

COUNCIL WORK SESSION

MONDAY, MAY 2, 2016

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF QUIET ZONE**
- **EXECUTIVE SESSION** – (Economic Development – Sisters of Charity, Xellia, St. Peter Chanel property)

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, May 2, 2016 at 6:35 p.m.

Present: Council Members: Walter Genutis, Greg Pozar, Don Saunders, Marilyn Zolata, Paula Mizsak, Mayor Stan Koci, Sandy Spinks. Absent: None. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Clerk of Council Lorree Villers. Also in attendance: Al and Ann Boroski, 209 Broadway Avenue, Beth Housiaux-Steward, 93 Avalon Avenue and Arlene Orlando, 98 Talbot Avenue.

Council had no changes to the minutes of the Work Session and the Regular Meeting of April 18, 2016, the April 11, 2016 Wards 3 & 5 meeting and April 25, 2016 Wards 4 & 6 meeting. Clerk Villers would add Mr. Genutis as being present for the April 25, 2016 meeting.

Mr. Gambosi reminded Council the next three (3) pieces of legislation were in conjunction with one another and would go through the three (3) reading process mainly because there was an assessment increase; these would be placed on second reading this evening. After discussion it was determined the following amendment would be increased to 1.50 mills per each dollar of tax value per year or 15.0 cents per each one hundred dollars of such tax value per year.

1) RESOLUTION NO. 2502-16 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME

2) ORDINANCE NO. 9379-16 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME

3) ORDINANCE NO. 9380-16 BEING 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. 2502-16 AND ORDINANCE NO. 9379-16

Al and Ann Boroski, 209 Broadway Avenue, passed out information for Council to review. (see attached)

The motion to accept the Planning Commission recommendation of April 5, 2016 for Al & Ann Boroski, 209 Broadway Avenue, Bedford who was seeking clarification regarding City of Bedford Codified Ordinance §1938.02 (a) (2) regarding the minimum 50,000 square feet requirement for a used car dealership for Stewart Auto Group was tabled on April 18, 2016 for further discussion.

Questions and discussion was held whether the property was grandfathered, whether it was currently a used car dealership, whether it was ever a used car dealership, what was the actual square footage of the parcel that should be taken into consideration, how it should be considered since there were multiple renters/businesses at the same location, the current storing of cars did not constitute it as being a dealership and with the building having multiple renters what number of parking spaces needed to be available for employees and customers. Mrs. Boroski explained they were asking nothing more than to continue with the same use of the property for Stewart Auto Group Auto Sales. Mr. Mallis said the intent of the Codified Ordinance §1938.02 (a) (2) regarding the minimum 50,000 square feet requirement for a used car dealership was to keep out small used car dealerships and that was the reason for the requirement of 50,000 square feet. The question was asked whether the Boroski's were going to remodel the outside of the building. Mr. Boroski said that was his intent but he couldn't do it without renting the building to another renter. Mayor Koci said the item would be discussed in executive session and would be tabled again because Council did not have enough time to review the information presented this evening. Plus, Mr. Beverly was not present this evening to answer all the questions or concerns Council had; Council still needed clarification.

RESOLUTION NO. 2503-16 BEING A RESOLUTION APPROVING AND ACCEPTING THE PROPOSED 2016 TAX BUDGET FOR THE YEAR JANUARY 1, 2017 TO DECEMBER 31, 2017

Mr. Gambosi explained this was an annual resolution; it would be read three times and a Public Hearing on May 16, 2016 at 7:00 p.m. It was asked if the attached figures could be changed. Mr. Gambosi explained State of Ohio laws required municipalities to submit to the County Commission approximately six (6) months prior to the beginning of each calendar year an estimated budget for the next calendar year so that the tax rate for such year may be determined by the Budget Commission. This was his proposed budget of estimated income and expenditures for the tax year 2016.

ORDINANCE NO. 9381-16 AN ORDINANCE AMENDING SECTIONS 709.01, 709.02, 709.03 AND REPEALING SECTION 709.04 OF THE BUSINESS REGULATIONS CODE ENTITLED "CARNIVALS AND CIRCUSES" OF THE CITY OF BEDFORD, OHIO

Mr. Mallis explained the Administration and the property owner needed adequate notice from carnivals and circuses who were requesting an event in Bedford. There were many things that needed to be done prior to approving such an event. The last carnival that was in Bedford was a nightmare because of all the last minute inspections and safety measures that needed to take place to ensure a safe tent structure, electrical supply and safety force coverage. Recently there was a situation where the circus wanted to come to Bedford and they were advertising tickets for the show and neither the City nor the property owner were even aware they were coming. There was confusion as to whether this section of the codified affected the events held at the City Square. The difference was §713 was for non-profit organizations on public streets or other public places like the City Square for events and §709 was for gain or profit on private property like Meadowbrook. It was determined this item would be read as a first reading.

ORDINANCE NO. 9382-16 AN ORDINANCE AMENDING ORDINANCE NO. 9342-15 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2016

Mr. Gambosi explained the amendments were for: workers compensation, separation pay for a retiring Court employee, SEALE grants and water fund. (see attached)

ORDINANCE NO. 9383-16 AN ORDINANCE AUTHORIZING CHANGE ORDER #1 FOR THE EMERGENCY REPAIR TO THE SANITARY SEWER ATTACHED TO THE UNION STREET BRIDGE WITH NERONE & SONS, INC.

Mr. Mallis explained the cost increase was for galvanized steel brackets and U-bolts connecting the sewer line to the bridge which needed to be modified for better installation at a cost of \$675.81 for the materials only.

ORDINANCE NO. 9384-16 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH UNITED SYSTEMS BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER

Mr. Mallis explained this was for the residential water meter replacement project. Mr. Gambosi explained this project was overdue because of the ages of the current water meters. It was previously determined that it was necessary and in the best interest of the City to issue bonds in an amount of \$1,400,000 for the purpose of paying costs of improving and renovating the municipal water distribution system by purchasing residential water meters [Ordinance No. 9354-15] passed by Council. Mayor Koci requested this be read as a first reading because of the cost.

ORDINANCE NO. 9385-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMFORT SYSTEMS USA FOR A TEST & INSPECT MAINTENANCE AGREEMENT

Mr. Mallis explained Mr. Beverly and Tony Romito requested Council to pass the contract with Comfort Systems USA even though it was \$786 more annually; the City had a good relationship with their representative who was knowledgeable and they did a great job. Council had no issues with the request.

Motion to accept the Planning Commission recommendation of April 19, 2016 for Bruce & Kristi Hathaway, 48 Eldred Avenue, Bedford is seeking relief from §1913.07 (o) of the Codified Ordinances of the City of Bedford for a variance which limits the size of a garage to 500 square feet; request is an additional 28 square feet – §1913.07 (o) Allowable Sizes of Garages

Mr. Mallis said the Administration would be amending this section in the codified because the size made no sense; 500 square feet was a small garage. Council did not have any concerns with the Commission's recommendation.

Motion to accept the Planning Commission recommendation of April 19, 2016 for Brian G. Fabo, 1736 Columbus Road, Cleveland, Ohio – Mercedes Benz of Bedford, 18122 Rockside Road is seeking to install new 2' 4" masonry walls and swing gates at existing entrance / exits – 1305.09 Building Plan Review by Planning Commission

Mr. Mallis explained the gates would have a knock-box which would add approximately 20 seconds to the Fire Department's response time to enter the property after hours for an emergency; however, the Fire Department would have a master key for their convenience. Mr. Saunders wondered if this was in the right of way. Mrs. Mizesak wanted to know how big/long the gates were. Council did not have any major concerns with the Commission's recommendation.

Motion to accept the Board of Zoning & Appeals recommendation of April 26, 2016 for Motorcars ACURA, 18123 Rockside Road, Bedford - Dick Marcellino / Doty & Miller Architects is seeking relief from Section 1938.06 (a) of the Codified Ordinances of the City of Bedford for a variance setback of 26' 8" since the existing basement wall is at this dimension (PC 4/5/16)

Council did not have any concerns with the Commission's recommendation.

Motion to appoint John Montello as the City's designee for the Ohio Auditor of State's Office Public Records Training on February 25, 2016

Council thanked Mr. Montello for attending on their behalf.

Discussion of the Regular Meeting agenda was concluded.

DISCUSSION OF QUIET ZONE

Mr. Mallis and Council rehashed the history since 2008 of this issue. Mr. Mallis was in the process of getting the facts of the guarantee and costs before presenting it to Council to determine the next steps. It was time a decision needed to be made one way or the other whether this project was going to happen. He would inform Council when he had the facts.

Motion made by Mizesak and seconded by Genutis to go into an executive session to discuss Economic Development – Sisters of Charity, Xellia, St. Peter Chanel property. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizesak. Nays: None. Motion carried unanimously.


At 6:46 p.m., Bedford City Council, City Manager Mallis, Finance Director Gambosi and Law Director Montello went into an executive session to discuss Economic Development – Sisters of Charity, Xellia, St. Peter Chanel property.

At 8:06 p.m., Bedford City Council recessed Executive Session to attend the Regular Council Meeting.

At 9:20 p.m., Council reconvened Executive Session.

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

Work Session adjourned at 10:05 p.m.


Clerk of Council


Mayor - President of Council

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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 April 18, 2016
 - b. Approval of Minutes of the Regular Meeting of April 18, 2016
 - c. Approval of Minutes of the Wards 3 & 5 Meeting of April 11, 2016
 - d. Approval of Minutes of the Wards 4 & 6 Meeting of April 25, 2016
 5. **PRESENTATIONS**
 6. **OLD BUSINESS** (1st Rdg 4/18/16)
 - a. Resolution No. 2502-16 declaring the necessity to improve certain streets by lighting same
 - b. Ordinance No. 9379-16 to proceed with the improvement of certain streets by lighting same
 - c. Ordinance No. 9380-16 levying special assessments for the improvement of the street and public places by lighting
 - d. Motion to accept the Planning Commission recommendation of April 5, 2016 for Al & Ann Boroski, 209 Broadway Avenue, Bedford who is seeking clarification regarding City of Bedford Codified Ordinance §1938.02 (a) (2) regarding the minimum 50,000 square feet requirement for a used car dealership (roll call)
 7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
 8. **NEW BUSINESS**
 - a. Resolution No. 2503-16 approving and accepting the proposed 2016 Tax Budget for the year January 1, 2017 to December 31, 2017 (Rdgs: 5/2/16, 5/16/16, PH 5/16/16, Pass 6/6/16)
 - b. Ordinance No. 9381-16 amend Carnivals and Circuses §709.01, §709.02, §709.03 & Repeal §709.04
 - c. Ordinance No. 9382-16 amend Ordinance No. 9342-15 making additional appropriations
 - d. Ordinance No. 9383-16 change order Nerone & Sons Union St. Bridge sewer pipe repair (\$675.81/#9353-15)
 - e. Ordinance No. 9384-16 contract w/United Systems for residential water meters (\$765,215)
 - f. Ordinance No. 9385-16 contract w/Comfort Systems for HVAC (\$4,070)
 - g. Motion to accept the Planning Commission recommendation of April 19, 2016 for Bruce & Kristi Hathaway, 48 Eldred Avenue, Bedford is seeking relief from §1913.07 (o) of the Codified Ordinances of the City of Bedford for a variance which limits the size of a garage to 500 square feet; request is an additional 28 square feet – §1913.07 (o) Allowable Sizes of Garages (roll call)
 - h. Motion to accept the Planning Commission recommendation of April 19, 2016 for Brian G. Fabo, 1736 Columbus Road, Cleveland, Ohio – Mercedes Benz of Bedford, 18122 Rockside Road is seeking to install

new 2' 4" masonry walls and swing gates at existing entrance / exits – 1305.09 Building Plan Review by Planning Commission (roll call)

- i. Motion to accept the Board of Zoning & Appeals recommendation of April 26, 2016 for Motorcars ACURA, 18123 Rockside Road, Bedford - Dick Marcellino / Doty & Miller Architects is seeking relief from Section 1938.06 (a) of the Codified Ordinances of the City of Bedford for a variance setback of 26' 8" since the existing basement wall is at this dimension (PC 4/5/16)
- j. Motion to appoint John Montello as the City's designee for the Ohio Auditor of State's Office Public Records Training on February 25, 2016

9. **HEARING OF CITIZENS**

10. **ADJOURNMENT**

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

Bedford City Council met in Regular Session at Bedford City Hall on Monday, May 2, 2016. Mayor Koci called the meeting to order at 8:11 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 and seconded by Spinks to approve the minutes of the Work Session Meeting of April 18, 2016. The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Pozar to approve the minutes of the Regular Meeting of April 18, 2016. The roll was called. Vote – Yeas: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Pozar and seconded by Mizesak to approve the minutes of the Wards 3 & 5 Meeting of April 11, 2016. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Koci. Nays: None. Abstain: Genutis, Spinks, Mizesak. Motion carried.

Motion made by Zolata and seconded by Genutis to approve the minutes of the Wards 4 & 6 Meeting of April 25, 2016. The roll was called. Vote – Yeas: Genutis, Saunders, Koci, Mizesak. Nays: None. Abstain: Pozar, Zolata, Spinks. Motion carried.

RESOLUTION NO. 2502-16 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME PLACED ON FIRST READING APRIL 18, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizesak to amend Resolution No. 2502-16.

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

Motion made by Zolata seconded by Spinks to place Resolution No. **2502-16** on second reading as amended.

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

ORDINANCE NO. 9379-16 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME PLACED ON FIRST READING APRIL 18, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Pozar seconded by Mizesak to amend Ordinance No. 9379-16.

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

Motion made by Zolata seconded by Spinks to place Ordinance No. **9379-16** on second reading.

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

ORDINANCE NO. 9380-16 BEING 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. 2502-16 AND ORDINANCE NO. 9379-16 PLACED ON FIRST READING APRIL 18, 2016 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis seconded by Zolata to amend Ordinance No. 9380-16 to change from 1.40 to 1.50 mills per each dollar of tax value per year or 14.0 to 15.0 cents per each one hundred dollars of such tax value per year. Mr. Pozar asked what the increased amount would be. Mr. Gambosi figured approximately \$25,000.00 to pay the street lights electricity.

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

Motion made by Genutis seconded by Zolata to place Ordinance No. 9380-16 on second reading as amended.

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

Motion by Spinks and seconded by Zolata to leave on the table the Planning Commission recommendation of April 5, 2016 for Al & Ann Boroski, 209 Broadway Avenue, Bedford who is seeking clarification regarding City of Bedford Codified Ordinance §1938.02 (a) (2) regarding the minimum 50,000 square feet requirement for a used car dealership

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

City Manager Michael Mallis was pleased with the Rotary Pancake Breakfast and thanked Mr. Gambosi for his efforts, he announced the May 21st Shred Day at City Hall and urged everyone to attend the May 9th Deer & Coyote Management Presentation by the Metroparks. He assured everyone the Administration was aggressively addressing the grass cutting issues, he said the fees for the pool would be amended for a discount for the three sessions and the topic of addressing the Historical downtown business vacancies would be in discussions soon.

No reports from Law Director John Montello and Finance Director Frank Gambosi.

Mayor Koci commended the Historical Society on their recent Ohio History Fair which was a success.

Councilman Genutis was pleased with the artwork display at the pancake breakfast it showed positivity, it was uplifting and beautiful. He urged everyone to join the Bedford Garden Club plant sale May 6th 10:00 a.m. to 4:00 p.m. and May 7th 10:00 a.m. to 2:00 p.m. at Ellenwood.

Councilman Pozar spoke about a recent police call this past Saturday in Ward 5. He discovered this specific property was currently in litigation and couldn't be sold. This property was purchased by Cuyahoga County through its tax lien in hopes to flip the home, some of these homes were sitting for years and deteriorating. This practice from the County was counterproductive for the cities and it had become a major problem. He listed properties that need addressed by the Building Department as follows: 286 W. Grace, 39 First Street, 758 Wellman Street, 52 Center Road and 86 Wandle Street. He recommended the following: Lobby the County to find out the status of these specific tax liens to see if they had been sold and the City should condemn all the listed properties since nothing has been done for a couple of years. Mr. Mallis explained the selling of tax liens had been an ongoing problem which the First

Suburbs tried to address with Cuyahoga County in 2015. The City has been trying to address several homes throughout Bedford with the County and the involved banks and it has been a challenge. Mr. Pozar clarified the motion to table the Planning Commission's recommendation regarding Al and Ann Boroski was to allow further discussion.

Councilman Saunders said all the Counties were doing tax lien sales. It used to be a convenience for the Counties so they wouldn't have to spend money on foreclosures, sell the homes in bulk to save money. The buyer would have to deal with the foreclosure process; the banks didn't want to pay for the foreclosure process either. He stressed the following: the Police Officers needed to address the children walking in the streets, the residents needed to stop blowing their grass clippings into the streets; the grass clogs the storm sewers and becomes slippery on the streets when it rains and the residents were putting their rubbish cans out too early.

Councilwoman Zolata reminded everyone to attend the plant sale, she enjoyed the Ohio History Fair. She asked if the City regulated the business hours for the businesses in Bedford. Mr. Mallis did not believe the City could regulate business hours but he would check with the Building Department.

Councilwoman Spinks also enjoyed the Ohio History Fair with the children painting Pooka's, she urged everyone to attend the plant sale and enjoyed the Rotary Pancake breakfast. She was not pleased about the three deer eating her fresh flowers out of the opened rear hatch of her SUV.

Councilwoman Mizensak also enjoyed the Ohio History Fair with an attendance of 300 people and she thanked all those who helped. She thought the Ward meetings went well this year. She asked Mr. Mallis how the tattoo shop was addressed with the disposal of their used needles. Mr. Mallis said the Health Department was contacted and the rubbish cans were monitored/checked. Mrs. Mizensak had concerns regarding the other tattoo shops. She wished all the mother's a Happy Mother's Day. She announced there were three car shows downtown this summer. Mayor Koci commended the volunteers who helped with various things throughout the year.

RESOLUTION NO. 2503-16 BEING A RESOLUTION APPROVING AND ACCEPTING THE PROPOSED 2016 TAX BUDGET FOR THE YEAR JANUARY 1, 2017 TO DECEMBER 31, 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Mizensak to place Resolution No. **2503-16** on first reading.

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

ORDINANCE NO. 9381-16 AN ORDINANCE AMENDING SECTIONS 709.01, 709.02, 709.03 AND REPEALING SECTION 709.04 OF THE BUSINESS REGULATIONS CODE ENTITLED "CARNIVALS AND CIRCUSES" OF THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Spinks to place Ordinance No. **9381-16** on first reading.

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

ORDINANCE NO. 9382-16 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 Spinks 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, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9382-16** on third and final reading and passed.

Mr. Gambosi explained the amendments were for: workers compensation, separation pay for a retiring Court employee, SEALE grants and water fund.

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

ORDINANCE NO. 9383-16 AN ORDINANCE AUTHORIZING CHANGE ORDER #1 FOR THE EMERGENCY REPAIR TO THE SANITARY SEWER ATTACHED TO THE UNION STREET BRIDGE WITH NERONE & SONS, INC. 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, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Pozar to place Ordinance No. **9383-16** on third and final reading and passed.

Mr. Mallis explained the increase was for modified U-bolts adding a rubber sleeve.

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

ORDINANCE NO. 9384-16 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH UNITED SYSTEMS BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Pozar to place Ordinance No. **9384-16** on first reading.

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

ORDINANCE NO. 9385-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMFORT SYSTEMS USA FOR A TEST & INSPECT MAINTENANCE AGREEMENT 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: Genutis, Pozar, Saunders, Zolata, Spinks, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Ordinance No. **9385-16** on third and final reading and passed.

Mr. Mallis explained this contract was for the HVAC system at City Hall. The City decided to go with the higher quote because the company was familiar with the system and was currently the company maintaining the equipment.

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

Motion by Genutis and seconded by Spinks to accept the Planning Commission recommendation of April 19, 2016 for Bruce & Kristi Hathaway, 48 Eldred Avenue, Bedford is seeking relief from §1913.07 (o) of the Codified Ordinances of the City of Bedford for a variance which limits the size of a garage to 500 square feet; request is an additional 28 square feet – §1913.07 (o) Allowable Sizes of Garages

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

Motion by Spinks and seconded by Zolata to accept the Planning Commission recommendation of April 19, 2016 for Brian G. Fabo, 1736 Columbus Road, Cleveland, Ohio – Mercedes Benz of Bedford, 18122 Rockside Road is seeking to install new 2' 4" masonry walls and swing gates at existing entrance / exits – 1305.09 Building Plan Review by Planning Commission

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

Motion by Spinks and seconded by Zolata to accept the Board of Zoning & Appeals recommendation of April 26, 2016 for Motorcars ACURA, 18123 Rockside Road, Bedford - Dick Marcellino / Doty & Miller Architects is seeking relief from Section 1938.06 (a) of the Codified Ordinances of the City of Bedford for a variance setback of 26' 8" since the existing basement wall is at this dimension (PC 4/5/16)

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

Motion by Mizesak and seconded by Saunders to appoint John Montello as the City's designee for the Ohio Auditor of State's Office Public Records Training on February 25, 2016 - §1305.09 Building Plan Review

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

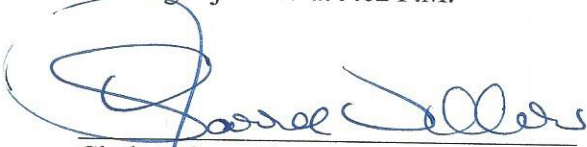
Mayor Koci said that concluded the business portion of the meeting and asked if anyone in the audience had any comments.

Sabrina Future, 15 Charles Street, thanked the City of patching the alley near her home.

Council needed to reconvene the Work Session Executive Session.

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

Meeting adjourned at 9:02 P.M.



Clerk of Council



Mayor – President of Council