

COUNCIL WORK SESSION

MONDAY, JULY 3, 2017

6:00 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF §1341.19 “REMOVAL OF WEEDS BY OWNER, OCCUPANT; NOTICE” (6-5-17)**
- **DISCUSSION OF OPPOSING FIRST ENERGY CORP’S NUCLEAR BAILOUT (HB 178/SB 128) (6-5-17)**
- **EXECUTIVE SESSION** – (Personnel / Economic Development)

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, July 3, 2017 at 6:18 p.m.

Present: Council Members: Mayor Stan Koci, Marilyn Zolata, Donald Saunders, Sandy Spinks and Paula Mizesak, Walter Genutis [joined at 6:45 pm]. Absent: Greg Pozar. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi and Law Director John Montello. Residents: Jean King, Trish Karabowicz and Laura Hulett.

Mayor Koci began discussion of the Regular Council Meeting agenda.

There were no changes to the June 5, 2017 Work Session and Regular Meeting minutes.

ORDINANCE NO. 9487-17 AN ORDINANCE TO LEVY ASSESSMENTS FOR THE EXPENSE OF GARBAGE/REFUSE COLLECTION, RECYCLING AND DISPOSAL WITHIN THE CITY OF BEDFORD, OHIO DURING THE YEAR 2017 AND DECLARING AN EMERGENCY

Mr. Gambosi explained this was the annual rubbish assessment. Mr. Montello said simple majority would pass the ordinance this evening since there might be two Councilmen absent; Mr. Genutis might be joining the meeting later.

ORDINANCE NO. 9494-17 AN ORDINANCE AMENDING ORDINANCE NO. 9410-16 DESIGNATING HUNTINGTON BANK, INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK AND FIRST NATIONAL BANK FOR THE ACTIVE FUNDS AND HUNTINGTON BANK, INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK, FIFTH-THIRD BANK AND FIRST NATIONAL BANK FOR THE INTERIM FUNDS AND DECLARING AN EMERGENCY

Mr. Gambosi explained the amendment was because First Merit Banks closed and joined with Huntington Bank. First Merit Bank's replacement in the ordinance was First National Bank.

ORDINANCE NO. 9495-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A DELINQUENT DEBT COLLECTION AGREEMENT WITH THE OHIO ATTORNEY GENERAL FOR AMBULANCE SERVICES FOR THE CITY OF BEDFORD AND DECLARING AN EMERGENCY

Mr. Gambosi explained the City had been experiencing some ambulance service delinquencies and this was another avenue to collect the money. The City currently provided ambulance services for its residents as well as non-taxpaying non-residents. He recommended the City utilize the services of the Ohio Attorney General to assist in collection of non-taxpaying non-residents ambulance fees.

ORDINANCE NO. 9496-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER THE REAL PROPERTY LOCATED 559 DARLINGTON REGARDING PERMANENT PARCEL NUMBER 813-08-035 FROM THE CITY'S LAND BANK AND DECLARING AN EMERGENCY

Mr. Mallis explained this vacant parcel was currently owned by the City and the neighbor at 557 Darlington offered to purchase the entire lot. The adjoining property owner did not wish to do a lot split so the City agreed to sell it to only one neighbor for their personal use. It was the understanding the new owner wanted the lot to build a new garage.

ORDINANCE NO. 9497-17 AN ORDINANCE AMENDING ORDINANCE NO. 9309-15 SECTION 1915.24 OF THE PLANNING AND ZONING CODE ENTITLED "GROUP HOME" OF THE CITY OF BEDFORD, OHIO AND DECLARING AN EMERGENCY

Mr. Montello explained it was necessary to amend the Codified Ordinances to avoid a possible future lawsuit with the recent changes in the laws. He added he checked with a few communities that had group homes because not all communities had group homes.

ORDINANCE NO. 9498-17 AN ORDINANCE AMENDING ORDINANCE NO. 9423-16 CODIFIED ORDINANCE §911.03 "RATE REDUCTION FOR DISABLED PERSONS AND SENIOR CITIZENS" FOR WATER AND SEWER DISCOUNTS AND DECLARING AN EMERGENCY

Mr. Gambosi explained the City intended to provide a 30 percent discount (30%) in water/sewer base rates to the following individuals: 1) Applicant must be age 65 or older or have been declared 100 percent (100%) totally and permanently disabled by a State or Federal Agency having the function of so classifying persons per Ohio Revised Code 323.151. 2) Applicant, their spouse and any other household members over the age of 18 residing in the premises must have a combined household income of less than \$32,681.00 for the year 2016 to receive the discount in the year 2018. 3) Applicant must own and occupy the residence i.e., residents residing in rental property do not qualify for the water/sewer discount. 4) Applicant, their spouse and any other household members, over the age of 18 residing in the premises, combined must not have more than \$3,000 per year in dividend and interest income. 5) Applicant and/or their spouse must not be delinquent on municipal income taxes owed to the City of Bedford and further must not be behind or delinquent more than three months on their City of Bedford water/sewer bill in order to keep their eligibility for the water/sewer discount. Accordingly, once the delinquency is paid in full by the applicant and their spouse, the discount will be reinstated (not retroactively).

He explained the new definition of income includes, but was not limited to, wages, salaries, refunds, credit from the State of Ohio and local income taxes, alimony, all types of business income, capital gains, IRA distributions, pensions, annuities, rental real estate, royalties, partnership income, S corporation income, limited liability corporations, Ohio Lottery prize winnings and other gambling (games of chance) income, dividend income, trust income, farm income, interest income, unemployment compensation, social security benefits, annual disability benefits greater than \$5,200, insurance contracts and any other income earned by applicant and their spouses or household members over the age of 18, including but not limited to income as defined in Chapter 178. The household income threshold of \$32,681.00 would be increased annually in January of each and every year by the lower of three (3) percent or the change in the annual Midwest Urban Consumer Price Index measured for each fiscal year. He explained in seeking to obtain water/sewer discounts commencing in 2018, all eligible applicants must file an annual application to receive the water/sewer discount prior to the last Friday in September in the previous calendar year, based upon income earned in calendar year 2016. He said for example, to receive the water/sewer discount in 2018, the applicant must file the water/sewer application at any time prior to the last Friday in September in the year 2017. He added any applicant willfully falsifying information revokes the right to a reduction for 3 years.

ORDINANCE NO. 9499-17 AN ORDINANCE AMENDING A JOB CREATION AND RETENTION PROGRAM GRANT ENTERED INTO BY THE CITY OF BEDFORD AND DECLARING AN EMERGENCY

Mr. Gambosi explained the creation and retention of jobs and employment opportunities was integral to the continued economic health of the City and its citizens. The use of governmental resources for the promotion of economic development in the community was in the public interest and was a proper exercise of municipal powers. A Job Creation and Retention Program authorized by Sections 178.064 and 178.065 has been developed to provide incentives to businesses to create, retain and expand employment opportunities with the City of Bedford without utilizing tax revenues or impacting negatively upon the local school system. The electorate of the City increased the income tax rate to three percent (3%) effective January 1, 2018, which necessitates amendment to the current agreements with various businesses.

Mr. Gambosi explained the next four ordinances the economic rules and regulations of the State of Ohio stated if a company had a million dollar payroll there needed to be a compensation agreement with the schools otherwise there was an automatic 50% tax sharing payment to the schools. It was important to negotiate such agreements with the schools with the ongoing financial concerns of the City.

ORDINANCE NO. 9500-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY

ORDINANCE NO. 9501-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY

ORDINANCE NO. 9502-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY

ORDINANCE NO. 9503-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY

ORDINANCE NO. 9504-17 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 130 NORTHFIELD ROAD (P.P. No. 814-09-015) ORDERING ACTION AND DECLARING AN EMERGENCY

Mr. Mallis explained a resident reported someone was living inside the vacant building because they could see a light on at night. The Administration found a man who was utilizing the building and heating it by using a giant propane tank. The Fire Inspector deemed the use of the propane tank was very unsafe and the man had to leave the building. With the current condition of the building the focus was to have the building condemned and eventually torn down.

ORDINANCE NO. 9505-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SIRNA CONSTRUCTION, INC. FOR VARIOUS REPAIRS FOR THE MUNICIPAL CENTER PARKING LOT AND DECLARING AN EMERGENCY

Mr. Mallis said the Building Department submitted three quotes and Sirna Construction was the lowest. He was in favor of authorizing a contract with Sirna Construction per the Building Commissioner's request.

ORDINANCE NO. 9506-17 AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF BEDFORD, CUYAHOGA COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE "MUNICIPALITY", IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, REQUESTING THE COOPERATION OF THE CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE "COUNTY"

Mr. Mallis explained this project was at the request of the County; not the City. The Bedford end of Warrensville Center Road was recently repaired due to the Dominion project and was in good shape; however, the Maple Heights end was in very poor condition. He estimated the last time Warrensville Center Road was resurfaced by the County was approximately eight years ago. He assured Council the Administration continued to stay in close communication with the County regarding the poor condition of Union Street, Solon Road plus a few other streets. He hoped the residents understood the County was in charge of this project and it was at the County's expense; not the City.

Motion to appoint John Montello as the City's designee for the Ohio Auditor of State's Office Public Records Training for 2017

Mr. Gambosi explained it was a requirement that an employee attend this training annually.

DISCUSSION OF §1341.19 "REMOVAL OF WEEDS BY OWNER, OCCUPANT; NOTICE"
(6/5/2017)

Mr. Genutis again expressed his beliefs of growing his own food as his family had. Again, discussion was held regarding the concerns with the smaller lots in Bedford and how it would affect the look in other neighborhoods. Mr. Saunders felt the amendment should be based on square footage of the front yard. Mrs. Zolata was not in favor of any gardens in the front yards. She felt all front yards should be manicured and the vegetables should be in the backyard. Mr. Genutis explained his garden extended past the front of his home and basically he was breaking the Codified Ordinance as a Council member. Mr. Beverly at the June 5, 2017 meeting assured Council and the Administration the Building Department had never cited anyone for a container garden or extended gardens. Mr. Genutis suggested the last sentence be removed per the Codified Ordinance Section 1341.19 as it currently read: "All premises and exterior property, including tree lawns, shall be maintained free from weeds or plant growth in excess of five inches (127mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grass, annual plants and vegetation, other than trees or shrubs, provided, however, that this term shall not include cultivated flowers and gardens. No vegetable gardens shall extend beyond the front building line of the house". No amendment was determined this evening, Mr. Genutis needed to come back to Council with a solution and Mr. Montello would review how surrounding communities addressed this type of issue.

DISCUSSION OF OPPOSING FIRST ENERGY CORP'S NUCLEAR BAILOUT - (HB 178/SB 128)
(6/5/2017)

It was determined there were issues between First Energy and NOPEC and Council did not have the whole story. Mayor Koci submitted additional information from First Energy for everyone's review. Mr. Genutis was not in favor of NOPEC's fracking. Plus the possibility of Ohioans losing their jobs. It was determined it would not be in the best interest for the City to take sides regarding this issue even though it could affect the residents.

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

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

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

Executive Session adjourned at 7:55 p.m.

Work Session adjourned at 7:59 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 June 5, 2017
 - b. Approval of Minutes of the Regular Meeting of June 5, 2017
 5. **PRESENTATIONS** – Swearing in – Douglas Eschweiler / Citizen of the Year / Garden & Art Tour
 6. **OLD BUSINESS** (Rdgs: 5/15/17 – 6/5/17)
 - a. Ordinance No. 9487-17 levying assessments for garbage/refuse collection, recycling and disposal
 7. **REPORTS**
 - a. City Manager
 - b. Law Director
 - c. Finance Director
 - d. Council Reports
 8. **NEW BUSINESS**
 - a. Ordinance No. 9494-17 amend Ord. No. 9410-16 designating bank depositories (First National Bank)
 - b. Ordinance No. 9495-17 Ohio Attorney General for collection of non-taxpaying non-resident ambulance fees
 - c. Ordinance No. 9496-17 transfer real property known as 559 Darlington / P.P. #813-08-035 (Garrett - \$2,000)
 - d. Ordinance No. 9497-17 amend Ordinance No. 9225-14 §1915.24 entitled “Group Home”
 - e. Ordinance No. 9498-17 amend 9423-16 §911.03 entitled Rate Reduction for Disabled and Seniors
 - f. Ordinance No. 9499-17 amend Job Creation and Retention Grant authorized by §178.064 and 178.065
 - g. Ordinance No. 9500-17 Compensation Agreement w/BCSD re: Penske Automotive Group / Toyota
 - h. Ordinance No. 9501-17 Compensation Agreement w/BCSD re: Penske Automotive Group / Audi
 - i. Ordinance No. 9502-17 Compensation Agreement w/BCSD re: West-Ward Pharmaceuticals
 - j. Ordinance No. 9503-17 Compensation Agreement w/BCSD re: /Independence Court Realty
 - k. Ordinance No. 9504-17 condemn property and structures located at 130 Northfield (#814-09-015)
 - l. Ordinance No. 9505-17 contract w/Sirna Construction for repairs/sealcoat of Municipal Center lot (\$16,284)
 - m. Ordinance No. 9506-17 contract w/Cuyahoga County resurfacing of Warrensville Center Road from Maple Heights to Broadway Avenue
 - n. Motion to appoint John Montello as the City’s designee for the Ohio Auditor of State’s Office Public Records Training for 2017
 9. **HEARING OF CITIZENS**
 10. **ADJOURNMENT**

Bedford City Council met in Regular Session at Bedford City Hall on Monday, July 3, 2017. Mayor Koci called the meeting to order at 8:02 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Koci, Mizesak, Genutis, Saunders, Zolata, Spinks. Absent: Pozar.

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

Motion made by Genutis seconded by Zolata to approve the minutes of the Work Session Meeting of June 5, 2017. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Spinks to approve the minutes of the Regular Meeting of June 5, 2017. The roll was called. Vote – Yeas: Koci, Mizesak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Mayor Koci swore in the new Patrolman Douglas Eschweiler, he read into the record the Proclamation for Lynn Jones who was the 2017 Citizen of the Year and he presented certificates to several residents who participated in the Bedford Garden and Art Tour. Chief Stemple welcomed Patrolman Eschweiler to the Police Department. Council and the Administration gave condolences to the passing of Chief Stemple's mother and the loss of the 15 year old Garfield Heights boy who drowned in Tinkers Creek recently. The residents were encouraged to attend the July 4th Parade.

ORDINANCE NO. 9487-17 AN ORDINANCE TO LEVY ASSESSMENTS FOR THE EXPENSE OF GARBAGE/REFUSE COLLECTION, RECYCLING AND DISPOSAL WITHIN THE CITY OF BEDFORD, OHIO DURING THE YEAR 2017 PLACED ON FIRST READING MAY 15, 2017 AND SECOND READING JUNE 5, 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizesak seconded by Spinks 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. **9487-17** on third and final reading and passed.

Mr. Gambosi explained this was the annual refuse collection assessment.

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

Mayor Koci explained the City had nothing to do with the recent closing of the Get Go Gas Station; the representative from the station said it closed because they could not attract and hire qualified employees so the station had to be closed.

City Manager Michael Mallis explained the Mazda dealership would be moving up the street to its new location on Rockside Road along with another new dealership. He spoke about his recent visit at Art of Beauty where he witnessed them receiving a well-deserved National Award. He explained discussions continued to find a business to move into the former Wal-Mart building. He stated there were positives for Bedford with many new businesses opening over the past 3 ½ years: Xellia, Art of Beauty, Data Basics, Molding Dynamics, Cleveland Eye Clinic and two dance studios. The Administration and Council

continued to be concerned with the closing of businesses throughout the area. He recently had a meeting with the Chairman of the Bedford Strategic Planning Committee (BSPC). He explained some of the stuff suggested in the BSPC report the City was currently addressing and/or was already considering. Overall he was pleased with the community engagement. He reported to the BSPC that he received a quote for the replacement of the Cemetery Fence at a cost of \$127,000. He was very proud of the Fire Department's professional efforts in the recovery of the 15 year old Garfield Heights teen who drowned in Tinkers Creek July 1, 2017. He talked about the recent TV interview with Fire Chief Nagy who stressed it was important not to underestimate the power of water. Mr. Mallis talked about the recent rainfall that affected some of the events, the Farmers Market and some of the bands. He urged everyone to follow the social media for event dates and any updates/cancellations.

No report from Law Director Montello.

Finance Director Frank Gambosi explained the NEO Cuyahoga Community College Civil Service test had concluded with 30 candidates; however, further testing was in process. He clarified how 501C3 non-profit organizations were created and how it affected the City. He explained the City was considered a 170C1 equivalent to a 501C3 and the Veterans organizations were a 501C19 and 501C23. Non-profit organizations were created for a non-profit purpose with its own members and policies. He emphasized the City and non-profit organizations were totally separate organizations.

Councilwoman Mizesak thanked Mr. Mallis for keeping all of Council up to date regarding the missing teen that fell into Tinkers Creek. She felt strongly about the upcoming July 4th celebration.

Councilman Genutis expressed his feelings regarding the July 4th holiday and the beliefs of his generous and kind father and himself who believed a man should be free to do whatever he wanted in his own yard.

Councilman Saunders requested the water bill insert inform the residents about no parking on City streets; Kimble was having difficulty on rubbish collection day. After being approached by a couple residents he asked Mr. Mallis if the residents could have a fundraiser and/or collect donations to go toward a new cemetery fence. Even with the recent tragedy, Bedford had one of the best Metroparks in the Country; he believed it was previously rated #3. He explained the reason he voted "no" on Ordinance No. 9487-17 was because he believed the assessment was not necessary. He pointed out some residents only had one bag per week and others had numerous cans of rubbish for the same amount. He felt there should be a can limit and the issue should be revisited.

Councilwoman Zolata commended the Fire and Police Departments for their professionalism over the weekend; she also commended Mr. Mallis for his efforts in keeping Council up to date. She did not understand the concerns about the missing cemetery fence; she thought it looked nice with the new landscaping. She read the Strategic Planning Committee report and felt the group did a good job with a positive outcome. She announced Testa who was in the process of purchasing the Sisters of Charity property had been approved for a Historic Tax Credit for the 55 year and over community. Mr. Mallis explained the property was non-taxable while owned by the Sisters of Charity; however, when the property sells it would become a taxable property.

Councilwoman Spinks also gave kudos to those who participated in the recovery of the Garfield Heights teen who was recovered Monday. She said it was important in a situation like this to also keep in mind that it was important to remember the safety of the rescuers. She was pleased about the recent newspaper article regarding the moving of the Mazda dealership. She, too, was upset with the recent closing of the Get Go Gas Station; the City was not warned the station was closing.

Mayor Koci explained Council was privileged to tour the Chagrin Valley Dispatch Center this evening and it was very impressive along with exemplary employees.

ORDINANCE NO. 9494-17 AN ORDINANCE AMENDING ORDINANCE NO. 9410-16 DESIGNATING HUNTINGTON BANK, INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK AND FIRST NATIONAL BANK FOR THE ACTIVE FUNDS AND HUNTINGTON BANK, INDEPENDENCE BANK, U. S. BANK, PNC BANK, KEY BANK, FIFTH-THIRD BANK AND FIRST NATIONAL BANK FOR THE INTERIM FUNDS AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9494-17** on third and final reading and passed.

Mr. Gambosi explained the banks made application to the City on August 1, 2016, to become the public depository for the active and interim funds of the City. Bedford was the "Governing Board" of said City by virtue of Subsection 1, Section 135.01 of the Revised Code.

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

ORDINANCE NO. 9495-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A DELINQUENT DEBT COLLECTION AGREEMENT WITH THE OHIO ATTORNEY GENERAL FOR AMBULANCE SERVICES FOR THE CITY OF BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9495-17** on first reading.

Mr. Gambosi explained the City had been experiencing some ambulance service delinquencies and this was an avenue to collect the money. The City provided ambulance services for its residents as well as non-taxpaying non-residents so he recommended the City utilize the services of the Ohio Attorney General to assist in collection of non-taxpaying non-residents ambulance fees.

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

ORDINANCE NO. 9496-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER THE REAL PROPERTY LOCATED 559 DARLINGTON REGARDING PERMANENT PARCEL NUMBER 813-08-035 FROM THE CITY'S LAND BANK AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Saunders seconded by Mizens to place Ordinance No. **9496-17** on third and final reading and passed.

Mr. Mallis explained this vacant parcel was owned by the City and the neighbor offered to purchase the entire lot. The adjoining property owner did not wish to do a lot split so the City agreed to sell it to only one neighbor for their personal use.

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

ORDINANCE NO. 9497-17 AN ORDINANCE AMENDING ORDINANCE NO. 9309-15 SECTION 1915.24 OF THE PLANNING AND ZONING CODE ENTITLED “GROUP HOME” OF THE CITY OF BEDFORD, OHIO 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, Mizsak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizsak seconded by Saunders to place Ordinance No. **9497-17** on third and final reading and passed.

Mr. Montello explained the amendments were needed to ensure the section was more constitutional and/or legal per the new standards that have been developed.

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

ORDINANCE NO. 9498-17 AN ORDINANCE AMENDING ORDINANCE NO. 9423-16 CODIFIED ORDINANCE §911.03 “RATE REDUCTION FOR DISABLED PERSONS AND SENIOR CITIZENS” FOR WATER AND SEWER DISCOUNTS AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Spinks to place Ordinance No. **9498-17** on first reading.

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

ORDINANCE NO. 9499-17 AN ORDINANCE AMENDING A JOB CREATION AND RETENTION PROGRAM GRANT ENTERED INTO BY THE CITY OF BEDFORD AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Mizsak seconded by Saunders to place Ordinance No. **9499-17** on first reading.

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

Mr. Gambosi explained the next four ordinances the economic rules and regulations of the State of Ohio stated if a company had a million dollar payroll there needed to be a compensation agreement with the schools otherwise there was an automatic 50% tax sharing payment to the schools. It was important to negotiate such agreements with the schools with the ongoing financial concerns of the City.

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

ORDINANCE NO. 9501-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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Motion made by Mizsak seconded by Saunders to place Ordinance No. **9502-17** on first reading.

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

ORDINANCE NO. 9503-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9503-17** on first reading.

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

ORDINANCE NO. 9504-17 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 130 NORTHFIELD ROAD (P.P. No. 814-09-015) ORDERING ACTION 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: Koci, Mizensak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizensak to place Ordinance No. **9504-17** on third and final reading and passed.

Mr. Mallis explained the buildings located on the property were in very poor shape, HVAC issues and now had become a safety concern.

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

ORDINANCE NO. 9505-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SIRNA CONSTRUCTION, INC. FOR VARIOUS REPAIRS FOR THE MUNICIPAL CENTER PARKING LOT AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Spinks seconded by Zolata to place Ordinance No. **9505-17** on third and final reading and passed.

Mr. Mallis explained the City received three quotes and Sirna Construction was the lowest and best quote received. The other quotes were over \$18,000+ each.

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

ORDINANCE NO. 9506-17 AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF BEDFORD, CUYAHOGA COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE “MUNICIPALITY”, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, REQUESTING THE COOPERATION OF THE CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE “COUNTY” 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, Mizensak, Genutis, Saunders, Zolata, Spinks. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Saunders to place Ordinance No. **9506-17** on third and final reading and passed.

Mr. Mallis explained the decision of resurfacing Warrensville Center Road was up to Cuyahoga County; not the City. The Administration had been in close contact with the County regarding the concerns of Union Street, Solon Road and a couple other County streets. He reiterated the decision was solely the decision of the County. The City was aware of the condition of Warrensville Center Road on the

Bedford side of the street; however, the condition was very poor in Maple Heights. The City would continue to take a tough stance on resurfacing of other City roads in need of repair.

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

Motion made by Saunders seconded by Mizsak to appoint John Montello as the City's designee for the Ohio Auditor of State's Office Public Records Training for 2017

The roll was called. Vote – Yeas: Koci, Mizsak, 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.

Reverend Pamela M. Pinkney Butts, 518 Northfield Road, new to Bedford offered her services to the City. She suggested a section be added to the agenda to allow prayer before Regular Council meetings.

Kathy Williams, 491 Lamson Avenue, asked if the Forensic audit/investigation had been completed. Mayor Koci understood the City should know something in September. Mrs. Williams felt the cost was going to be a rather big bill. She asked Mr. Mallis the outcome on the Barber Shop. Mr. Mallis explained it was open for business and there was no need to call to set up an appointment or sneak in for a haircut. The business was still being run by the original owner; not a new applicant or owner. The City was currently trying to contact the owner of the building for additional information for the lease agreement. The City did not have any legal rights to force the Barber Shop to close its doors. Mrs. Williams understood the original person who signed the lease had been incarcerated and the business was being sub-leased which meant it was not a kosher operation for the Historical District. She asked if a new Recreation Director has been hired. Mr. Mallis said he was making progress with the hiring process and an offer had been made.

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

Meeting adjourned at 9:30 P.M.


Clerk of Council


Mayor - President of Council