

**COUNCIL WORK SESSION**

**DECEMBER 19, 2016**

**6:30 P.M. PROMPT**

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- **DISCUSSION OF GPD GROUP ENGINEERING SERVICES** – Joe Ciuni (6:30 pm-7:00 pm)
- **DISCUSSION OF DEER CULLING** – Sgt. Bergansky (7:00 pm)
- **DISCUSSION OF TETHERING OF ANIMALS** – enact §505.27 (12/5/16)
- **DISCUSSION OF AGENDA** –
- **DISCUSSION OF EQUALIZATION OF WARDS** – (Charter Art. II, Section 1 (c)) (11/21/16-12/5/16)
- **DISCUSSION OF ARTS AND CULTURAL BOARD** – (§149 / Ord. #9252-15 w/Bylaws) (10/17/16-11/7/16-11/21/16-12/5/16)
- **EXECUTIVE SESSION** – (Personnel / Economic Development)

**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, December 19, 2016 at 6:35 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Marilyn Zolata, Donald Saunders and Paula Mizesak. Absent: Greg Pozar. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, City Engineer Joe Ciuni and Sergeant Dennis Bergansky. Residents: Beth Housiaux-Stewart, 93 Avalon and Joyce Daunch, 86 Harriman Street.

**DISCUSSION OF GPD GROUP ENGINEERING SERVICES** – Joe Ciuni (6:30 pm-7:00 pm)

Mr. Ciuni explained the 2.2% increase was across the board; the same as the other cities. It was determined if the City had no projects then there would be no costs to the City; GPD only billed when they were utilized for a project. Mr. Saunders pointed there were only a couple employees getting raises this year with the City's financial situation. Discussion was held of the knowledge GPD employees had pertaining to Bedford's infrastructure. It was determined in the future the City would have to focus on moving forward with GIS which was very costly.

**DISCUSSION OF DEER CULLING** – Sgt. Bergansky

Sergeant Bergansky explained the program would start in January 2017 culling approximately 60 deer. The Police Department would be culling the deer not residents or outsiders and the meat would be donated to those in need. He explained the City was broken down in four zones that were considered deer populated problem areas. The topic of deer sterilization was briefly discussed because it was costly plus the deer had to have time to heal in order not to rip out their stitches and he was against the bolt and trap methods. He talked about how the deer had become tame and zoo like pets mainly because the residents continually fed them. He explained the situation where the Police Department felt three deer were poisoned but no tests were conducted because of the costs. In 2016, there were 54 deer/car related accidents reported but it was obvious there were more because not everyone called in their accidents. It was important to focus on the doe population because some of the does were carrying up to three babies. Discussion was held that the neighboring City of Solon paid overtime to its employees to cull deer. Mr. Saunders spoke about the informational conference he attended and understood Bedford needed about 100 deer culled. Sergeant Bergansky felt 60 deer to be culled was a manageable number; 100 was too many. Council thanked Sergeant Bergansky for his report.

**DISCUSSION OF TETHERING OF ANIMALS** – enact §505.27

Deputy Chief Stemple previously suggested Council consider the submitted information for the Codified book. Maple Heights currently had tethering of animals on their books which in their community was very useful in assisting in certain issues. Sergeant Bergansky understood tethering was not covered in the City's current ordinances. Mr. Mallis explained #6 of the proposed ordinance had previously been an issue in Court - "If the tether allows the animal to touch the fence or cross the property line or cross onto public property". Discussion was held that not all the items listed were covered under "cruelty to animals" and tethering should be considered. Mr. Genutis felt this was topic was overkill and how could the items listed be enforced. Mr. Montello would review the Codified Book in more depth.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the Regular Meeting of December 5, 2016, the Work Session of December 5, 2016, the Special Work Session of December 7, 2016 and the Special Work Session of December 12, 2016.



ORDINANCE NO. 9452-16 AN ORDINANCE PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE CODIFIED ORDINANCES OF BEDFORD TO APPROVE, ADOPT AND ENACT THE 2016 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF BEDFORD, OHIO, HEREINAFTER "CODIFIED ORDINANCES", TO REPEAL CERTAIN ORDINANCES IN CONFLICT THERE WITH OR DEEMED OBSOLETE AND DECLARING AN EMERGENCY

It was determined this was required to update the City's Codified Book to approve, adopt, repeal and/or enact the 2016 replacement pages and/or the ORC requirements/State Codes. Clerk Villers previously received an invoice in the amount of \$4,399.34. It was clarified some of the changes were mandated by the State for Fire Codes, Building Codes, Traffic and General Offences and needed to be adopted by the City.

ORDINANCE NO. 9453-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TIM LALLY CHEVROLET TO PURCHASE A 2017 REGULAR CAB CHEVROLET SILVERADO 2500HD AND DECLARING AN EMERGENCY

Mr. Mallis explained the need for the truck was because of an unexpected accident in September by a neighboring uninsured resident who was responsible for wrecking into the City's truck. Upon impact the truck's frame was cracked and became unusable for plowing. At the last Work Session Mayor Koci felt the purchase should stay local with Jay Buick staying within the allotted 10% purchasing rule and not be purchased outside City limits. Mr. Mallis explained Mr. Lewis contacted Jay Buick and the dealership decreased the original amount by \$500 to purchase a 2017 Regular Cab GMC Sierra 2500HD for the efficient operation of the department in the amount of \$29,141.50. Council agreed to amend the ordinance to Jay Buick GMC and the new decreased price.

Mr. Mallis explained in the next two ordinances both union Safety Forces agreed to take a wage freeze with no health benefit changes for 2017. In the past, the Administration would allow retroactive pay for the employees but this was no longer an option. These two unions understood the City's financial situation and was willing to take a wage freeze with no retroactive pay. The hope was the income tax increase levy would pass in 2017 and get the City back on track. The AFSCME union contract would be addressed this month but for this evening there was no determination whether they were willing to take a wage freeze.

ORDINANCE NO. 9454-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE YEAR EXTENSION OF THE CURRENT CONTRACT BETWEEN THE CITY OF BEDFORD AND FRATERNAL ORDER OF POLICE LODGE 67 AUTHORIZED BY ORDINANCE NO. 9233-14 AND DECLARING AN EMERGENCY

ORDINANCE NO. 9455-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE YEAR EXTENSION OF THE CURRENT CONTRACT BETWEEN THE CITY OF BEDFORD AND FIREFIGHTERS LOCAL 1683 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AUTHORIZED BY ORDINANCE NO. 9244-15 AND DECLARING AN EMERGENCY

Council was pleased with the wage freeze and the understanding from the employees.

ORDINANCE NO. 9456-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUND AND DECLARING AN EMERGENCY

Mr. Mallis explained after the CDBG Public Hearing was held the determination was for these two grants be utilized wisely for signage improvements at the City entrances, the City Square and in the historical downtown area. This grant was for \$150,000 which would be combined with the next grant for signage.



ORDINANCE NO. 9457-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPLY FOR COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT FUND AND DECLARING AN EMERGENCY

Mr. Mallis explained this grant was a supplemental grant in the amount of \$50,000 and would be utilized in conjunction with the \$150,000 grant for signage improvements at the City entrances, the City Square and in the historical downtown area. Both ordinances authorized him to apply for the grants.

ORDINANCE NO. 9458-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH VILLAGE OF CHAGRIN FALLS FOR USE OF THE BEDFORD CITY JAIL FACILITIES ("JAIL") AND DECLARING AN EMERGENCY

Mr. Mallis explained this contract was the same as the previous contracts with Woodmere and Tri-C. He told Council this was the last community the City would be contracting with for these services.

The next three Ordinances pertaining to open burning, cooking fires and outdoor fires would mimic the 2011 Ohio Fire Code.

ORDINANCE NO. 9459-16 AN ORDINANCE AMENDING SECTION 531.02 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO ENTITLED "OPEN BURNING" AND DECLARING AN EMERGENCY

ORDINANCE NO. 9460-16 AN ORDINANCE AMENDING SECTION 1503.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO ENTITLED "BONFIRES, OUTDOOR RUBBISH FIRES AND COOKING FIRES" AND DECLARING AN EMERGENCY

ORDINANCE NO. 9461-16 AN ORDINANCE AMENDING SECTION 1501.01 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO ENTITLED "ADOPTION OF FIRE CODE" AND DECLARING AN EMERGENCY

ORDINANCE NO. 9462-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WARREN FIRE EQUIPMENT INC. FOR FIRE DEPARTMENT BUNKER GEAR AND DECLARING AN EMERGENCY

Mr. Mallis explained the purchase would be out of 2016 monies and needed to pass this evening.

ORDINANCE NO. 9463-16 AN ORDINANCE AMENDING ORDINANCE NO. 9342-15 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 AND DECLARING AN EMERGENCY

Mr. Gambosi explained the following changes would be for the year 2016; fund 205 and 805 would need amended as follows: The General Fund increases in appropriations for 2016 in the general fund are due to overtime (OT) expected in Service Dept \$5K, Finance Department OT expected \$4K new system, \$1K judgements from Court, Tax Department refunds \$163,820 one large refund expected, Law Department OPERS adjustment, Municipal Court postage \$50K and transfers out to police safety forces levy \$100K. The 200 CDBG Fund expense was to demolish houses and asbestos study. The 204 Recreation Fund was transferring money to buy a new pickup which was totaled in an accident with a noninsured driver book value very low 30K. The 205 SEALE Fund was confiscated funds in the amount of \$39,447. The 206 Cemetery Fund per GASB 54 needed to move the balance of this fund into the general fund for classification purposes. The Fund 209 Street M & R Fund allowed expenditures for Union Street bridge repairs in the amount of \$13,275. The received 213 Grants Fund was for Heightened Enforcement Grants spent during 2016 and funds need appropriation to coincide with revenue received. The Certified Police Training Grant was received in the amount of \$6,820, the Eagles donations were received and now budgeted for \$5,200 for Police, \$350 for foodbank and \$5,600 for Fire. The City expended recycling funds of \$452.48 more to date. The 214 Fire Levy



Fund for Police operations needed \$27,000 more in funds for 2016. The 219 Safety Forces Levy Fund the police were short on men earlier this year and increased payroll OT and other benefits in the amount of \$60,000. The 401 Bedford Municipal Court Clerk of Court Fund needed additional funding of \$5,400 for computers and maintenance. The 402 Bedford Municipal Court Computer Fund needed more appropriations for funding computer hardware and maintenance of computers. The 403 Capital Improvement Fund the EPA Stream Tests were to be performed in the amount of \$6,160. The 501 Waste Water Fund increased appropriation was to pay for the Wastewater plant construction contracts in the amount of \$8,470.75. The 701 Police Pension Fund needed additional money for increased payroll from OT 15K. The 702 Fire Pension Fund needed additional money due to increased payroll and OT of \$25,000. The 805 SEALE Drug Law Enforcement Fund received confiscated monies in the amount of \$123,093.50 and \$34,289 needed to be appropriated to allow transfer of funds when deemed necessary by Courts. He stated this Ordinance had to be amended this evening and passed by the end of the year.

Discussion of the Regular Meeting agenda was concluded.

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

Mr. Saunders previously requested the City needed to address the Wards after the Presidential election per the Charter. Mr. Montello reminded Council that he was not sure if the equalization of wards was done by registered voters, recent voter numbers, and the census and/or if the Charter was incorrect the way it was written. He said the Board of Elections informed him the recent election numbers needed to be finalized before the City could move forward. He would report to Council at the next meeting.

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

Council and the Administration did not make a final decision regarding this Board. It was determined certain programs would continue as budgeted. No decision was made this evening.

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

At 7:55 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 7:59 p.m.

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

Work Session adjourned at 8:00 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 5, 2016
  - b. Approval of Minutes of the Regular Meeting of December 5, 2016
  - c. Approval of Minutes of the Special Work Session of December 7, 2016
  - d. Approval of Minutes of the Special Work Session of December 12, 2016
5. PRESENTATIONS — (Chuck Keiper/Nicole Sweet)
6. OLD BUSINESS — (1<sup>st</sup> Rdg: 12/5/16)
  - a. Ordinance No. 9452-16 adopting the 2016 replacement pages of the Codified Ordinances (\$4,399.34)
  - b. Ordinance No. 9453-16 purchase of 2017 Silverado for the Recreation Department (\$27,979)
  - c. Ordinance No. 9454-16 extension of Police Local 67 Union contract (Ref: #9233-14)
  - d. Ordinance No. 9455-16 extension of Firefighters Local 1683 Union contract (Ref: #9244-15)
  - e. Ordinance No. 9456-16 authorization to apply for a CDBG – Gateway Signage/Historical District (\$150,000)
  - f. Ordinance No. 9457-16 authorization to apply for a CDSG – Historic Bedford Commons (\$50,000)
7. REPORTS
  - a. City Manager
  - b. Law Director
  - c. Finance Director
  - d. Council Reports
8. NEW BUSINESS
  - a. Ordinance No. 9458-16 authorize contract w/Village of Chagrin Falls
  - b. Ordinance No. 9459-16 amend §531.02 entitled “Open Burning”
  - c. Ordinance No. 9460-16 amend §1503.04 entitled “Bonfires, Outdoor Rubbish Fires and Cooking Fires”
  - d. Ordinance No. 9461-16 amend §1501.01 entitled “Adoption of Fire Code”
  - e. Ordinance No. 9462-16 purchase of six (6) sets of firefighting bunker gear (\$13,854)
  - f. Ordinance No. 9463-16 amend Ordinance No. 9342-15 making additional appropriations
9. HEARING OF CITIZENS
10. ADJOURNMENT



Bedford City Council met in Regular Session at Bedford City Hall on Monday, December 19, 2016. 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, Mizensak, Genutis, Saunders, Zolata, Spinks. Absent: Pozar.

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

Motion made by Zolata and seconded by Spinks to approve the minutes of the Work Session Meeting of December 5, 2016. The roll was called. Vote – Yeas: Koci, Genutis, Saunders, Zolata, Spinks. Nays: None. Abstain: Mizensak. Motion carried.

Motion made by Saunders and seconded by Mizensak to approve the minutes of the Regular Meeting of December 5, 2016. The roll was called. Vote – Yeas: Koci, Genutis, Saunders, Zolata, Spinks. Nays: None. Abstain: Mizensak. Motion carried.

Motion made by Zolata and seconded by Saunders to approve the minutes of the Special Council Work Session of December 7, 2016. The roll was called. Vote – Yeas: Koci, Genutis, Saunders, Zolata, Spinks. Nays: None. Abstain: Mizensak. Motion carried.

Motion made by Saunders and seconded by Mizensak to approve the minutes of the Special Council Work Session of December 12, 2016. The roll was called. Vote – Yeas: Koci, Mizensak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Mayor Koci introduced Chuck Keiper and Nicole Sweet from NOPEC for a short presentation. Mr. Keiper was present this evening to clarify for Council, the Administration and the residents what to do in regards to the Opt-Out letter, information about naming New Era “World’s Most Admired Company” and recognizing New Era as a “World’s Most Ethical Company”. He explained New Era was the third largest utility and most financially sound company. He explained in 2017 the electricity provided would contain 50% renewable credits a power generated by a much cleaner energy source at no additional cost. More than \$10 million of electricity sales revenue would be used for the construction of renewable energy projects at no additional cost. He was excited to be involved with a green company and providing low costs to their customers by using bulk-buying techniques for electricity and natural gas. Mr. Genutis questioned how the electricity was generated. Mr. Keiper explained most of the power generated for in this case Ohio residents was generated in or around Ohio buying the power at a wholesale rate. Mr. Genutis questioned how the power was generated. Mr. Keiper said he could provide Mr. Genutis a formula of how the energy was generated by coal plants, natural gas plants, two nuclear plants and fracking. Once the natural gas was in the gas line it was hard to determine exactly where the gas came from. It was determined NOPEC received 60% of its natural gas through fracking throughout the United States. Once the gas was available to NOPEC it was their goal to deliver at the best rate possible. (See attached) Mayor Koci thanked them both for the expertise and wished them a Happy Holiday.

ORDINANCE NO. 9452-16 AN ORDINANCE PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE CODIFIED ORDINANCES OF BEDFORD TO APPROVE, ADOPT AND ENACT THE 2016 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF BEDFORD, OHIO, HEREINAFTER “CODIFIED ORDINANCES”, TO REPEAL CERTAIN ORDINANCES IN CONFLICT THERE WITH OR DEEMED OBSOLETE PLACED ON FIRST READING DECEMBER 5, 2016 AND DECLARING AN EMERGENCY 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, Mizesak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Zolata to place Ordinance No. **9452-16** on third and final reading and passed.

Mr. Montello explained this was for Codifying Agent who updated the City's Codified Book.

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

ORDINANCE NO. 9453-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH [TIM LALLY CHEVROLET] JAY BUICK GMC TO PURCHASE A 2017 REGULAR CAB [CHEVROLET] SILVERADO 2500HD PLACED ON FIRST READING DECEMBER 5, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to amend Ordinance No. 9453-16 to change the dealership from Tim Lally Chevrolet to Jay Buick GMC to purchase 2017 Regular Cab Silverado 2500HD in the amount of \$29,141.50.

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

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

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9453-16** on third and final reading and passed.

Mr. Mallis explained the need for the truck was because of an unexpected accident in September by a neighboring uninsured resident who was responsible for wrecking into the City's truck. Upon impact the truck's frame was cracked and become unusable for plowing. 2016 consolidated monies enabled the purchase before the end of the year.

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

Mr. Mallis explained the next two ordinances were an understanding between the City and the Safety Forces to take a wage freeze for 2017 in lieu of the City's financial position. A good show of a sign of "Teamwork" of all parties involved; no changes within the contract and no wage increases.

ORDINANCE NO. 9454-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE YEAR EXTENSION OF THE CURRENT CONTRACT BETWEEN THE CITY OF BEDFORD AND FRATERNAL ORDER OF POLICE LODGE 67 AUTHORIZED BY ORDINANCE NO. 9233-14 PLACED ON FIRST READING DECEMBER 5, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY



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

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

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9454-16** on third and final reading and passed.

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

ORDINANCE NO. 9455-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE YEAR EXTENSION OF THE CURRENT CONTRACT BETWEEN THE CITY OF BEDFORD AND FIREFIGHTERS LOCAL 1683 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AUTHORIZED BY ORDINANCE NO. 9244-15 PLACED ON FIRST READING DECEMBER 5, 2016 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, Mizesak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9455-16** on third and final reading and passed.

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

Mr. Mallis explained the next two ordinances authorized him to apply for two different type grants for various areas for signage, improvements to the City Square.

ORDINANCE NO. 9456-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUND PLACED ON FIRST READING DECEMBER 5, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9456-16** on third and final reading and passed.

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

ORDINANCE NO. 9457-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPLY FOR COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT FUND PLACED ON FIRST READING DECEMBER 5, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9457-16** on third and final reading and passed.

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

Council and the Administration was very pleased with another successful “Christmas in Bedford Falls” event over the weekend. The volunteers were thanked for their ongoing dedication to the City and all the hard work that’s given for all the events. Holiday wishes were expressed from Council members and the Administration to the staff and residents. Everyone was urged to support the Lights Out for Hunger on December 21st supporting the local food bank.

City Manager Michael Mallis asked the residents not to park in the streets when it was snowing so the snow plow trucks can safely clear the streets. The City Administration would provide an open forum to discuss the potential tax issue at Ellenwood on January 10<sup>th</sup> at 2:00 p.m. and 6:00 p.m. by a consultant to allow the residents to speak freely. He reported the recent robbery at Phil’s Convenient Store resulted in a couple arrests. A resident passing by felt something didn’t seem right and called in the license plate number.

No reports from Law Director John Montello and Councilman Genutis.

Finance Director Frank Gambosi explained the 2016 Budget would be finalized with the passing of Ordinance No. 9463-16, the 2017 budget was completed and there were a couple of tax changes concerning for rental properties.

Councilwoman Mizesak was pleased with the 400+ recent visitors at the Bedford Historical Society.

Councilman Saunders reiterated the concern of those who park in the street during the snowfall season. He urged the residents to help their neighbors in shoveling their sidewalks. He was pleased with the City Square holiday light display again this year and the increase of residential home decorations.

Councilwoman Zolata reiterated the urge to help their neighbors in shoveling their sidewalks. She mentioned the Northfield Bridge needed to be shoveled for those who utilized it. Mayor Koci said the Northfield Bridge had been cleared of snow.

Councilwoman Spinks was very pleased with the recent Christmas concert at the Bedford High School. She gave kudos to the Safety Forces for everything they do for the residents that she witnessed firsthand concerning a house fire on her street. She supported the “See Something, Say Something”.

Mayor Koci praised/commended the resident who called in the license plate number during the recent robbery.



ORDINANCE NO. 9458-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH VILLAGE OF CHAGRIN FALLS FOR USE OF THE BEDFORD CITY JAIL FACILITIES ("JAIL") AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis 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, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9458-16** on third and final reading and passed.

Mr. Mallis explained this was the same type contract as the other communities; however, this would be the last community contracting with Bedford Police Department for jail services.

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

ORDINANCE NO. 9459-16 BEING AN ORDINANCE AMENDING SECTION 531.02 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO ENTITLED "OPEN BURNING" 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, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. **9459-16** on third and final reading and passed.

Mr. Mallis explained this was brought up during the budget discussions recently for the City to adopt the most current version of the Ohio Fire Code.

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

ORDINANCE NO. 9460-16 AN ORDINANCE AMENDING SECTION 1503.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO ENTITLED "BONFIRES, OUTDOOR RUBBISH FIRES AND COOKING FIRES" AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Genutis to place Ordinance No. **9460-16** on third and final reading and passed.

Mr. Mallis explained this, too, would be regulated by the most current version of the Ohio Fire Code.

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

ORDINANCE NO. 9461-16 AN ORDINANCE AMENDING SECTION 1501.01 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO ENTITLED “ADOPTION OF FIRE CODE” 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, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9461-16** on third and final reading and passed.

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

ORDINANCE NO. 9462-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WARREN FIRE EQUIPMENT INC. FOR FIRE DEPARTMENT BUNKER GEAR AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9462-16** on third and final reading and passed.

Mayor Koci explained this was the gear worn to protect the firefighters during a fire.

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

ORDINANCE NO. 9463-16 AN ORDINANCE AMENDING ORDINANCE NO. 9342-15 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis seconded by Spinks to amend Ordinance No. 9463-16 as submitted for Funds 205 and 805 SEALE Funds on Page 2 and to suspend the rule requiring the reading of said ordinance three different days.

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



Motion made by Saunders seconded by Mizesak to place Ordinance No. 9463-16 as amended on third and final reading and passed.

Mr. Gambosi explained the various final changes for the year 2016.

The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, 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, 491 Lamson Avenue, questioned the ad she found on the Internet concerning the Planning Commission's applicant Sam Cannata owner of 480 Northfield Road who was seeking to operate the existing athletic facilities. The ad mentioned services she did not hear at the September Planning Commission meeting. Mr. Mallis said this was the proposal for the January 4, 2017 Planning Commission meeting and Mr. Cannata had six different entities who wanted to utilize the building for different things. Mrs. Williams didn't understand how the applicant could keep changing their requests and how they could promote something that had not been approved by the City. Mr. Mallis explained the City could not stop someone for applying to be heard or stop an applicant for advertising on the Internet.

Beth Housiaux-Stewart, 93 Avalon, urged everyone to participate in the Lights Out for Hunger. She continued to have concerns regarding deer culling topic she heard during this evening's Work Session. From what she heard her concerns were: sterilization does not work, the 20 deer culled in 2015/2016 made a difference; however, there were 54 car/deer collisions, the cost of culling 40 more additional deer would increase the costs for 2016/2017, culling deer inside of the City limits was more complex. She felt the City should apply for a \$40,000 grant to sterilize the deer. She felt the deer management program was not being done properly/correctly. At the previous informational meeting there wasn't one resident who said they wanted the deer culled. She was not aware of the fall informational meeting or the hot spot signage. She listed the hourly costs for the Chief (\$51.65), Sergeant (\$57.99) and a Detective (\$51.65) to cull the deer. She was upset this particular Detective was used because of the drug dealers in the City. This specific Detective was responsive at first when there was drug issues in her neighborhood but now doesn't return residents phone calls. She respected the Police Department but she felt this specific Detective should not cull the deer if he couldn't respond to the residents. She listed the recent crime/robberies in the City there were: vehicles broken into on Talbot and Avalon and three churches were broken into this past weekend.

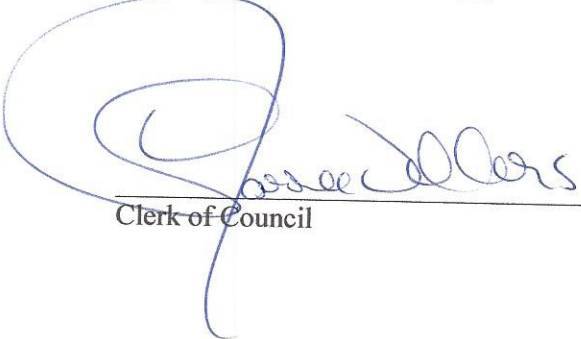
Sandy Ressler, 1334 Broadway Avenue, said after seeing Channel 19 News asked what had been done about the Water Department employees who stole money from the City, how long they had been doing it, how much money was taken and how the water bills were affected. Mayor Koci stressed everyone's water was properly credited and it was under investigated heavily through Cuyahoga County and the State. Mrs. Ressler asked how it went on for so long and how did the Administration find out. Mayor Koci reiterated it was still under investigation and it was done very cleverly. Mr. Gambosi said the investigation would take a long time because of the way it was done. He stated the State Auditors were called immediately when the situation was brought to their attention. Mayor Koci stated Mr. Mallis and Police Chief Nietert acted accordingly as soon as the irregularity was brought to their attention. The County and State was called immediately so the City couldn't be blamed for trying to cover it up. Mayor Koci said at this point the City was very limited in what could be said and the City did not know how much money was taken. He said the City needed to have a certain level of trust in its employees and they were trusted until they couldn't be trusted anymore and processes within the department had been changed. Mr. Gambosi explained even though it was not his department he stepped in and added controls within the department plus the two employees were not with the City anymore. Mrs. Ressler asked how the City itself was affected by the thefts and who paid for the missing money. Mr. Mallis explained it was normal for the

City during routine audits to ask for certain things to be audited. In 2015, the Water Department was reviewed and everything appeared to be fine; however, controls were put into place in July and August after the audit. In this situation the City was dealing with the internal loss and the customers' accounts were accurate and whole. He explained after irregularities were found there was an internal investigation that was done by the Finance Director, Bedford Police Department and now the State Auditor's Office. This investigation would take 8-12 months and the two long term employees were removed. He couldn't comment on how much money was taken or how long the thefts occurred because the investigation was not complete. The City was doing what was necessary and trying to be open and transparent as possible. He reiterated the customers' accounts were accurate and whole. Mrs. Ressler found it mind boggling that people working here after so many years would do what they do. Mr. Mallis stated it was disheartening. Mr. Gambosi assured everyone the State Auditor's Office was involved immediately. Mayor Koci said the people working here were hurt by this situation and it was not a good feeling; however, the City would do what was right and proper.

Sabrina Future, 15 Charles Street, said she was looking forward to this investigation and she would like for her situation to be reviewed again. She felt she overpaid a water bill for over eight years. Her residence had additional meters and was billed separately. She questioned if the house that had the Love and Peace sign Christmas lights was a residence; she thought it was cool.

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

Meeting adjourned at 9:37 P.M.

  
Clerk of Council  
Mayor - President of Council