the three parts the City eliminated the premium side which was a 10% -15% increase. Every year there were actual claims and administrative costs which would be paid no matter what. Ms. Rhodes questioned why the City was paying more than the United States average. Mr. Gambosi replied, high claims were high claims; the City insured 150 employees and their 492 family members and dependents. Mr. Gambosi explained according to a survey that was done there were a few who offered the same insurance but the rest of the communities did not. Mr. Gambosi explained over the years the City had saved millions of dollars by being self-insured. The premiums were \$3.3 million which included a \$150,000 catastrophic accident. He assured her the City had a consultant which the City refers often. Ms. Rhodes felt when the City stated the City would save \$200,000 by not insuring seven (actually six) people that was a concern and it does not sound like good business. Mayor Koci and Mr. Gambosi did not understand her statement. Ms. Rhodes clarified the City was spending an enormous amount of money on seven (7) people and how does that apply to the rest of the employees. She said it was almost \$800 per month per employee and their families more than the national average. Mr. Gambosi added the City increased the amount the employees were paying that was in proportion with the State report. He said the bottom line was the cost of "claims"; when an employee was hired the City assumed the cost of their families claims. He reiterated during Union negotiations the employee deductibles and premiums were addressed which were in line with what surrounding communities were doing and it was reasonable for the area. The plan was reasonable but the claims were high. Premiums increased because of the claims the prior year. Ms. Rhodes asked for the insurance information. Mr. Montello added the City also joined a Wellness Program to alleviate extra costs and medicine costs. He reiterated when an employee was hired the responsibility of taking care of their families were part of the picture. Currently the City had a 56% discount on claims and administrative costs; out of 25 years there were four (4) years that were high with 21 years of savings at \$200,000 per year versus premium versus self-insured. Being self-insured the City was by far further ahead; sometimes there's good years; sometimes there's bad years.

Bonita Faulkner, 79 Dewhurst Avenue, thought this was African American night because she was the fourth African American at the podium. While Mrs. Miller was talking she googled that there were 50.64% African Americans in Bedford; however, she did not see any representation. She hoped with the savings of money the City could hire someone for cultural diversity. She also felt she was not embraced when she moved to Bedford. She felt her integrity was attacked, she worked for 31 years, she had a bachelor's degree, others in her home were seeking higher degrees and the media projects them as African Americans in a very negative light because sensationalism sells stories and unfortunately people buy in to it.

Nancy Lachowski, 197 Wandle Avenue, felt the dialog during this evening's meeting went on longer than necessary; she suggested a time limit be set for those who approach the podium. If there was a big problem then the resident needed to address it at City Hall during specified hours and/or with their Ward Council person. She had questions but would wait until another time because it was too late in the evening.

David Neff, 1136 Archer Road, thanked everyone for the support he received regarding the Farmer's Market. He explained to those who spoke this evening that the City and a group of residents were working together to create a sense of community. Those who spoke this evening he personally did not see down at the City Square attending the Five Points Farmer's Market and Friday evenings. He thought the City was moving in the right direction.

Jeff Duber, 134 Harriman, wasn't sure if anyone was looking into possible opportunities for the City but when they started tearing down Randall Mall the OTC business lost their facility. Mr. Mallis explained he and Mr. Pozar stopped by there in 2014. The OTC business had no interest and relocated to downtown

joining the Technical Institute. Mr. Duber said the Northfield Dolphin just closed and was apparently looking to relocate. Mayor Koci said the City had already contacted them. Mr. Duber felt the Halloween Trick or Treat should be cut down to one hour instead of two. The two hour window of opportunity allowed surrounding communities' time to participate. He wondered if Bedford Council Chambers was the appropriate place for those running for various political offices.

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

Meeting adjourned at 9:57 P.M.

  
Clerk of Council  
Mayor - President of Council