

**COUNCIL WORK SESSION
MONDAY, FEBRUARY 4, 2013**

6:30 P.M. PROMPT

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- **DISCUSSION OF AGENDA**
- **DISCUSSION OF 2013 FIREWORKS**
- **DISCUSSION OF WARD MEETING DATES**
- **DISCUSSION OF TOPICS FOR JUDGE JACOB** (February 19, 2013)
- **EXECUTIVE SESSION** – personnel (Council only)

Bedford, Ohio

February 4, 2013

Bedford City Council met in a Work Session at Bedford City Hall on Monday, February 4, 2013 at 6:37 p.m.

Present: Council Members: Mayor Daniel Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Donald Saunders, Paula Mizsak, Greg Pozar. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Henry J. Angelo, Finance Director Frank Gambosi, Law Director Ken Schuman, Economic Development Director Mike Mallis. Absent: None.

Mayor Pocek started the agenda topics for discussion.

Mr. Angelo explained the poor condition of the WWTP steps which needed to be repaired immediately. He went with the lowest quote of \$14,000 for the emergency repair.

Council had no issues with the January 22, 2013 Work Session minutes or the January 22, 2013 Regular Council minutes.

Ordinance No. 9034-13 was an ordinance authorizing the City of Bedford to certify to the County Fiscal Officer the costs associated with police response to 595 Broadway Avenue as said homeowner (business owner) is in violation of Bedford's Criminal Nuisance ordinance. The amount was \$71.96 for several police responses to this business parking lot location. Mr. Angelo and Mr. Schuman both explained they had talked to Mr. Ghila of Mr. Gee's Bar & Grill and he had already taken action to prevent any types of situations at the bar. Mr. Gliha had been a good business owner for 19 years and was very reasonable regarding the situation. Mr. Gliha was willing to pay for the costs even though not all of the calls were associated with his customers. Both Mr. Angelo and Mr. Schuman suggested the fees be waived in this situation. Mr. Ghila was attempting to fix the problems associated with his business.

Ordinance No. 9039-13 was an ordinance authorizing the increase in ambulance fees with Great Lakes Billing Associates. Mr. Gambosi explained this was up for second reading or passage this evening. This would allow a slight increase to bring the costs in line with the services. Great Lakes Billing did a great job on the collections. The funds were used for equipment, overtime, monitors and so on. Council agreed this would be passed this evening as previously amended.

Ordinance No. 9041-13 was an ordinance authorizing the City Manager to enter into a contract with Cleveland Restoration Society (CRS) aka Heritage Home Program. Council thought this was a very good program for beautifying Bedford. Mr. Angelo explained the cost was an annual fee to the City in the amount of \$2,900. The loan max was \$10,000 with a 1.4% to 2% interest rate over 10 years. There were rules that needed to be followed to be eligible for the loan. If a resident wanted to request a lower loan amount, they could. There was a "doing no harm" clause which meant vinyl siding applications over wood. The homeowner could install a heating and air conditioning system, new roof or windows to name a few upgrades. Mrs. Zolata questioned the age of the home stated in the contract as over 50 years of age. From what Mr. Angelo understood, the age of the home was not a contributing factor.

Ordinance No. 9042-13 was an ordinance authorizing the City Manager to enter into a contract with Physio Control for Fire Department Lifepak 15 cardiac monitor. In 2012, the Fire Department received one unit which was the first phase of this program. The second phase of the program would be in 2013 at a cost of \$26,690 for one unit.

Ordinance No. 9043-13 was an ordinance amending Ordinance No. 8945-12 designating the City's members to the Housing Council for the Tax Incentive Programs for the City of Bedford. These terms were going to expire in 2013 and Mr. Gambosi needed to schedule the annual meeting. Randy Lewis was the only change from the ordinance passed in 2012. The other members requested to be re-appointed for another term. Mr. Gambosi explained the Housing Council considered the condition of the houses or businesses that had CRA's with the City. This committee determined if the City should continue the agreement to send these buildings to the TIRC so they can address the renewal or discontinue any agreements.

The 2013 fireworks discussion was on the agenda but Council wanted to wait until the St. Peter Chanel and Bedford High School students discussed it on Student Government Day on February 6, 2013. Council did not want the students to know their final decision whether the City was going to hold the fireworks. Mayor Pocek said he would let Council know if the fireworks could be held at a different location as soon as he received confirmation.

Mr. Pozar questioned why there were so many street lights still burned out. Mr. Angelo said the City's liaison was the last resort but the outages had increased since the last meeting. He explained the process was the Service Department informed First Energy of the outages. He found out after First Energy received the complaint, First Energy did not follow up with the City of the light status. Terry Killeen from First Energy said the only way he can track it was to inspect the First Energy generated Work Orders. Mr. Killeen said he would now start to track the Work Orders for a resolution. Each pole had a number assigned to it and some of the Work Orders may not have a pole number but rather a nearby address. Also, the procedure of replacing a pole was whatever company was the last company to remove their wires from the pole was the company responsible to remove the pole. It varied from pole to pole depending on what company was the last one to touch it. Mr. Pozar stated it was beyond his comprehension for a company that worked 24/7 can't come through Bedford and address the burned out street lights. He did not feel it was the responsibility of the Service, Police or residents to identify the pole's specific number and pole location. Mayor Pocek pointed out First Energy reduced its staff 35% over the last five (5) years. Mr. Pozar commented it was regrettable that First Energy had not reduced/lowered their customer's rates by 35%. Mr. Saunders noted the electric rates had increased not decreased.

Mr. Pozar was curious as to why there was a for sale sign in the front yard of the Mapledale home. Mr. Angelo figured it was because the home located at 21 Mapledale Drive was still owned by the bank. After a brief discussion, Mr. Schuman said he would check into it. He thought he could resolve the reasoning of the for sale sign after a meeting he was going to have on February 5th.

Council scheduled the 2013 Ward Meetings as follows: April 8th Wards 1 & 2, April 22nd Wards 3 & 4 and April 29th Wards 5 & 6.

Council and the Administration was going to talk to Judge Jacob at the February 19, 2013 Work Session. They were going to ask him about some general quality of life issues such as: dangerous dogs, Building Code violations, parking in the grass fees, people walking in the streets. It was noted that their budget had been in good condition for the past two (2) years.

Council discussed several areas of town that the snow needed to be removed from the sidewalks. The pedestrian traffic on Rockside Road had to walk around piled snow, which was dangerous. There were concerns whether the property owner was responsible if someone were to fall on their sidewalk. Mr. Schuman explained the property owner was not liable if someone were to fall whether the sidewalk was shoveled or not. Even some of the downtown businesses hadn't shoveled their snow of recent.

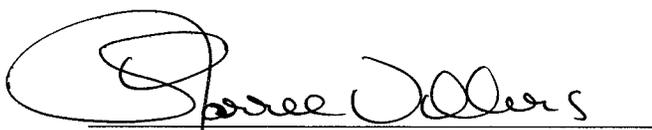
At 7:30 p.m., Bedford City Council, City Manager Henry Angelo, Law Director Ken Schuman, Finance Director Frank Gambosi, went into an executive session to discuss personnel. The Executive Session recessed at 7:56 p.m. Council would reconvene after the Regular Council Meeting this evening.

Mayor Pocek recessed the Work Session at 7:57 p.m.

Council reconvened the Work Session at 8:55 p.m.

The Executive Session adjourned at 9:30 p.m.

The Work Session adjourned at 9:31 p.m.


Clerk of Council


Mayor – President of Council

REGULAR MEETING

**BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA**

DATE: February 4, 2013

AGENDA

TIME: 8:00 P.M.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES

- a. Approval of Minutes of the Work Session of January 22, 2013
- b. Approval of Minutes of the Regular Meeting of January 22, 2013

5. OLD BUSINESS

- a. Ordinance No. 9034-13 authorizing the City to certify to the County Auditor costs associated with Police response to 595 Broadway Avenue (\$71.96) (Tabled 1/22/13)
- b. Ordinance No. 9039-13 amending fees for ambulance services – Great Lakes Billing Associates (1st Rdg 1/22/13 Amended)

6. REPORTS

- a. City Manager
- b. Law Director
- c. Finance Director
- d. Council Reports

7. NEW BUSINESS

- a. Ordinance No. 9041-13 authorizing the City Manager to enter into a contract w/Cleveland Restoration (\$2,900)
- b. Ordinance No. 9042-13 authorizing the City Manager to enter into a contract w/Physio Control (\$26,690)
- c. Ordinance No. 9043-13 amending Ord. No. 8945-12 designating City's Members to the Housing Council

8. HEARING OF CITIZENS

9. ADJOURNMENT

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

Bedford, Ohio

February 4, 2013

Bedford City Council met in Regular Session at Bedford City Hall on Monday, February 4, 2013. Mayor Pocek 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: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Absent: None.

Motion made by Mizesak and seconded by Saunders to approve the minutes of the Work Session of January 22, 2013. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Koci to approve the minutes of the Regular Meeting of January 22, 2013. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9034-13, an ordinance authorizing the City of Bedford to certify to the County Fiscal Officer the costs associated with police response to 595 Broadway Avenue as said homeowner is in violation of Bedford's Criminal Nuisance ordinance and declaring an emergency tabled on January 22, 2013 was read by title only.

Motion made by Zolata seconded by Saunders to removed Ordinance No. 9034-13 from the table.

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

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

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

Motion made by Batten seconded by Zolata to place Ordinance No. **9034-13** on third and final reading and passed.

Mr. Angelo explained the business owner, Mike Gliha, of Mr. Gee's Bar & Grill had spoken to the Administration and Mr. Gliha had already taken action to prevent any types of situations at the bar. Mr. Gliha had been a good business owner for 19 years. Mr. Gliha was willing to pay for the costs even though not all of the costs were associated with his customers. Mr. Angelo suggested the fees be waived in this situation.

The roll was called. Vote – Yeas: None. Nays: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Motion failed unanimously.

ORDINANCE NO. 9039-13, an ordinance amending fees for ambulance services for the City of Bedford and declaring an emergency placed on first reading on January 22, 2013as amended was read by title only.

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

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

Motion made by Saunders seconded by Pozar to place Ordinance No. **9039-13** on third and final reading and passed.

Mr. Gambosi explained the City increased the fees as suggested by the URC levels and the City's billing company. Bedford was also lower than some of the surrounding communities. Mr. Saunders mentioned the property values had decreased which reduced the Fire fund. He noted these fees were put to good use for Fire Department training, education and overtime. Mr. Koci stressed if the residents needed assistance they should still call 911 if there was an emergency. These costs went through a billing process and the cost was not billed to the resident so they should not worry about not calling if they needed help. Mr. Gambosi and Mr. Koci noted these fees had been around since 1971.

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

City Manager, Henry Angelo said the county had agreed to do West Grace and Turney Road in the year 2015. He had made some contacts in hopes to get the streets completed in 2014.

No report from Law Director, Ken Schuman.

Finance Director, Frank Gambosi spoke about the previous HB 601 Resolution. He alerted everyone that the new HB 5 was exactly the same as HB 601 regarding the uniformity of the tax laws. The City of Bedford would still have the problem with revenue loss if HB 5 passed. He urged everyone to be against HB 5.

Councilman Saunders urged everyone to shovel and clear their sidewalks and to lend a hand to the elderly. He announced the blood drive at Ellenwood Recreation Center on Monday, February 11, 2013 from 2:00 pm to 7:00 pm.

Councilman Pozar stated for the record his concerns regarding the street lighting outages. The City's liaison was the last resort but the outages had increased. He asked Mr. Angelo to explain the situation. Mr. Angelo explained the City paid for each and every street light whether it was on or off. He said the Service Department informed First Energy of the outages. He found out after First Energy received the complaint, First Energy did not follow up with the City of the light status. Terry Killeen from First Energy said the only way he can track it was to inspect the First Energy generated Work Orders. Mr. Killeen said he would now start to track the Work Orders for a resolution. Each pole had a number assigned to it and some of the Work Orders may not have a pole number but rather a nearby address. Also, the procedure of replacing a pole was whatever company was the last company to remove their wires from the pole was the company responsible to remove the pole. It varied from pole to pole depending on what company was the last one to touch it. Mr. Pozar stated it was beyond his comprehension for a company that worked 24/7 can't come through Bedford and address the burned out street lights. He did not feel it was the responsibility of the Service, Police or residents to identify the pole's specific number and pole location. Mayor Pocek pointed out First Energy reduced its staff 35% over the last five (5) years. Mr. Pozar commented it was regrettable that First Energy had not reduced/lowered their customer's rates by 35%. Mr. Saunders noted the electric rates had increased not decreased.

Councilwoman Mizsak mentioned she had never seen Time Warner Cable remove any pole. She referred to the water main breaks throughout the City. Mr. Angelo felt the City of Cleveland was adjusting the water pressure. Prior to the meeting, he had asked for a report from the City of Cleveland pertaining to their water pressure adjustments. Mrs. Mizsak wished Bob Spinks a Happy Birthday, along with Andy Ball. She then wished Nancy Lachowski a speedy recovery.

Mayor Pocek announced the 2013 Ward Meeting dates as follows: April 8th Wards 1 & 2, April 22nd Wards 3 & 4 and April 29th Wards 5 & 6.

Councilwoman Zolata thanked the Service Department for all their hard work regarding the water main breaks and snow removal. She noted the Northfield Bridge was plowed by the City and the sidewalk needed to be shoveled. She, too, was not happy about all the street light outages. She referred to the leaning poles that a car had previously slid into and she felt the driver should be responsible for the costs.

Councilman Koci reminded everyone to assist in shoveling the sidewalks because it was forcing the travelers to walk in the street, which was a safety issue. He invited everyone to the next FriDates concert at the Church of the Nazarene. The Arts & Cultural Board was under the Economic Development Department and there was actually visitors attending.

Mayor Pocek asked Mr. Schuman to explain the law regarding sidewalk shoveling. Mr. Schuman explained there was no liability if someone had cleaned their sidewalk and passersby's fell.

No report from Councilman Batten. He asked Mr. Saunders to announce the amount of blood he had donated to the Red Cross over the years. Mr. Saunders said he was shy of 18 gallons.

ORDINANCE NO. 9041-13, an ordinance authorizing the City Manager to enter into a contract with Cleveland Restoration Society (CRS) aka Heritage Home Program and declaring an emergency 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: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Mizsak to place Ordinance No. **9041-13** on third and final reading and passed.

Mr. Angelo explained the cost was an annual fee to the City in the amount of \$2,900. The loan max was \$10,000 with a 1.4% to 2% interest rate over 10 years. The “doing no harm” clause meant vinyl siding application over wood. The homeowner could install a heating and air conditioning system, new roof or windows to name a few upgrades.

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

ORDINANCE NO. 9042-13, an ordinance authorizing the City Manager to enter into a contract with Physio Control for Fire Department Lifepak 15 cardiac monitor and declaring an emergency was read by title only.

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

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

Motion made by Saunders seconded by Mizsak to place Ordinance No. **9042-13** on third and final reading and passed.

Mr. Angelo explained this was the second phase for the program to update some of the Fire Departments equipment specifically for this type of monitor. The cost was \$26,690 for one unit.

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

ORDINANCE NO. 9043-13, an ordinance amending Ordinance No. 8945-12 designating the City's members to the Housing Council for the Tax Incentive Programs for the City of Bedford 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: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Koci to place Ordinance No. **9043-13** on third and final reading and passed.

Mr. Gambosi explained the Housing Council considered the condition of the houses or businesses that had CRA's with the City. This committee determined if the City should continue the agreement to send these buildings to the TIRC so they can address the renewal or discontinue any agreements. Mr. Koci noticed not all the terms were for the same length of time. Mr. Gambosi noted the ORC determined the length of each member.

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

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

Jean Sapir, Southeast Public Library, 70 Columbus Road, listed several programs. (see attached)

Tim Tench, 286 Marion Drive, announced the weekend of March 22, 23 and 24, 2013 was the weekend of the Grease play. They changed the play from previous years, it was scaled down. On April 27, 2013, the Special Olympics qualifier was going to be present from 8:30 am until 3:00 pm. The School was in the process of getting some of these types of events to Bedford High School. He suggested the City not pay \$5 per street light that was not working. Mr. Gambosi explained there could be a penalty for the City. Mr. Tench mentioned the filming on the City's Square that former Pastor Boquist was doing this evening and the nice things he had said about Mr. Angelo regarding the World Changers Program. This information was going to be shared with the Lima, Ohio congregation of 1,700 members in which he was going to be serving. Mayor Pocek thought the church in Lima, Ohio was the fifth largest in the church congregations.

Sabrina Future, 15 Charles Street, asked the name of the business associated with Ordinance No. 9034-13. Mayor Pocek replied, Mr. Gee's. Mrs. Zolata referred to a previous conversation that she had with Ms. Future. She informed her that the City had not made a decision regarding the 2013 fireworks. Ms. Future was not in the area where the young adults were acting out of control.

Mr. Koci invited residents to the Wednesday, February 6, 2013 Student Government Day where the students from St. Peter Chanel and Bedford High Schools would be debating the 2013 fireworks issue.

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

Mayor Pocek reminded Council that the Work Session would reconvene at 8:55 p.m.

Meeting adjourned at 8:43 P.M.



Handwritten signature of Joyce Wells in cursive script, written over a horizontal line.

Clerk of Council



Handwritten signature of Daniel S. Pocek in cursive script, written over a horizontal line.

Mayor – President of Council