

COUNCIL WORK SESSION

APRIL 3, 2017

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF SUMMER MEETING DATES** – (June/July/August)
- **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)
- **EXECUTIVE SESSION** – (Litigation / Economic Development / Personnel)

PLEASE TURN OFF ALL CELL PHONES BEFORE MEETING
(Council Minutes and Agendas posted at www.bedfordoh.gov)

Bedford City Council met in a Work Session at Bedford City Hall on Monday, April 3, 2017 at 6:35 p.m.

Present: Council Members: Mayor Stan Koci, Paula Mizsak, 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: Beth Housiaux-Stewart and Laura Hulett.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There were no changes to the following minutes: Wards 3 & 4 of March 16, 2017, the Work Session of March 20, 2017, the Regular Meeting of March 20, 2017 and Wards 5 & 6 of March 27, 2017.

ORDINANCE NO. 9477-17 AN ORDINANCE AUTHORIZING CHANGE ORDER #1 FOR THE RESIDENTIAL WATER METERS CONTRACT WITH UNITED SYSTEMS AND DECLARING AN EMERGENCY

Mr. Mallis assured Council the expenditures would not exceed the original quote. He explained the change order was necessary for incidentals as the City records did not match the situation in some of the homes so additional materials needed to be purchased for various situations. It was determined because of the age of some of the homes there were different pipe sizes so some of the homes had to be custom fitted. Some of the money was also being spent on training the two new Water Department Clerks. Mr. Mallis said 50% of the meters had been installed and the change order amount of \$50,000 was probably more money than what was needed but he didn't want to keep coming back to Council for additional money. The project would still be completed without exceeding the original expected cost of the project. Discussion was held that some water bills had increased since the new meter installations; however, it was determined the difference could have been because the last bill was billed at fewer days than the recent bill.

ORDINANCE NO. 9478-17 AN ORDINANCE AMENDING ORDINANCE NO. 9443-16 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2017 AND DECLARING AN EMERGENCY

Mr. Gambosi explained the following reasons for the increase or decrease in appropriation requests:
General Fund: The increases in appropriations for 2017 in the General Fund was due to the Large Net losses Tax refunds to three businesses \$300,000, transfers out to Health insurance to increase fund balance to \$150,000 and to transfer funds from rainy day General Fund reserve account in the amount not to exceed \$400,000. Fund 111 General Fund Reserve: to account for transfers into the General Fund out of rainy day fund to cover expenses in the amount of \$400,000. Fund 205 SEALE Narcotics Fund: To account for current year grant funds, unspent program income funds, and additional budget funding from cities for 2017. Fund 213 Grants Fund- After review of the grants that had unspent money in 2016, we need to appropriate these amounts in 2017. Also new grants and donations needed to be appropriated for VAWA Grant and matching funds for 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 AND DECLARING AN EMERGENCY

Mr. Mallis explained the fee was determined by a formula specifically for each community. After some deliberation with Chagrin Valley Dispatch (CVD) it was agreed that Bedford could spread the cost over a three year payment schedule instead of two years. He pointed out that the eleven communities were of elite class with upper quality citizenry and quality homes. He was pleased Bedford was accepted in this elite group. Mr. Saunders questioned if CVD would stay in Bedford when their contract expired. Mr. Mallis didn't know and couldn't predict what was going to happen and the original contract was for ten

years. Mrs. Zolata noticed some of the communities listed in contract were the same who utilized the Bedford Courts. Council was pleased with the quality communities listed in the contract.

Discussion of the Regular Meeting agenda was concluded.

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)

At the previous meeting after many comments/opinions it was determined “voter strength” was “voters” not “population”. For clarification “population” was covered in the ORC §731.06 as follows:

731.06 Division of city into wards.

(A) The legislative authority of a city shall subdivide the city into wards, equal in number to the members of the legislative authority to be elected from wards, within ninety days after:

(1) The first day of October of the year following the decennial census year;

(2) The approval of the adoption, change, or abandonment of an alternative plan for the composition of the legislative authority of the city under division (B) or (C) of section 731.01 of the Revised Code, if the number of wards is changed;

(3) The annexation of territory containing, according to the last federal census or a census authorized by the legislative authority, such population as will entitle the city to an additional member of the legislative authority under division (A) of section 731.01 of the Revised Code.

(B) If the legislative authority fails to make such subdivision within the time required, it shall be made by the director of public service.

(C) In order to provide substantially equal population in each of the wards, the legislative authority may redivide the city into wards at any time.

(D) All wards shall be bounded, as far as practicable, by county lines, streets, alleys, lot lines, avenues, public grounds, canals, watercourses, municipal corporation lines, center lines of platted streets, or railroads, and shall be composed of adjacent and compact territory, and substantially equal in population.

(E) The legislative authority may authorize and provide for conducting a census of the population of the city at any time in order to carry out the powers granted by this section.

(F) Action of the legislative authority to divide the city into wards shall be taken by ordinance and shall be effective for the first municipal primary election occurring at least one hundred fifty days after the passage of the ordinance. - Effective Date: 07-16-1970

Council agreed the Charter should be changed at the next Charter Review to clarify “voter strength”. Mayor Koci pointed out the numbers on the reports were correct figures and could be used for this task. He said even though the Charter stated it had to be done “within six months after each national presidential election”; that wasn’t possible at this point. Mr. Montello asked for clarification of the wishes of all of Council whether this needed to be done this year. It was understood the cost would be somewhere around \$25,000 and was this something that needed to be done because of the costs. Mayor Koci and Mr. Saunders felt it needed to be done per the Charter and Mr. Pozar still felt it was unnecessary. It still was unclear the direction of Mrs. Mizesak, Mrs. Zolata, Mrs. Spinks and Mr. Genutis. Clerk Villers asked Mr. Mallis if the boundary changes would affect Code Red. Mr. Mallis was not sure. Mr. Pozar pointed out it has been years since it was done and Bedford had not suffered any penalties or punitive actions. Mr. Saunders suggested instead of seven (7) Wards to reduce it to four (4) Wards with three (3) Wards at-large positions and the Ward with the most votes would be the Mayor. Council wasn’t much in favor of the idea. Mr. Saunders thought there might be some other Engineering costs to equalize the Wards. Council and the Administration agreed there needed to be additional facts gathered concerning the costs before moving forward. There was a possibility of having a Special Work Session on April 24, 2017 at 6:00 p.m. to figure the new boundaries.

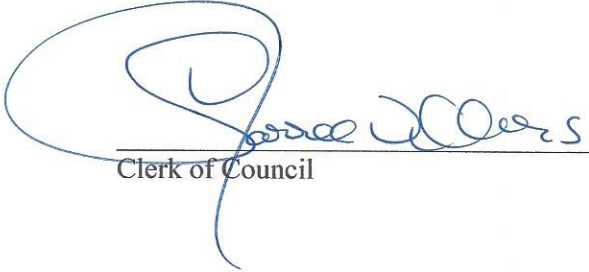
Motion made by Mizesak and seconded by Saunders to go into executive session to discuss Litigation / Economic Development / Personnel. The roll was called. Vote – Yeas: Saunders, Zolata, Koci, Mizesak, Genutis, Spinks, Pozar. Nays: None. Motion carried unanimously.

At 7:30 p.m., Bedford City Council, City Manager Mike Mallis and Law Director John Montello went into an executive session to discuss Litigation / Economic Development / Personnel.

Motion by Mizsak seconded by Pozar to adjourn executive session. The roll was called. Vote – Yeas: Saunders, Zolata, Koci, Mizsak, Genutis, Spinks, Pozar. 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 Wards 3 & 4 of March 16, 2017
 - b. Approval of Minutes of the Work Session of March 20, 2017
 - c. Approval of Minutes of the Regular Meeting of March 20, 2017
 - d. Approval of Minutes of the Wards 5 & 6 of March 27, 2017
5. **PRESENTATIONS** – Free Permit Month
6. **OLD BUSINESS**
7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
8. **NEW BUSINESS**
 - a. Ordinance No. 9477-17 change order #1 w/United Systems for residential water meters (\$815,215)
 - b. Ordinance No. 9478-17 amend Ordinance No. 9443-16 making additional appropriations
 - c. Resolution No. 2511-17 authorize contract w/Chagrin Valley Dispatch (\$259,254.21)
9. **HEARING OF CITIZENS**
10. **ADJOURNMENT**

Bedford City Council met in Regular Session at Bedford City Hall on Monday, April 3, 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizesak. Absent: None.

Motion made by Zolata seconded by Spinks to approve the minutes of the Wards 3 & 4 Meeting of March 16, 2017. The roll was called. Vote – Yeas: Genutis, Zolata, Koci, Mizesak. Nays: None. Abstain: Spinks, Pozar, Saunders. Motion carried.

Motion made by Saunders seconded by Mizesak to approve the minutes of the Work Session Meeting of March 20, 2017. The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Genutis seconded by Zolata to approve the minutes of the Regular Meeting of March 20, 2017. The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to approve the minutes of the Wards 5 & 6 Meeting of March 27, 2017. The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Koci, Mizesak. Nays: None. Abstain: Spinks. Motion carried.

Mayor Koci read the Certificate of Appreciation written to the residents by extending the month of June as Free Permit Month for exterior projects only. Thanks was given to the residents who make an effort to maintain their homes.

City Manager Michael Mallis explained the City was working with the County Land Bank concerning 136 Garden Lane, the chipper service started today, the computer and household hazard waste roundup was April 3rd through April 28th; items should be dropped off at the Service Department plus for the resident's convenience the Service Department would be open Saturday, April 22nd, the Rotary Pancake Breakfast and Run was April 30th and the Tax Department was open Saturday, April 8th. He announced the Meadowbrook auction was April 4th auctioning 12 acres, the Sisters of Charity on Broadway Avenue was still in process of transferring to the Testa Company, on May 8th the Metroparks would be available at City Hall to give a presentation regarding wildlife and the Deer Culling report would be available soon; there were 35 deer culled this season.

No reports from Law Director John Montello and Councilman Genutis.

Finance Director Frank Gambosi warned the residents the due date for tax returns was April 18th under State requirements regarding penalty of interest. He stressed the State was not forgiving

Councilman Pozar explained the City employees/workers donated their time and efforts to deliver the Issue #1 Income Tax increase flyer to the residents. He appreciated the contribution of each employee who donated their time to support the cause. He offered a list of 19 agencies the Federal Government was considering cutting. He reminded everyone that one of the agencies affected could be Meals on Wheels and since the media blast the contributions increased 28% nationally; sometimes it was good to let the people know about important issues.

Councilman Saunders stated 136 Garden previously had many issues: the City had the garage demolished, there was the scene of the attempted suicide and has been an eyesore for many years. The neighbors would be pleased to see this home removed. Mr. Mallis said the City issued a full inspection of this home and its poor condition; the report was submitted to the County Land Bank. Mr. Saunders stated there was significant work that needed to be done to the home and per the codes a garage built.

Councilwoman Zolata noted Ward 3 did not have as many deer as other Wards. Her brother witnessed ten deer on Wandle while walking the dog. She thanked the Service Department for running the street sweeper. She mentioned the passing of former Mayor Lansky of Maple Heights. She also appreciated the City employees donating their time this past Saturday passing out Issue #1 flyers. She reported there was a tree hanging over Broadway Avenue near the Sisters of Charity property. Mr. Mallis assured her Mr. Bellar was aware of it.

Councilwoman Spinks reported a resident on Bexley Road who continues feeding approximately 25 deer in her driveway. This resident felt there was nothing wrong with what she was doing. Mrs. Spinks tried to confront this resident but had no success in making her understand she shouldn't be feeding the deer per Codified §505.24 and there had been a couple deer hit in this area. She begged the residents not to feed the deer. The coyote population had increased because of the wildlife food source presently in Bedford. She welcomed Dinah Mouat the Meals on Wheels representative to the meeting and apologized that she could not attend this evening's dinner. The support from the Federal Government and various donations were very important to those who relied on these meals.

Councilwoman Mizens supported Issue #1 on the May ballot and appreciated those employees who donated their time passing out information. She thanked the Service Department for running the chipper in her area. She stated, "No lawn trimmings in the street, keep them on the corner or put them in a barrel". She wished Mr. Saunders luck on his upcoming surgery and she felt he would continue representing his Ward 6 residents no matter how he felt.

Mayor Koci gave his condolences to the Lansky family. Mr. Lansky was at Ferfolia Funeral Home in Sagamore Hills on SR 82. Mr. Lansky served many years (1987 to 2015) tirelessly for the residents of Maple Heights. He was straight forward and everyone knew where they stood. He announced the Heritage Home Program presentation would be on April 26, 2017 at 6:30 p.m. at City Hall for those who own homes 50+ years or older. He wished everyone a Happy Easter and to enjoy their families.

ORDINANCE NO. 9477-17 AN ORDINANCE AUTHORIZING CHANGE ORDER #1 FOR THE RESIDENTIAL WATER METERS CONTRACT WITH UNITED SYSTEMS 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizens. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Mizens to place Ordinance No. 9477-17 on third and final reading and passed as amended.

Mr. Mallis explained this change order authorized the contingency allowance to be increased for the United Systems contract. The funds would be used for incidentals to continue the project; currently 15% of the project had been completed. The Administration did not expect to spend the entire \$50,000 but wanted to address these issues as they arose. Mayor Koci stressed the residents needed to schedule their appointments as soon as they received the letter to do so. The water meter swap was quick and the gentlemen were very friendly and respectful.

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

ORDINANCE NO. 9478-17 AN ORDINANCE AMENDING ORDINANCE NO. 9443-16 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizensak. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Pozar to place Ordinance No. 9478-17 on third and final reading and passed as amended.

Mr. Gambosi explained the following reasons for the increase or decrease in appropriation requests:
General Fund: The increases in appropriations for 2017 in the General Fund was due to the Large Net losses Tax refunds to three businesses \$300,000, transfers out to Health insurance to increase fund balance to \$150,000 and to transfer funds from rainy day General Fund reserve account in the amount not to exceed \$400,000. Fund 111 General Fund Reserve: to account for transfers into the General Fund out of the rainy day fund to cover expenses in the amount of \$400,000. Fund 205 SEALE Narcotics Fund: To account for current year grant funds, unspent program income funds, and additional budget funding from cities for 2017. Fund 213 Grants Fund: After review of the grants that had unspent money in 2016, the City needed to appropriate these amounts in 2017. Also new grants and donations needed to be appropriated for VAWA Grant and matching funds for 2017.

The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizensak. 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 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Pozar to place Resolution No. 2511-17 on first reading.

Mr. Mallis explained the City left the SECC and entered into an agreement with Chagrin Valley Dispatch with 11 other communities. The CVD was very well run, acknowledged nationally and a win-win for Bedford. CVD had already reached out to the Bedford Police and Fire Departments educating them on how CVD operated. The City would always look at its programs from an operational and financial standpoint. The City was not getting the quality expected from the SECC as promised to the residents and therefore a change needed to be made.

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

Beth Housiaux-Stewart, 93 Avalon, said her water meter was changed within 15 minutes by a very nice gentleman. She supported Issue #1 and offered her services. She said she was on the Bedford Neighborhood Watch, Apps and Facebook and she felt the City needed to hold informal strategic plan meetings to discuss various topics and each group could submit an action plan over a couple month period. She felt people needed to be engaged and heard. Most of the residents had experienced strategic planning, the residents knew what their neighborhoods needed, and the residents were caring individuals

and passionate about Bedford. She felt this process should start as soon as possible. She felt the Administration, Council and the residents should work together for the greater need.

Jeff Duber, 134 Harriman, referred to a piece of mail called Bedford Neighbor postmarked from St. Cloud Minnesota. Mayor Koci explained the specific site was to communicate with your neighbors. On the website there was an option to send/mail an invitation to a neighbor inviting them to the group. It was not a City's website and the person's name on the mail was a Bedford resident on Wellman. Nobody knew how the App/website was funded.

Dinah Mouat, 1226 Broadway Avenue, Southeast Clergy Meals on Wheels Treasurer and General Manager. She referred to the recent Neighborhood News article in which Mr. Pozar expressed his concerns and felt she needed to clarify a few things. 1) Meals on Wheels was a member of the National Meals on Wheels but completely independent, 2) there were 85 volunteers and one person received a pay check, 3) the funding was important; 2/3's of the clients received Federally paid meals daily, 4) she stated the program needed Washington in Bedford, 5) the Meals came via the Western Reserve Agency on Aging directly to two (2) partnering organizations Maple Heights Senior Center and Rose Center of Aging Well therefore there was no need for a staff or overhead costs, 6) currently serving 80-100 people between the four communities, 7) Meals on Wheels received private donations to subsidize for those who do not qualify under the age of 60 years old or if the social worker did not feel there was a great enough need, 8) the organizations can only apply for a certain amount of spots that were shared with Southeast Clergy Meals on Wheels, 9) to her knowledge they have never received a Community Development Block Grant in the last ten years, 10) the participation of the Federal Funds needed to continue to make it all possible. She suggested the next time someone wanted to talk about certain programs they should contact the appropriate office to gather the facts. She hoped clarification would be made regarding the comments stated in the recent newspaper article. She reminded everyone that the elderly watched TV and listened to the news so they were aware of many things. She said a letter would be mailed to those who received the meals to ensure them their meals were not going to cease. Her visit was to clarify a few things and educate Bedford's Elected Officials. Mayor Koci stated the City appreciated everything the Southeast Clergy Meals on Wheels did for those in need.

Mr. Pozar thanked her for the clarification on the dual funding Washington was talking about. His point was the Community Development Block Grant monies that the press said was going to affect and take away Meals on Wheels was inaccurate. The whole point was the Community Development Block Grant monies was not going towards Meals on Wheels. Meals on Wheels depends on contributions and other sources of funding utilizing programs through Washington programs but not Community Development Block Grants. Mr. Pozar noted that sometimes things got lost in the translation. Mrs. Mouat stated what bothered her about the article was the statement made by Mr. Pozar who said, I encourage the people in this room to continue volunteering, donating to Meals and Wheels and "let's keep Washington out of here". The Washington statement was what bothered her.

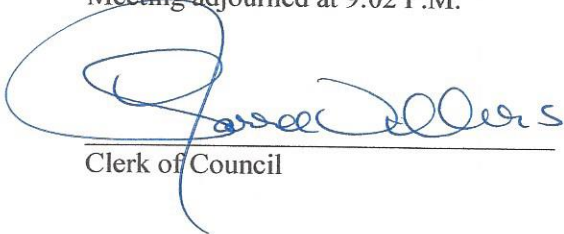
Trish Karabowicz, 432 Union, questioned whether her water bill would continue to read her previous meter. Mr. Mallis said it should adjust but it might not have for this billing depending on the cycle. Ms. Karabowicz stated her experience with the water meter replacement was very pleasant. She offered her services for any non-profit organizations in Northeast Ohio and Michigan. She asked who approved the items on the lobby table. Mr. Mallis said the Administration approved the items on the table. Ms. Karabowicz was a semi-finalist of Ms. Dyngus Day and would be displaying a booklet on the lobby table.

Bonita Faulkner, 79 Dewhurst, asked why new water meters. Mr. Mallis replied the current meters were 15-20 years old and had exceeded their life span plus with the new meters the reads would now be read electronically. Ms. Faulkner asked who was responsible if a meter broke. Mr. Mallis said it depended on the situation; however, if the meter was suspected of malfunctioning the City would absorb the cost. If the

meter was physically damaged then the resident would be responsible to pay for the replacement. Ms. Faulkner asked what the cost was. Mr. Mallis did not know. Ms. Faulkner asked how Issue #1 would affect her property taxes. Mr. Mallis clarified "income" tax was different from "property" tax.

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

Meeting adjourned at 9:02 P.M.


Clerk of Council


Mayor - President of Council