COUNCIL WORK SESSION

MONDAY, DECEMBER 16, 2013

6:00 P.M. PROMPT

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- **DISCUSSION OF AGENDA**

- **DISCUSSION OF ORGANIZATIONAL MEETING JANUARY 2, 2014**
  (select menu items, caterer, number of invitations, event location, additional seating)

- **DISCUSSION OF ENGINEERING RATES** – Joe Ciuni

- **EXECUTIVE SESSION -** Personnel
  Personnel (Council only)

Bedford, Ohio December 16, 2013

Bedford City Council met in a work session at Bedford City Hall on Monday, December 16, 2013 at 6:09 p.m.

Present: Council Members: Mayor Daniel Pocek, Stan Koci, Marilyn Zolata, Paula Mizsak, Greg Pozar, Don Saunders. Administration: City Manager Henry Angelo, Finance Director Frank Gambosi, Calvin Beverly, Building Commissioner, Assistant Law Director John Montello, Mike Mallis, Economic Development Director, Clerk of Council Lorree Villers. Absent: Warner Batten. Also present: Joe Ciuni, City Engineer, and Sandy Spinks.

Mayor Pocek began discussion of the Regular Council Meeting agenda.

Council had no issues with the minutes of the Work Session and Regular Meeting of December 2, 2013.

Ordinance No. 9122-13 was an ordinance to make appropriations for current expenses and expenditures of the City of Bedford, Ohio during the year 2014. This Ordinance was before Council for first reading on November 18, 2013 and second reading on December 2, 2013. Mr. Gambosi requested this ordinance be read and passed this evening as amended per Council's previous requests. The lack of water being used by Ben Venue was a major factor; the hope was the new business Art of Beauty would help toward future water consumption.

Ordinance No. 9126-13 was an ordinance authorizing the City Manager to enter into a contract w/Doty & Miller in the amount of $15,800 was before Council for first reading on December 2, 2013. This was for the Ellenwood Recreation Center remodeling project. Mr. Angelo passed out some pictures for Council's review showing poor condition of the building. (see attached) He reminded everyone this was going to be paid from the $150,000 grant for some very nice improvements. The previous discussion was whether the grant funds should be spent on another ADA entrance or elsewhere. The pictures showed the current stairs were deteriorating so either way something had to be done. Mr. Mallis explained the grant application process and the ADA upgrades was a large contributing factor of 60% which awarded Bedford the grant of $150,000. It was determined the facility needed attention, the bid process needed to be completed in 2014, awarding the bid in February. Everyone agreed the building needed spruced up.

Ordinance No. 9128-13 was an ordinance amending Ordinance No. 8981-12 providing a contract with GPD Group for Engineering Services was before Council for first reading on December 2, 2013. Mr. Ciuni was available this evening for questions. It was determined that Bedford did not have any scheduled Capital Improvements projects in 2014 and the increase was approximately $890 for the entire year. Mr. Angelo explained the other 14 cities GPD Group was contracted with were paying these same rates. Mr. Ciuni was paid a retainer of $1,000 per month and showed up whenever called. He explained the increase was roughly a 3% average and GPD Group had not increased their fees during the year 2012 and 2013. Mr. Saunders pointed out nobody was getting 3% pay increases these days. Mr. Gambosi said the increase was basically over a two year period.

Resolution No. 2475-13 was a resolution commending Warner J. Batten for serving the City of Bedford as Councilman representing Ward 1. Mr. Batten was not present this evening to receive his award.

Ordinance No. 9130-13 was an ordinance amending Ordinance No. 9015-12 making additional appropriations. Mr. Gambosi briefly explained this was the final amendments for 2013. (see attached)

Ordinance No. 9131-13 was an ordinance authorizing the City Manager to enter into a cooperative purchasing program w/ACE Business Solutions for Ricoh Color Copier. Mr. Angelo explained Chief Nietert did a very good job in keeping the costs down regarding this type of equipment. Mr. Saunders thought it was time to phase out individual printers to save costs.

Ordinance No. 9132-13 was an ordinance authorizing emergency voicemail repairs with AT&T in the amount of $8,744.10.

Discussion was held regarding the location, menu, number of invitations, head count for actual people eating, additional seating or caterer for the Organizational Meeting. It was decided the four Council members would be officially sworn in on January 2, 2014 at 12:30 p.m. at City Hall by Assistant Law Director John Montello. The ceremonial portion of the meeting would be at 8:00 p.m. as normally scheduled per the City Charter.

Motion to accept the Planning Commission's recommendation of December 3, 2013 - Chris Marshall, Horan Construction Corp., – Toyota, 18151 Rockside Road, Bedford – Tire & Battery Storage Building.

Mr. Angelo and Mr. Beverly explained the improvements were for outside storage for batteries and tires prior to recycling. The Planning Commission's recommendation of December 3, 2013 for Chris Marshall, Horan Construction Corporation for the Toyota dealership located at 18151 Rockside Road. Council had no issues with the improvement.

Motion to accept the Planning Commission's recommendation of December 3, 2013 - Chris Marshall, Horan Construction Corp., – Mercedes Benz, 18122 Rockside Rd, Bedford – Tire & Battery Storage Building.

Mr. Angelo and Mr. Beverly explained the improvements were for outside storage for batteries and tires prior to recycling. The Mercedes Benz structure was being built out of different materials than the Toyota dealership. The Planning Commission's recommendation of December 3, 2013 for Chris Marshall, Horan Construction Corporation for the Mercedes Benz located at 18122 Rockside Road. Council had no issues with the improvement.

The Bedford Automile dealerships were doing a great job in building improvements.

Discussion of the Regular Meeting agenda was concluded.

At 7:07 p.m., Bedford City Council, Mr. Angelo, Mr. Gambosi and Mr. Mallis went into an executive session to discuss personnel. Mr. Angelo, Mr. Gambosi and Mr. Mallis were excused at 7:38 p.m.

The Work Session adjourned at 8:05 p.m.

Clerk of Council

Mayor – President of Council

REGULAR MEETING	BEDFORD CITY COUNCIL	DATE: December 16, 2013
	STATE OF OHIO	
AGENDA	COUNTY OF CUYAHOGA	TIME: 8:00 P.M.

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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 December 2, 2013
   b. Approval of Minutes of the Regular Meeting of December 2, 2013

5. **OLD BUSINESS**
   a. Ordinance No. 9122-13 Amended City of Bedford 2014 Appropriation Budget (1st Reading 11/18/13 - 2nd Reading 12/2/13)
   b. Ordinance No. 9126-13 authorizing the City Manager to enter into a contract w/Doty & Miller ($15,800) (1st Reading 12/2/13)
   c. Ordinance No. 9128-13 amending Ord. No. 8981-12 providing a contract with GPD Group for Engineering Services (1st Reading 12/2/13)

6. **PRESENTATIONS**
   Proclamations/Certificates for Mayor Pocek

7. **REPORTS**
   a. City Manager
   b. Law Director
   c. Finance Director
   d. Council Reports

8. **NEW BUSINESS**
   a. Resolution No. 2475-13 commending Warner J. Batten for serving the City of Bedford as Councilman representing Ward 1
   b. Ordinance No. 9130-13 amending Ordinance No. 9015-12 making additional appropriations
   c. Ordinance No. 9131-13 authorizing the City Manager to enter into a cooperative purchasing program w/ACE Business Solutions for Ricoh Color Copier
   d. Ordinance No. 9132-13 authorizing emergency voicemail repairs with AT&T ($8,744.10)
   e. Motion to schedule the Organizational Meeting for January 2, 2014 at 8:00 p.m.
   f. Motion to accept the Planning Commission's recommendation of December 3, 2013 - Chris Marshall, Horan Construction Corp., – Toyota, 18151 Rockside Road, Bedford – Tire & Battery Storage Building
   g. Motion to accept the Planning Commission's recommendation of December 3, 2013 Chris Marshall, Horan Construction Corp., – Mercedes Benz, 18122 Rockside Rd, Bedford – Tire & Battery Storage Building

9. **HEARING OF CITIZENS**

10. **ADJOURNMENT**

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

Bedford, Ohio December 16, 2013

Bedford City Council met in Regular Session at Bedford City Hall on Monday, December 16, 2013. Mayor Pocek called the meeting to order at 8:07 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Pozar, Saunders, Zolata, Koci, Mizsak, Pocek. Absent: Batten.

Motion made by Saunders and seconded by Zolata to excuse Councilman Batten. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Koci, Mizsak, Pocek. Nays: None. Motion carried unanimously.

Motion made by Koci and seconded by Zolata to approve the minutes of the Work Session of December 2, 2013. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Koci, Mizsak, Pocek. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Saunders to approve the minutes of the Regular Meeting of December 2, 2013. The roll was called. Vote – Yeas: Pozar, Saunders, Zolata, Koci, Mizsak, Pocek. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9122-13, being an ordinance to make appropriations for current expenses and expenditures of the City of Bedford, Ohio during the year 2014 as amended and declaring an emergency placed on first reading November 18, 2013 and second reading on December 2, 2013 was read by title only.

Motion made by Zolata seconded by Koci to suspend the rule requiring the reading of said ordinance on three different days.

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

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9122-13** on third and final reading and passed.

Mr. Gambosi explained Ordinance No. 9122-13 had been amended since the first reading on November 18, 2013. This was the 2014 budget.

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

ORDINANCE NO. 9126-13, an ordinance authorizing the City Manager to enter into a contract with Doty & Miller Architects for the Ellenwood Recreation Center remodeling project and declaring an emergency Placed on first reading December 2, 2013 and declaring an emergency was read by title only.

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

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

Motion made by Koci seconded by Zolata to place Ordinance No. **9126-13** on third and final reading and passed.

Mr. Angelo explained the fees for this project would be paid from the $150,000 grant; this upgrade would make the facility ADA compliant. Mrs. Zolata noted it was well needed and Mr. Saunders felt the remodeling was a benefit for the Men's restroom. Mr. Pozar asked if the 10% fee was the standard Architectural fee. Mr. Angelo was not sure if it was the standard percentage; however, Doty & Miller would be paid by the grant money plus GPD Group would be handling the inspections. Mr. Pozar wondered if the City was setting a precedent regarding the 10% fee. Mr. Angelo and Mr. Montello agreed that this 10% fee would not be being setting a precedent.

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

ORDINANCE NO. 9128-13, an ordinance amending Ordinance No. 8981-12 providing for a contract with GPD Group for engineering services within the City of Bedford and declaring an emergency placed on first reading December 2, 2013 and declaring an emergency was read by title only.

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

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

Motion made by Koci seconded by Mizsak to place Ordinance No. **9128-13** on third and final reading and passed.

Mr. Angelo explained the increase was roughly 3% on the average; however, GPD Group had not increased their fees during the year 2012 and 2013. The City did not have any Capital Improvements scheduled in 2014; the increase was less than $900 for 2014.

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

Mayor Pocek presented his wife and mother-in-law with flowers. He introduced several people in the audience. Proclamations and Certificates were presented to Mayor Pocek from Mayor Berger, City of Bedford Heights, Councilman Saunders read the proclamation from Mayor Gordon, City of Beachwood, and Councilwoman Zolata read the proclamation from Bedford City Council members and Administration and Mayor-elect Koci read a Certificate of Appreciation. Mayor Pocek presented Mayor-elect Koci with cufflinks.

City Manager, Henry Angelo said he has known Mayor Pocek for 10-15 years and for the last 4 years it's been a pleasure and honor to work for Mayor Pocek and Council. Mayor Pocek had provided friendship, leadership and exemplary service to the citizens. He quoted the Bible; Psalm 37:23 – "The steps of a good man are ordered by the LORD: and he delighteth in his way." Bedford has had that good man in Dan Pocek, he wished Mayor Pocek best of luck in the future; especially the time with his grandchildren.

Assistant Law Director John Montello concurred with Mr. Angelo's comments and he wished everyone Happy Holidays.

Finance Director, Frank Gambosi wished Mayor Pocek congrats on his retirement. He has known Mayor Pocek for many years. He thanked Councilman Batten for all his wonderful years he served Bedford.

Councilman Saunders urged everyone not to park in the streets when it was snowing. He pointed out some of the residential snowplow operators were pushing their snow in the street which was a hazard. Mr.

Angelo explained the Service Department worked hand in hand with the Police Department to address such issues during the winter months. He also urged residents to call immediately if there was an issue. Mr. Koci noticed some cars were ticketed for parking in the street during snow fall.

Councilman Pozar congratulated Mayor Pocek on behalf of the residents in Ward 5. He complemented Mayor Pocek on his patience and wisdom over the years. He urged a "roost" from the audience.

Councilwoman Mizsak warned those who were aging because of the Fossil Birthday Certificate. She's known Mayor Pocek since 1976 and wished him all the best in the future.

Councilwoman Zolata explained Mayor Pocek and her family goes back many years. She agreed with Mr. Pozar regarding the patience of Mayor Pocek and how he handled the other Council members. This was a new Chapter for Mayor Pocek. The Pocek's were moving into a brand new home in Walton Hills.

Councilman Koci jokingly explained when he was appointed, Mayor Pocek voted against him. He congratulated Mayor Pocek on behalf of the residents in Ward 2.

RESOLUTION NO. 2475-13, being a resolution commending Warner J. Batten for serving the City of Bedford as Councilman representing Ward 1.

Motion made by Zolata seconded by Saunders for passage of Resolution No. **2475-13**.

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

ORDINANCE NO. 9130-13, an ordinance amending Ordinance No. 9015-12 making additional appropriations for current expenditures of the City of Bedford, Ohio during the year 2013 and declaring an emergency was read by title only.

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

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

Motion made by Mizsak seconded by Zolata to place Ordinance No. **9130-13** on third and final reading and passed.

Mr. Gambosi explained this was the year end annual housekeeping making additional appropriations for current expenditures for 2013.

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

ORDINANCE NO. 9131-13, an ordinance authorizing the purchase of Ricoh Aficio Digital Color Copier through the State Cooperative Purchase program for the Police Department and declaring an emergency was read by title only.

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

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

Motion made by Zolata seconded by Koci to place Ordinance No. **9131-13** on third and final reading and passed.

Mr. Angelo explained this copier was for the Police Department.

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

ORDINANCE NO. 9132-13, an ordinance authorizing the payment of $ 8,744.10 to AT&T for emergency voicemail repair and declaring an emergency was read by title only.

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

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

Motion made by Saunders seconded by Koci to place Ordinance No. **9132-13** on third and final reading and passed.

Mr. Angelo reminded everyone this was for the voicemail repairs. The City's system was down for about 2-3 weeks. He publically thanked Ms. Dulaney and Mrs. Hollo for their assistance in working with AT&T.

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

Motion made by Koci seconded by Zolata to schedule the Organizational Meeting for January 2, 2014 at 8:00 p.m.

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

Motion made by Saunders seconded by Mizsak to accept the Planning Commission's recommendation of December 3, 2013 for Chris Marshall, Horan Construction Corporation for Toyota located at 18151 Rockside Road, Bedford for a tire and battery storage building.

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

Motion made by Koci seconded by Zolata to accept the Planning Commission's recommendation of December 3, 2013 for Chris Marshall, Horan Construction Corporation for Mercedes Benz located at 18122 Rockside Road, Bedford for a tire and battery storage building.

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

Mayor Pocek congratulated Clerk Villers regarding her Certificate of Recognition in her participation with the Kent State University Masters Municipal Clerk educational instruction at the Ohio and West Virginia Municipal Clerks Fall Institute. He thanked Ms. Villers for all her efforts. He told Mayor-Elect Koci that he was going to find out how invaluable Ms. Villers was very shortly.

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

Jeanne Sapir, 70 Columbus Road, Southeast Branch Public Library, expressed her appreciation, support and gratitude regarding the library system.

Deb Kozak and Phil Stevens representing the Bedford Board of Education thanked Mayor Pocek for all his hard work and for being a friend. Mayor Pocek noted the wonderful job the school system was accomplishing.

Sherman Micsak, Bedford City School Superintendent, thought leadership just didn't happen; he felt Mayor Pocek was one of those people that were meant to be a leader. Mayor Pocek's son was also a school teacher so the name of the Pocek family would continue in the halls of the Bedford Schools.

Joyce Daunch, 86 Harriman Street, representing the Arts & Cultural Board thanked Mayor Pocek for his support and leadership.

Beth Housiaux-Steward, 93 Avalon Avenue, urged everyone to participate in the "Lights Out for Hunger" donations. She thanked everyone for their efforts; the idea was growing throughout the surrounding communities. She said hunger has increased all over and not just in Bedford. She appreciated everyone's support. She wished Mayor Pocek the best in the future.

Bob Schroeter, 63 Eldred Avenue, asked who took care of notifying the residents not to park in the streets during the snowfall. Mr. Angelo explained there were several ways the residents were notified. Mr. Schroeter congratulated Mayor Pocek and he wished Councilman Koci good luck in the future.

Rich Novak, 1252 Broadway Avenue, thanked Mayor Pocek for his friendship, leadership and for his assistance of moving the City of Bedford forward.

John Whittaker, 126 Noran Circle, stated he was a true republican, Mayor Pocek's campaign manager and as friends they have found a true friendship and they found a middle ground. He stated, Dan, I love you.

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

See attached closing comments from Mayor Pocek regarding his 30 years of service.

Meeting adjourned at 9:15 P.M.

Clerk of Council

Mayor – President of Council