

**COUNCIL WORK SESSION**

**APRIL 17, 2017**

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

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- **DISCUSSION OF AGENDA**
- **DISCUSSION OF CHANGING REGULAR MEETING TIME** (§123.08)
- **DISCUSSION OF VARIOUS BOARD APPOINTMENTS**
- **DISCUSSION OF EQUALIZATION OF WARDS** – (Charter Art. II, Section 1 (c)) (11/21/16-12/5/16-12/19/16-1/3/17-1/17/17-2/6/17-2/21/17-3/6/17-3/20/17-4/3/17)
- **EXECUTIVE SESSION** – (Litigation / 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, April 17, 2017 at 6:36 p.m.

Present: Council Members: Mayor Stan Koci, Paula Mizesak, Greg Pozar, Walter Genutis, Marilyn Zolata, Sandy Spinks and Donald Saunders. Absent: None. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello. Residents: Dave Neff.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There were no changes to the Work Session and Regular Meeting minutes of April 3, 2017.

RESOLUTION NO. 2511-17 A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF BEDFORD TO ENTER INTO A NEW MEMBER PARTICIPATION AGREEMENT WITH THE CHAGRIN VALLEY DISPATCH COUNCIL PLACED ON FIRST READING APRIL 3, 2017 AND DECLARING AN EMERGENCY

There was no discussion had and Resolution No. 2511-17 would be read as a second reading this evening.

Mr. Gambosi explained the next three (3) pieces of legislation were the annual street light assessment to be placed on first reading this evening. It was determined the City had to pay per light whether it was on or not so it was best to report any lights that were out using the pole tag number. Mr. Gambosi added the mills would be increased to: 1.60 mills per each dollar of tax value per year which was 16 cents per each one hundred dollars of such tax value per year for the tax year of 2017 to be collected in the year 2018.

RESOLUTION NO. 2512-17 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY

ORDINANCE NO. 9479-17 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY

ORDINANCE NO. 9480-17 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE STREET AND PUBLIC PLACES OF THE CITY OF BEDFORD, OHIO BY LIGHTING OF THE SAME IN ACCORDANCE WITH RESOLUTION NO. 2512-17 AND ORDINANCE NO. 9479-17 AND DECLARING AN EMERGENCY

Council had no concerns or questions.

ORDINANCE NO. 9481-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR PROVIDING TECHNICAL ASSISTANCE IN IMPLEMENTING SOIL AND WATER CONSERVATION MEASURES AND DECLARING AN EMERGENCY

Mr. Mallis explained this was a coordination with the Districts and the necessary technical assistance in implementing soil and water conservation measures by the Districts under the Memorandum of Understanding constitute part of the City's compliance with Storm Water Management Program. The Memorandum of Understanding was with the Cuyahoga Soil and Water Conservation District and the Northeast Ohio Regional Sewer District for providing technical assistance in implementing soil and water conservation measures.

Discussion of the Regular Meeting agenda was concluded.

**DISCUSSION OF CHANGING REGULAR MEETING TIME (§123.08)**

Submitted to Council was a copy of Codified Section 123.08 "Regular and Adjourned Meetings" and information Clerk Villers received from another community who was conducting a survey of Regular Council meeting starting times. After discussion, Council decided to change the starting time from 8:00 p.m. to 7:00 p.m. starting on September 5, 2017 after Summer Session. If the meeting time did not work out as expected Council would revisit the issue and consider changing the time. Mayor Koci read Charter Article II, Section 7 "Meetings" that only referenced the Organizational Meeting time of 8:00 p.m. on January 2<sup>nd</sup> of each year.

**DISCUSSION OF VARIOUS BOARD APPOINTMENTS**

Council needed to determine whether they wanted to re-appoint the current members because their terms expired in May, 2017: Board of Zoning & Appeals - Jim Wagner and John Trzeciak, Civil Service Commission - Nancy Lachowski, Richard Novak and John Whittaker, and Housing Council - Jeff Slezak, Tesa Martin and Randy Lewis. There was also a vacant Mayor's appointment that needed filled for a four (4) year term. Council determined they would re-appoint all the members for another term.

**DISCUSSION OF EQUALIZATION OF WARDS** – (Charter Art. II, Section 1 (c)) (11/21/16-12/5/16-12/19/16-1/3/17-1/17/17-2/6/17-2/21/17-3/6/17-3/20/17-4/3/17)

On April 3<sup>rd</sup>, Council and the Administration agreed there needed to be additional facts gathered concerning the costs before moving forward. Mr. Montello read the email he received by John Eddy at the Board of Elections: "Do to the fact that people have pulled petitions for the November 2017 election, any change in a ward will affect the election in several respects. The validity of a petition could change due to a signature being invalid. It also could disqualify a candidate. Litigation will result. No insurance coverage. We need to do before the time when a petition can be pulled. Further, the legal descriptions for a ward will change. Approximate cost of \$20,000. Not as simple as changing a map line. In short, we need to do immediately after November election. Sorry! We have been busy with numerous other issues. Including Issue one, CRA agreements, ED, the auction, etc. I will make statement at meeting". It was determined the Special Work Session previously discussed for April 24, 2017 was not necessary; however, Council would address this issue at a later date. There was still a difference of opinion as to what number should be used "population" or "voter strength". (Email attached) Mr. Saunders felt it was not a difficult process; all that needed to be done was move one street to another Ward to change the voter numbers. Mr. Montello felt it was more difficult than what Mr. Saunders thought. A simple cut and paste and move the map line could be harder than it sounds.


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

At 7:45 p.m., Bedford City Council, City Manager Mike Mallis and Law Director John Montello went into an executive session to discuss Litigation / Economic Development.

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

Executive Session adjourned at 7:57 p.m.

Work Session adjourned at 7:59 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 April 3, 2017
- b. Approval of Minutes of the Regular Meeting of April 3, 2017

5. PRESENTATIONS

6. OLD BUSINESS (1<sup>st</sup> Rdg: 4/3/17)

- a. Resolution No. 2511-17 authorize contract w/Chagrin Valley Dispatch (\$259,254.21)

7. REPORTS

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

8. NEW BUSINESS

- a. Resolution No. 2512-17 declaring the necessity to improve certain streets by lighting same
- b. Ordinance No. 9479-17 to proceed with the improvement of certain streets by lighting same
- c. Ordinance No. 9480-17 levying special assessments for the improvement of the street and public places
- d. Ordinance No. 9481-17 MOU w/Cuyahoga Soil and Water Conservation District & NEO Regional Sewer District for the conservation of soil and water resources

9. HEARING OF CITIZENS

10. ADJOURNMENT

Bedford City Council met in Regular Session at Bedford City Hall on Monday, April 17, 2017. Mayor Koci called the meeting to order at 8:01 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Absent: None.

Motion made by Mizsak seconded by Pozar to approve the minutes of the Work Session Meeting of April 3, 2017. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Spinks to approve the minutes of the Regular Meeting of April 3, 2017. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2511-17 A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF BEDFORD TO ENTER INTO A NEW MEMBER PARTICIPATION AGREEMENT WITH THE CHAGRIN VALLEY DISPATCH COUNCIL PLACED ON FIRST READING APRIL 3, 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizsak seconded by Saunders to place Resolution No. 2511-17 on second reading.

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

City Manager Michael Mallis listed various upcoming events and presentations. He congratulated Mr. Gambosi on his Bureau of Workers Compensation Safety Program award from the Greater Cleveland Safety Council. The award allowed the City to apply for funding opportunities. Mr. Gambosi hoped for a 2% discount which amounted to a couple thousand dollars. He was pleased with the recent Rockside Road Meadowbrook property auction of 12 acres; the proposed plan was two dealerships.

No reports from Law Director John Montello.

Finance Director Frank Gambosi explained to everyone the State was not going to be forgiving when it came to the April 18<sup>th</sup> Income Tax deadline. He warned the residents the Tax Department would be closing at its regular time at 5:00 p.m. on April 18<sup>th</sup>.

Councilman Pozar was pleased with the recent spring cleaning efforts in the downtown area. He announced the ribbon cutting of the Cleveland Eye Clinic located at 320 Broadway Avenue. He referred to the City's Codified Ordinances that spoke to residents were only allowed to have two vehicles in their driveways. He mentioned there were complaints regarding the several white vans that were violating the code. Mr. Mallis explained the property owner was notified and the Police Department was still tracking on this specific situation. Mr. Pozar appreciated the Police Department efforts and immediate response which pointed out the need to support Issue #1 so the City can continue services to the residents.

Councilman Saunders questioned who was supposed to be emptying and maintaining the rubbish cans located around the hospital; nobody really knew. He knew the chipper service was the first week of the month but he asked if the chipper service could go back out because of the piles of branches the residents placed on the tree lawns. Mr. Mallis would check with Mr. Bellar.

Councilwoman Zolata questioned who was going to address the leaning tree on Broadway Avenue on the Sisters of Charity property. Mr. Mallis stated the Sisters of Charity was notified because the property had not transferred to Testa. She appreciated the efforts made concerning the Meadowbrook property auction.

Councilwoman Spinks was pleased with the recent Ellenwood Easter Egg hunt. She was pleased Mazda would be cleaning up the Meadowbrook property.

Councilwoman Mizensak asked if the ash tree removal was going to continue. Mr. Mallis replied, yes. Mrs. Mizensak thanked the Service Department and the Police Department for their continued efforts. She talked about "watching your 6" which meant looking over your shoulder to ensure your own safety.

Councilman Genutis talked about the Ohio 2012 report that showed doctors prescribed an abundant amount of pain killers for 66 doses per man, woman and child; 793 million pills were prescribed in 2012. The prescription and heroin epidemic was something every community was struggling with. He commended Chief Nietert on his involvement in the program for those who need treatment and help. Mayor Koci stated it was called the Safe Passage Program. He recently attended a presentation where a former heroin addict spoke. This program was a proactive way for the Police Department to help those who definitely need it. Family members, friends and/or the addict themselves were urged to contact the Police Department. The addict would not be arrested for turning themselves in. The program was created to help addicts not punish/arrest them.

Mayor Koci announced the Regular Council meeting time would be changed to 7:00 p.m. starting September 5, 2017.

Mr. Gambosi explained the next three (3) pieces of legislation were the annual streetlight assessment. He explained the rate was increased 1.60 mills per each dollar of tax value per year or 16 cents per each one hundred dollars of such tax value per year for the tax year of 2017 to be collected in the year 2018. Mayor Koci asked the residents to call City Hall with the pole number if they noticed a streetlight out.

RESOLUTION NO. 2512-17 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Genutis to place Resolution No. 2512-17 on first reading.

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

ORDINANCE NO. 9479-17 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Pozar to place Ordinance No. 9479-17 on first reading.

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

ORDINANCE NO. 9480-17 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE STREET AND PUBLIC PLACES OF THE CITY OF BEDFORD, OHIO BY LIGHTING OF THE SAME IN ACCORDANCE WITH RESOLUTION NO. 2512-17 AND ORDINANCE NO. 9479-17 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Zolata to place Ordinance No. 9480-17 on first reading.

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

ORDINANCE NO. 9481-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR PROVIDING TECHNICAL ASSISTANCE IN IMPLEMENTING SOIL AND WATER CONSERVATION MEASURES AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. 9481-17 on third and final reading and passed as amended.

Mr. Mallis explained this was a coordination with the Districts and the necessary technical assistance in implementing soil and water conservation measures by the Districts under the Memorandum of Understanding constitute part of the City's compliance with Storm Water Management Program. The Memorandum of Understanding was with the Cuyahoga Soil and Water Conservation District and the Northeast Ohio Regional Sewer District for providing technical assistance in implementing soil and water conservation measures.

The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizsak, Genutis. 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, asked if the dealership was going to be a new business or was one of the current dealerships relocating. Mr. Mallis said there was ongoing discussion but nothing had been decided. Mrs. Williams pointed out Mrs. Spinks already announced the dealership's name.

Beth Housiaux-Stewart, 93 Avalon, invited everyone to attend the strategic planning meetings on April 25<sup>th</sup>, May 9<sup>th</sup> and May 23<sup>rd</sup> at Ellenwood 7:00 p.m. to 9:00 p.m. She asked for clarification regarding the Facebook postings she read regarding the shift numbers and ambulance availability at the Fire Department. Mr. Mallis explained the Fire Department was the only department fully staffed through the "Safety Forces Levy". Per the levy the department was currently staffed 9-8-8 as promised. The other two firefighters were hired in 2012 after the City applied and was awarded the SAFER Grant. This grant allowed the two firefighters to be paid 100% through the grant; not City funds. With the award of the SAFER Grant it allowed the Fire Department to staff at 9-9-9. With the loss of Ben Venue the City could not pay or budget for two additional firefighters. The grant was utilized to boost the department staffing levels to 9-9-9. Recently the City, again, applied for the SAFER Grant to learn the renewal of the grant was no longer covered at the original 100%; it was now decreased to 25%, 50% and 75%. Even without the SAFER Grant the Fire Department could continue to operate as it has been. The reality was the shifts were not staffed 9-9-9 everyday with employees taking vacation, sick time and personal leaves. He understood there was concern if the two firefighters weren't replaced through the grant that there would only be one ambulance; the reality was with employees on vacation, sick time and personal leaves there were days now where there was only one ambulance running. Another thing that came to his attention

was the unexpected retirement of two firefighters which he was not aware of until recently. He explained the Administration would have to determine what direction was going to be taken after the results of the May 2<sup>nd</sup> election. There would be plenty more very intense discussions between the

Administration, the unions and Council whether the income tax increase passed or failed. The focus was to look to the future and determine what the best direction for the City was. Nothing was carved in stone and he couldn't give definite answers until after the election and many discussions were held with the Administration, the unions and Council. The reality was the City needed to cut another \$500,000 so it is obvious items and/or employees needed to be cut. He stressed these would be very tough discussions.

Mr. Gambosi explained the "grants" were a temporary and not permanent issues/solutions. After the grants expired the City had to lower the staff levels. He personally was not in favor of the grants but as long as the grant was covered at 100% it allowed the City to utilize it. These types of grants were not sustainable unless there are some other types of funding source or new revenues. The grants were expiring and were no longer paid at 100% and the City can't afford the cost for two firefighters. Mrs. Housiaux-Stewart asked if the income tax increase passed would the City keep the two firefighters and one or two ambulances. Mr. Gambosi replied it didn't matter if the income tax increase passed or failed the City was not keeping the two SAFER Grant firefighters. Mr. Mallis and Mr. Gambosi clarified the City would not be losing an ambulance. The Fire Department only went to one ambulance when the shift reached five (5) employees.

Heather Young, 175 Harriman, understood with eight (8) employees per shift there could be three firefighters off work which only allowed one ambulance and one fire engine. Mr. Mallis said that was correct. Mrs. Young understood this was not the normal staffing but it could be possible. Mr. Mallis reiterated even with the current staffing there were times the department could only run one ambulance and one engine. Mrs. Young felt the wording on the flyer was an "empty threat". Mr. Mallis explained the Administration recently learned two more firefighters were leaving which did not have anything to do with the SAFER Grant. Mrs. Young understood the calls had doubled. Mayor Koci said the calls had increased not doubled. Mr. Gambosi offered Mrs. Young the opportunity to research the number for ambulance runs which were reported in the CAFER at the end of the year. The information was posted on the City's website. The City has reported ambulance calls for the past 20 years.

Dave Neff, 1136 Archer, thought the Fire Department was going to be down a total of five (5) firefighters. Mr. Mallis replied, no. He reiterated if the income tax increase failed the department would be down the two SAFER Grant employees and even if it passed the Administration, the unions and Council needed to determine whether the City could afford the difference in the percentages to cover the additional payroll at 25%, 50% and 75%. If the firefighters were kept then it was obvious other areas/items/employees would be cut. These were the tough discussions that needed to happen. He informed Mr. Neff the Service Department was already understaffed by 6-7 employees, Police Officers were not going to be cut; however, the Administration and Council needed to determine with the Fire Department union whether the grant could or would be renewed. As of today, the final decision was not made. He added if the income tax increase fails the SAFER Grant employees would definitely be cut. If the income tax increase passed then the discussions needed to take place. He stated if the income tax increase failed the City would maintain its "Safety Forces Levy" as promised. Mr. Gambosi asked the residents to keep in mind when the City was seeking cuts it came up with \$650,000 but the reality was there still needed to be \$350,000 in cuts. Since 1994 the City had added 10 additional firefighters at a population of 15,000 with the additional runs of 300 per year. Mr. Neff understood the SAFER Grant firefighters were separate from the income tax increase but was confused as to exactly how many firefighters would be cut. Mr. Mallis explained, the plan as right now, was if the income tax increase failed the City now knowing two additional firefighters were leaving and the expiration of the SAFER Grant equaled four firefighters the cuts would be the two SAFER Grant employees and the retiree(s) would not be replaced. The City currently had a \$1.1 million deficit and cost saving measures and cuts



currently equated to \$650,000 so the City still needed to find or make up \$350,000. He stressed if the income tax increase failed the City was going to drastically change by cutting 12-13 employees including Police and Fire employees. He said the original plan was 3 firefighters and the final decision would be made at a later date. At this point, nothing was certain and decisions were undetermined.

Sarah Gnoddie, 331 Marion, was pleased with the Easter egg hunt. She announced she was available to talk to those who were interested in helping or advertise supporting the income tax increase by displaying a yard sign.

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

Meeting adjourned at 8:58 P.M.



James Jellars

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Clerk of Council



Mayor - President of Council