

**COUNCIL WORK SESSION**

**MONDAY, SEPTEMBER 18, 2017**

**6:00 P.M. PROMPT**

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- **DISCUSSION OF AGENDA**
- **DISCUSSION OF POTENTIAL MORATORIUM ON MEDICAL MARIJUANA DISPENSARY OPERATIONS - (Not to include cultivation operations)**
- **DISCUSSION OF HAWTHORN VALLEY YOUTH COUNCIL REPRESENTATIVE – (Elected Official)**
- **EXECUTIVE SESSION – (Personnel / Economic Development / Litigation)**

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**(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, September 18, 2017 at 6:04 p.m.

Present: Council Members: Mayor Stan Koci, Donald Saunders, Sandy Spinks and Paula Mizesak, Walter Genutis, Greg Pozar, Marilyn Zolata (joined at 6:08 p.m.) Absent: None. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi and Law Director John Montello. Residents: Trish Karabowicz, Jeff Asbury and Laura Hulett.

Mayor Koci began discussion of the Regular Council Meeting agenda.

No changes to the September 5, 2017 Work Session and Regular Meeting minutes and the September 11, 2017 Special Council Work Session. Clarification was made regarding Noran Circle street signage.

ORDINANCE NO. 9512-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION THE REAL PROPERTY LOCATED 83 HENRY STREET REGARDING PERMANENT PARCEL NUMBER 814-14-063 FROM THE CITY'S LAND BANK AND DECLARING AN EMERGENCY

Mr. Mallis explained the property owners of 83 Henry Street offered to donate the lot owned by the City for municipal purposes. This issue was not followed through by Ken Schuman when he was Acting City Manager. It was determined there were some other issues that needed to be addressed before passage and requested this be read as a second reading.

ORDINANCE NO. 9518-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 38 GOULD AVENUE (P.P. #811-21-029) AND DECLARING AN EMERGENCY

Mr. Mallis explained Ordinance Nos. 8931-12, 9088-13 and 9359-16 declared the property a nuisance and condemnable because of significant repairs. The Building Commissioner determined that there were life safety issues, including deterioration and unsafe conditions. The owners were notified and failed to repair the premises as requested by the City. It was determined this issue would be read as a second reading.

ORDINANCE NO. 9523-17 AN ORDINANCE AMENDING ORDINANCE NO. 9187-14 AMENDING SECTION 511.12 ENTITLED "CRIMINAL ACTIVITY NUISANCES" OF THE BEDFORD CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

Mr. Mallis explained the only changes were so the property owners/owner of the property would be solely responsible for their renter's actions for the costs and the procedure to appeal the charges.

[On Friday, September 15, 2017, Clerk Villers emailed everyone who received the September 18, 2017 Council meeting packet that there were two (2) Ordinance No. 9524-17's that were written differently for tonight's discussion and consideration.

ORDINANCE NO. 9524-17 AN ORDINANCE AMENDING ORDINANCE NO. 3457-69, PASSED DECEMBER 1, 1969, SECTION 151.26 ENTITLED "HOSPITALIZATION FOR COUNCIL AND MUNICIPAL COURT JUDGE" AND DECLARING AN EMERGENCY

Mr. Pozar's version included the following information: "Councilman Greg Pozar recommended to eliminate hospitalization, dental, vision and prescription drug benefits for part-time Elected Officials which has been in place for 48 years. Due to the current fiscal environment and the general economic declines statewide, the Mayor and Council members desire to modify their compensation so as to eliminate hospitalization, dental, vision and prescription drug benefits to reduce expenses. Given the national trends and modification of healthcare benefits to Public sector and multiple union retirees, the elimination of healthcare benefits represents continued fiscal responsibility. After two surveys of the surrounding communities it was determined 48 out of 59 communities did not offer hospitalization, dental, vision and prescription drug benefits to their part-time Council Elected Officials. The Municipal



Court Judge(s) will not be affected by this amendment. Effective December 31, 2017, the City shall eliminate the hospitalization, dental, vision and prescription drug benefits for all members of Council, including the Mayor for terms commencing on or after January 1, 2018. (Wards 1, 3, 5 and Mayor/At-Large commencing January 1, 2018 / Wards 2, 4 and 6 commencing January 1, 2020) The City shall continue to pay the full costs of said insurance for the Judges of the Bedford Municipal Court unless declined”.

Mayor Koci submitted another piece of legislation with the suggested amendments to Mr. Pozar’s version: “Bedford City Council has discussed the elimination of hospitalization, dental, vision and prescription drug benefits for Elected Officials which has been in place for 48 years. Due to the current fiscal environment and the general economic declines statewide, the Mayor and Council members desire to modify their compensation so as to eliminate hospitalization, dental, vision and prescription drug benefits to reduce expenses. Given the national trends and modification of healthcare benefits to Public sector and multiple union retirees, the elimination of healthcare benefits represents continued fiscal responsibility. The Municipal Court Judge(s) will not be affected by this amendment. Effective December 31, 2017, the City shall eliminate the hospitalization, dental, vision and prescription drug benefits for all members of Council, including the Mayor for terms commencing on or after January 1, 2018. (Wards 1, 3, 5 and Mayor/At-Large commencing January 1, 2018 / Wards 2, 4 and 6 commencing January 1, 2020) The City shall continue to pay the full costs of said insurance for the Judges of the Bedford Municipal Court unless declined”.

It was made clear the Judges were not part of this discussion and would not be affected by decisions made regarding Council hospitalization. Mrs. Zolata explained she had already begun her own research because she was not going to run for another four year term in Ward 3.

Mayor Koci was not in favor of the following regarding Mr. Pozar’s original Ordinance: 1) the fact that Councilman Greg Pozar’s name was in the first WHEREAS, 2) the words that described Council being “part-time” Elected Officials, and 3) after two surveys of the surrounding communities it was determined 48 out of 59 communities did not offer hospitalization, dental, vision and prescription drug benefits to their part-time Council Elected Officials.

Mayor Koci explained this was not the normal way Bedford handled legislation and because it had never been done in this manner before it shouldn’t have been presented in this manner. Mr. Pozar pointed out several communities have different types of Committee meetings who submit legislation with one/two listed sponsors and he had the right to bring this piece forward for consideration; the issue had been discussed in Executive Session several times. The Chair had not allowed the issue to be heard until now. The Charter nor Codified book spelled out specifically how legislation could be brought to the agenda. Clerk Villers pointed out this was not the first time a Council member has requested legislation; Mr. Genutis just put on the agenda the topic of gardens recently. Mr. Pozar pointed out the Mayor was an At-large position and did not control the items on the agenda as it was perceived during the former Mayor’s tenure. He felt some of the changes being pointed out boiled down to semantics and the focus should be on the final product and the right thing to do to save the City \$200,000+. He pointed out Council needed to make a decision regarding the benefit to the City; not themselves. Making this type of decision was not an easy one to do but it was necessary. Over the years the three (3) unions, other non-union employees and department heads have made concessions so Council should consider to do the same. He pointed out the 3% Council moratorium [Ord. #9483-16] was no savings to the City but a mere \$2,200; “pennies” compared to budget shortfalls. Mr. Pozar asked Mayor Koci if he felt the elimination of hospitalization benefits was the right thing to do. Mayor Koci replied it was the noble thing to do.

Mayor Koci felt because Councilman Greg Pozar’s name was in the first WHEREAS it was a campaign strategy so he could brag of how much money he saved the City. Mr. Pozar reminded everyone he brought this issue before Council and the Administration 16+ months ago and Council shot it down 1 ½



years ago which does not make it a campaign strategy. Mr. Pozar asked Mayor Koci if these accusations he was making was what he learned from former Mayors. He called upon Clerk Villers to explain what happened in her office regarding his name being listed in the legislation. Clerk Villers explained having Councilman Greg Pozar's name in the first WHEREAS was not incorrect and nothing different than listing a Department Head's name and/or their title. She said discussion had gone back and forth with Mr. Pozar and Mr. Montello whether Mr. Pozar wanted or should have his name in the first WHEREAS; his name was removed twice because he did not want to put Council as a whole in the WHEREAS because he knew there were different feelings/opinions. The other part of the conversation was whether a line should be added at the bottom of the legislation called "Sponsor: \_\_\_\_\_." The final decision was made to add his name and not the Sponsor line. It was determined Council would address the sponsoring of legislation at a different time.

Getting back to the issue at hand, Mr. Gambosi explained the elimination of Council hospitalization benefits would not only save a lot of money currently in claims but also in the future because the newly Elected Officials would not have any hospitalization, dental, vision and prescription drug benefits; however, they would benefit from the revised compensation package. Discussion was had regarding the definitions of hours that needed to be worked to be eligible or considered "part-time" or "full time" employees. Some of Council also felt their positions were full time positions; not part-time.

Mr. Pozar asked Mrs. Spinks why she was laughing and she replied you're being disrespectful to Council. He replied she was clueless. Mrs. Spinks agreed with the Mayor and felt Mr. Pozar was campaigning. She pointed out Mr. Genutis was the only Council member benefitting from the compensation package; he did not have City benefits and would get the \$600 monthly pay increase in 2020. Mr. Genutis felt that was an unfair comment, she did not know his personal situation. He paid his premium and coverages per his former employer's severance package. Dropping his former employer's package to take an Elected Official's temporary position didn't make sense for being responsible for his family. Once he dropped his former employer's benefits he could not sign back up for benefits.

Mrs. Spinks stated her husband made a lot of money and the recent 3% income tax increase was going to affect their home budget. She asked Mr. Gambosi if the Elected Officials could keep their benefits and not cover their spouses, as she had pre-existing conditions, plus the adjustment in Council compensation [Ordinance No. 9525-17] was not enough money for her situation. Mr. Gambosi replied there was not a lot of savings for the City to just drop the spouses. Mr. Pozar pointed out his wife was not of Medicare age and he couldn't get a quote for her yet. He said the expected premium for his wife was \$800 per month. He thought that different plans could also be considered with different options. Mrs. Spinks told Mr. Gambosi that Vince Naso had not returned her calls; Mayor Koci added he hadn't had an opportunity to speak with Mr. Naso either. Mr. Gambosi would personally call Mr. Naso.

Mr. Saunders stated other communities were also eliminating Council benefits. This shouldn't be about "ME-ME-ME"; it was about doing what was right for the City budget and Council should not look at their personal needs.

Mr. Montello explained the elimination of Council's hospitalization, dental, vision and prescription drug benefits would creatively be offset by the consideration of Ordinance No. 9525-17 regarding their compensation package. He added both pieces of legislation numbered Ordinance No. 9524-17 were prepared and approved as to legal content; however, the end result was the same.

Mr. Saunders agreed with Mr. Pozar the City couldn't afford the cost of Council members' hospitalization, dental, vision and prescription drug benefits and eliminating it was the right thing to do. Five (5) Council members had other options to choose from: Medicare with a supplement, benefits



**ORDINANCE NO. 9525-17 AN ORDINANCE MODIFYING THE SALARIES OF THE MAYOR AND COUNCIL FOR TERMS COMMENCING ON OR AFTER JANUARY 1, 2018 AND JANUARY 1, 2020 AND DECLARING AN EMERGENCY**

Article II Section 5 of the Charter provided salaries for the Mayor and members of Council which shall be established by Ordinance No. 7382-01. Plus Article II Section 5 of the Charter provided that salaries shall not be increased during their term in office. Council previously discussed the possibility of eliminating hospitalization, dental, vision and prescription drug benefits in Ordinance No. 9524-17 resulting in a reduction of the Council members' compensation; however, it would be a savings to the City. The salary of the Mayor and Council shall be modified for terms commencing on or after January 1, 2018. In consideration of the reduction in compensation packages, the Mayor's salary shall be set at \$20,822.88 per year and the City Council members' salary shall be set at \$19,971.36 per year for terms commencing on or after January 1, 2018. (Wards 1, 3, 5 and Mayor/At-Large commencing January 1, 2018 / Wards 2, 4 and 6 commencing January 1, 2020) - Council would place this piece of legislation on first reading along with Ordinance No. 9524-17 as they were in conjunction with one another.

**ORDINANCE NO. 9526-17 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 810 MCKINLEY AVENUE (P.P. No. 813-16-060) ORDERING ACTION AND DECLARING AN EMERGENCY**

Mr. Mallis explained per the Building Commissioner's memo the property and structures located at 810 McKinley Avenue was in need of significant repairs. The Building Commissioner determined that the premises/structures are unsafe, unsanitary and unfit for human occupancy and was vacant. Plus the owner has failed to maintain the premises as required by the City.

**ORDINANCE NO. 9527-17 AN ORDINANCE ALLOWING EMPLOYEE PARTICIPANTS TO MAKE INSURANCE PLAN PREMIUM CONTRIBUTIONS ON A PRETAX BASIS FOR THE CALENDAR YEAR 2018 THROUGH WAGE WORKS AND DECLARING AN EMERGENCY**

Mr. Gambosi explained this was the hospitalization payment made by the employees which were tax deferred and non-taxable.

**DISCUSSION OF POTENTIAL MORATORIUM ON MEDICAL MARIJUANA DISPENSARY OPERATIONS - (Not to include cultivation operations)**

Mr. Mallis explained the Administration continued to follow this issue as there was a lot of money to be made if marijuana was sold as a recreational use in five to seven years. The City would leave its door open for options and obviously a moratorium might be a bad vibe for those who were looking for a location and obviously the Historical District would be off limits. Mr. Saunders agreed this would become a big business in the future. Mr. Mallis assured everyone the six month moratorium had expired.

**DISCUSSION OF HAWTHORN VALLEY YOUTH COUNCIL REPRESENTATIVE – (Elected Official)**

Council received a request from the Clerk in Oakwood Village who requested an Elected Official be the representative for this student exercise. Apparently the liaison Council appointed was not showing up to assist with the Bedford students. The other involved communities assigned an Elected Official and it seemed to work better since they had the experience. None of Council volunteered so Mayor Koci asked the members to find the next liaison.

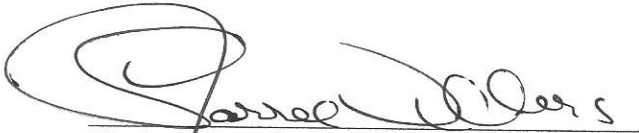
Motion made by Spinks seconded by Mizzsak to go into executive session to discuss Personnel / Economic Development / Litigation. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizzsak, Genutis. Nays: None. Motion carried unanimously.

At 7:45 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 / Litigation.

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

Executive Session adjourned at 7:58 p.m.

Work Session adjourned at 8:00 p.m.

  
Clerk of Council  
Mayor – President of Council

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
  - a. Approval of Minutes of the Work Session of September 5, 2017
  - b. Approval of Minutes of the Regular Meeting of September 5, 2017
  - c. Approval of Minutes of the Special Work Session of September 11, 2017
5. **PRESENTATIONS**
6. **OLD BUSINESS** - (1<sup>st</sup> Rdg: 9/5/17)
  - a. Ordinance No. 9512-17 accept donation of real property known as 83 Henry Street / #814-14-063
  - b. Ordinance No. 9518-17 contract w/TRW to demolish 38 Gould / #811-21-029
7. **REPORTS**
  - a. City Manager
  - b. Law Director
  - c. Finance Director
  - d. Council Reports
8. **NEW BUSINESS**
  - a. Ordinance No. 9522-17 amend Ord. #9450-16 lease extension w/MRLM, LLC at 600 Solon
  - b. Ordinance No. 9523-17 amend §511.12 (b) & (b) (2) "Criminal Activity Nuisances, Costs of Enforcement"
  - c. Ordinance No. 9524-17 amend Ord #3457-69, §151.26 pertaining to "Hospitalization for Council"
  - d. Ordinance No. 9525-17 amend Ords. #7382-01/#9438-16 salaries for the Mayor and members of Council
  - e. Ordinance No. 9526-17 condemn property and structures located at 810 McKinley / #813-16-060
  - f. Ordinance No. 9527-17 employee participants to make insurance plan premium contributions (Plan 125)
9. **HEARING OF CITIZENS**
10. **ADJOURNMENT**

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Bedford City Council met in Regular Session at Bedford City Hall on Monday, September 18, 2017. Mayor Koci called the meeting to order at 8:03 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Absent: None.

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

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

Motion made by Zolata seconded by Spinks to approve the minutes of the Special Work Session of September 11, 2017. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizesak, Genutis. Nays: None. Motion carried unanimously.

Congratulations were expressed to Mr. Gambosi regarding the Dorian Life Achievement Award he received

ORDINANCE NO. 9512-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION THE REAL PROPERTY LOCATED 83 HENRY STREET REGARDING PERMANENT PARCEL NUMBER 814-14-063 FROM THE CITY'S LAND BANK PLACED ON FIRST READING SEPTEMBER 5, 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Pozar seconded by Saunders to place Ordinance No. **9512-17** on second reading.

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

ORDINANCE NO. 9518-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TRW CONSTRUCTION LLC FOR THE DEMOLITION OF 38 GOULD AVENUE (P.P. #811-21-029) PLACED ON FIRST READING SEPTEMBER 5, 2017 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Zolata seconded by Spinks to place Ordinance No. **9518-17** on second reading.

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

City Manager Michael Mallis announced the next Shred Day was September 23<sup>rd</sup> starting at 9:00 a.m. to noon in the City Hall parking lot. The Children's Fall Festival was October 7<sup>th</sup> starting at 11:00 a.m. He said without going into detail there was an arrest of a person trying to break-in to a home recently. There was a resident who played a very important part of the arrest. He urged the residents to continue to call the Police if there was something odd or suspicious in their neighborhood. He said the City had not received the State Auditor's report regarding the former Water Department employees. The Administration was seeking another \$50,000 grant for the Historic downtown area. He said it was a privilege to announce Mr. Gambosi would receive the Dorian Life Time Achievement Award for Public Finance through the GFOA which was a very, very prestigious award. He stated it was a privilege to work with Mr. Gambosi and he knew the award was well deserved. He told Mr. Gambosi he considered him a friend not just a colleague. Mr. Gambosi thanked Mr. Mallis for his kind words.



Council congratulated Mr. Gambosi on his well-deserved award and were grateful to have him working as the City's Finance Director. Council and the Administration wished Clerk Villers a Happy Birthday.

No report from Law Director Montello and Mayor Koci.

Finance Director Frank Gambosi explained The Dorian Award was the City of Columbus' Auditor who had served for over 40 years. He thanked his staff for the many years of hard work. He explained HB49 would again cost the City. The State would charge a ½% for the money they receive from the businesses who filed their taxes on line with the State. He said the Cities would have no say so over any business filing with the State. He felt the situation had no checks and balances; however, the ½% fee would not benefit the Cities and would be better served if there wasn't a fee. The ½% could have been spent wiser on something else. He stated the Tax Department would be mailing letters to everyone regarding the 3% tax increase which would take place in 2018.

Councilman Pozar clarified there would be No Parking on the entire street on Noran Circle starting at 7:00 a.m. to 4:00 p.m.

Councilman Saunders was not pleased that HB49 would again take much needed monies from the Cities. The City residents recently passed a 3% tax increase to cover the City's budget and the State managed to take more money from its budget. He felt the State needed to address their own budgetary issues. He pointed out Dominion closed the entire street of Washington near Woodrow which he felt was a safety concern. Mr. Mallis assured Mr. Saunders Dominion was aware of the situation that they can't close the roadway unless it was a temporary situation to unload materials.

Councilwoman Zolata asked when leaf pick program was going to start. Mr. Mallis replied the Service Department would determine the start date of the program as they felt there were an adequate amount of leaves. Mrs. Zolata asked when the new Dispatch Center was going to hold their open house tour. Mr. Mallis would advise everyone in advance of the date when he knew it.

Councilwoman Spinks was pleased with the Weekend of the Pooka event; the Fund Raiser raised \$4,000.00. She asked Mr. Mallis to look into the fallen cut tree located on Dewhurst. Mr. Mallis requested the address.

Councilwoman Mizzak announced the 90<sup>th</sup> anniversary of the Garden Club who planted the flowers in front of City Hall main doors and those on the Union Bridge and the Historical Society. She welcomed the two new Ward 4 residents on Santin Circle. She requested the Speed Meter be placed somewhere in Ward 4.

Councilman Genutis continued to be pleased with the new Saturday morning Five Point Markets located on the City square.

ORDINANCE NO. 9522-17 AN ORDINANCE AMENDING ORDINANCE NO. 9450-16 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXTENSION OF THE LEASE WITH OPTION TO PURCHASE AGREEMENT WITH MRLM, LLC FOR THE PROPERTY LOCATED AT 600 SOLON ROAD BEDFORD, OHIO (PP NO. 814-30-003) AND DECLARING AN EMERGENCY

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

Motion made by Saunders seconded by Mizensak to place Ordinance No. **9522-17** on third and final reading and passed.

Mr. Mallis explained the City continued to work with MRLM, LLC regarding their request with an extension; however, the City would only allow a credit for the first six (6) months toward the purchase price.

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

ORDINANCE NO. 9523-17 AN ORDINANCE AMENDING ORDINANCE NO. 9187-14 AMENDING SECTION 511.12 ENTITLED “CRIMINAL ACTIVITY NUISANCES” OF THE BEDFORD CODIFIED ORDINANCES AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9523-17** on third and final reading and passed.

Mr. Mallis explained the amendments clearly defined the property owner would be charged for the violations and only the property owner could appeal the charges.

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

[On Friday, September 15, 2017, Clerk Villers emailed everyone who received the September 18, 2017 Council meeting packet that there were two (2) Ordinance No. 9524-17's that were written differently for their review.]

ORDINANCE NO. 9524-17 AN ORDINANCE AMENDING ORDINANCE NO. 3457-69, PASSED DECEMBER 1, 1969, SECTION 151.26 ENTITLED “HOSPITALIZATION FOR COUNCIL AND MUNICIPAL COURT JUDGE” AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Saunders seconded by Pozar to place Ordinance No. **9524-17** on first reading.

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

Mayor Koci said it was his wish to amend Ordinance No. 9524-17 by removing the first and fourth WHEREAS' because they were irrelevant to the situation. The main point was that Council would be eliminating their hospitalization so he wanted to make a motion to eliminate the first and fourth WHEREAS'.

Motion made by Mayor Koci [Chairman] seconded by Spinks to amend Ordinance No. 9524-17 by removing the first and fourth WHEREAS.



Clerk Villers questioned Law Director Montello as to the proper procedure of handling this motion. She believed the Chairman, in this case the Mayor, could not make the first on a motion. Mr. Montello made no correction. Mayor Koci instructed the Clerk to call the roll.

Mr. Pozar asked for permission to speak; Mayor Koci offered him the floor because it was an amendment and not a first reading. Mr. Pozar explained he requested the elimination of Council's hospitalization over 16 months ago when he submitted a draft Ordinance created by the Law Director. The original draft Ordinance discussed twice over the past year showed the statistics that 25 out of 29 cities did not offer Council hospitalization. As instructed, further research was gathered by the Finance Director and Council Clerk Villers that indicated 48 out of 59 communities did not offer what the City of Bedford was offering its Council members. He added at the time when the City was in a serious budget crunch Council and all the Administration were looking for ways to augment in order to keep the Safety Forces and different ways to cut \$1.5 million out of the budget. He felt at that time the elimination of Council's hospitalization was one of the main ways to save the City \$150,000 to \$200,000 per year. He understood the elimination of hospitalization would be painful to every Council member but it was discussed 6 months ago that it was the right thing to do. It was only now Ordinance No. 9524-17 was placed on the agenda for consideration per his insistence. He stated the issue was not who brought this issue forward but the protocol by which any Council member could introduce legislation. Other cities sponsor legislation differently; however, it was certainly the action of this Council to be able to alter/amend legislation as pro-offered but it was not the Chairman/Mayor's authority to alter the legislation before it was given to Council for consideration. He had no objection of amending Ordinance No. 9524-17 but moving forward Council needed to be able to submit legislation unencumbered by the Chairman/Mayor until it was discussed by the entire Council.

The roll was called. Vote – Yeas: Pozar, Saunders, Koci, Mizesak, Genutis. Nays: Zolata, Spinks. Motion carried. Mr. Genutis asked if this was for the change of amendment. Mr. Montello and Mayor Koci replied, yes. Mayor Koci said Ordinance No. 9524-17 would be amended for the October meeting.

Mr. Genutis asked for a point of clarity; Mayor Koci offered him the floor. Mr. Genutis thought Council was making a change amending the proposed Ordinance and asked if Council was to vote again on the first reading as amended. Mr. Montello said Ordinance No. 9524-17 was placed on first reading and then was amended after the first reading. Mr. Genutis asked which version was voted on; there were two (2) in their packets for consideration. Mayor Koci reiterated the Ordinance was placed on first reading and amendments were voted on. Mr. Montello felt it would be a good practice to vote on another first reading as amended.

Motion made by Genutis seconded by Spinks to place Ordinance No. **9524-17** on first reading as amended.

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

ORDINANCE NO. 9525-17 AN ORDINANCE MODIFYING THE SALARIES OF THE MAYOR AND COUNCIL FOR TERMS COMMENCING ON OR AFTER JANUARY 1, 2018 AND JANUARY 1, 2020 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Pozar seconded by Mizesak to place Ordinance No. **9525-17** on first reading.

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

ORDINANCE NO. 9526-17 AN ORDINANCE CONDEMNING THE PROPERTY AND STRUCTURES LOCATED AT 810 MCKINLEY AVENUE (P.P. No. 813-16-060) ORDERING ACTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Saunders seconded by Pozar to place Ordinance No. **9526-17** on third and final reading and passed.

Mr. Mallis explained the property was in need of significant repairs. In August, the Building Commissioner determined that the premises were unsafe, unsanitary and unfit for human occupancy and was vacant. Mayor Koci said the property had been neglected for years.

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

ORDINANCE NO. 9527-17 AN ORDINANCE ALLOWING EMPLOYEE PARTICIPANTS TO MAKE INSURANCE PLAN PREMIUM CONTRIBUTIONS ON A PRETAX BASIS FOR THE CALENDAR YEAR 2018 THROUGH WAGE WORKS AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

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

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

Motion made by Zolata seconded by Genutis to place Ordinance No. **9527-17** on third and final reading and passed.

Mr. Gambosi explained this was the hospitalization payment made by the employees which were tax deferred and non-taxable.

The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Spinks, Koci, Mizens, 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.

Juanita Brent, 16804 Glendale Avenue, Cleveland, Ohio felt welcomed by the residents and those who volunteer for the many events. She announced she was a candidate for State Representative, House District 12 which include 10 cities in May 2018.

Richard Novak, 1252 Broadway Avenue, again complained about the storage box pod which had been in the drive across the street from him for 3+ months. Mrs. Zolata gave him a letter she received pertaining to his complaint.



Trish Karabowicz, 431 Union Street, announced the Ward 3 candidates would hold a meet, greet and debate at LOHV on October 17<sup>th</sup> at 7:00 p.m.

Kathy Williams, 491 Lamson Avenue, asked for clarification regarding Ordinance No. 9525-17. Mr. Montello explained the legislation was to determine if Council salaries should be set higher in conjunction with Council's hospitalization. Mr. Gambosi said the full compensation package of Council was being looked at before the election. Mr. Montello added to see if it was equitable or not. Mrs. Williams stated the City recently passed a tax increase and there were jobs on the website for new employees. Her concern was Police Officers weren't posted and Council was looking for a raise. Mr. Gambosi clarified the amendment to the compensation package would substantially reduce costs to the City per the elimination of hospitalization for Council. He stated the net of the savings was huge. Mr. Mallis, Mr. Gambosi and Civil Service Commissioner Richard Novak explained the many month process it took to hire very qualified Police Officers. The reasons it took so long was all the rules and regulations of the State of Ohio, various tests, the Tri-C agility exam, the ORC §124 and the many different thorough background checks that needed to be completed before a list was available to consider a new employee. The hiring for the new Officers took months and could not by any means be hired from the normal resume submission process. The testing procedure was for Northeast Ohio not the City of Bedford. The focus was to hire the best candidate per the ORC §124. Another struggle was there weren't a lot of candidates signing up for the exams specifically for this position in employment.

Mrs. Williams stated iron sharpens iron and until the residents witness the swearing-in of new Officers questions were going to be asked by the residents.

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

Meeting adjourned at 8:55 P.M.



Clerk of Council



Mayor - President of Council