

**COUNCIL WORK SESSION
MONDAY, AUGUST 20, 2012**

6:00 P.M. PROMPT

Dinner will be served

- **DISCUSSION OF 2012/ 2013 FIREWORKS (Tom Speaks/Krista Rodriguez)**

- **DISCUSSION OF BOARDS & COMMISSION RE-APPOINTMENTS**
Harvey Dzomba – Planning Commission
Kristi Glasier – Board of Zoning Appeals
James Jeffers – Civil Service
Robert Schroeter – Civil Service
John Schultis – Tree Board
Roman Boldyreff – Tree Board
Vacant Arts & Cultural Board

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF PRESCRIPTION COVERAGE**

- **DISCUSSION OF ELMER FLICK UPDATE**

- **EXECUTIVE SESSION – personnel**

Bedford, Ohio

August 20, 2012

Bedford City Council met in a Work Session at Bedford City Hall on Monday, August 20, 2012 at 6:01 p.m.

Present: Council Members: Mayor Daniel Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizsak, Greg Pozar, Donald Saunders. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Henry J. Angelo. Visitors: Impact Group representatives - Tom Speaks/Krista Rodriguez. Absent: None.

Tom Speaks/Krista Rodriguez from the Impact Group were present this evening to talk about the Special Work Session that was scheduled for Tuesday, August 21, 2012 at 7:00 pm at the Ellenwood Recreation Center for all the residents to attend to discuss whether the 2013 fireworks should be scheduled or not.

Everyone had many concerns because of the unruly and disrespectful children/young adults that were at this year's fireworks and whether there should be fireworks in 2013 for the July 4th celebration. Council and the Administration felt it was best to hear input from the residents. The Bedford fireworks display was considered a Bedford tradition but some of the children/young adults that were coming from surrounding communities were attempting to ruin the evening for everyone.

Mrs. Rodriguez and Mr. Speaks reminded Council that it was very important to listen to what the residents had to say rather than give their opinions. The meeting was to listen and not decide the direction of the event because it was obvious that there was going to be many more discussions regarding this issue before a final decision was to be made. Everyone agreed this issue was a regional problem and not just a Bedford or the surrounding areas problem.

Mrs. Rodriguez briefly explained the different avenues the Impact Group was trying to start to get the ball rolling on marketing Bedford. She lived in Solon and was not aware of all the great events and things Bedford offered their residents and visitors. She was impressed with all the hard work and effort everyone did to make these events successful.

Impact Group would be holding a meeting at Bedford City Hall the third Tuesday of the every month until this project was completed just to keep everyone focused and on track.

Council reviewed the list of the Board and Commission reappointments. They were still thinking of making a few changes. They decided the majority would be dealt with this evening.

Mayor Pocek began discussion of the Regular Council Meeting agenda.

Council had no issues with the July 16, 2012 Work Session or the July 16, 2012 Regular Council minutes.

Resolution No. 2461-12 was a resolution approving the adoption of the Office of Emergency Management for Cuyahoga County, Ohio. Mr. Angelo said this was a well-known program that provided training and educational programs that served 59 counties and he suggested passage this evening.

Ordinance No. 8978-12 was an ordinance amending Ordinance No. 8905-11 making additional appropriations for current expenditures of the City of Bedford, Ohio during the year 2012. Mr. Gambosi read the memo that explained the changes in the ordinance that was prepared for Council. This ordinance mostly dealt with the changes regarding the hospitalization program. The claims were very high in 2012.

This was the fifth time in 22 years that the claims had increased. The other items pertained to a refund for taxes for the City and the deductible for insurance claim that would be budgeted. Plus there had been a lightning strike in the area that affected one of the City's plants.

Ordinance No. 8979-12 was an ordinance to levy assessments for delinquent water bills in the City of Bedford, Ohio. Mr. Angelo said this was the normal water assessment legislation. Mr. Gambosi explained this item was addressed twice a year which allowed the City to levy assessments for delinquent water bills.

Ordinance No. 8980-12 was an ordinance amending Ordinance No. 8949-12 and Ordinance No. 8975-12 authorizing the City of Bedford to certify to the County Fiscal Officer the costs associated with police response to 305 Avery Avenue aka 769 Avery Boulevard (P.P. 813-16-019) as said homeowner is in violation of Bedford's criminal activity nuisance ordinance. Mr. Schuman explained the two ordinances needed to be amended because the County did not list the address the same as the Police Department, even though the P.P. 813-16-019 was the same. The County requested the City amend the two ordinances to reflect the 769 Avery Boulevard address so they could move forward.

Ordinance No. 8981-12 was an ordinance amending Ordinance No. 8779-10 providing for a contract with GPD Group for engineering services within the City of Bedford. Mr. Angelo explained GPD's last contract was signed in 2009 for any type of increases. The increase for this contract was slightly over 2%. Council briefly discussed a few mistakes that GPD had made over the years. Mr. Angelo commented that certain inspector was no longer working for the City and it was a different situation now. He said Michelle Hollo's husband Gary Hollo was doing some of the inspections now.

Ordinance No. 8982-12 was an ordinance declaring the property and structures located at 112 Egbert Road (P.P. 814-04-008) a nuisance, ordering action.

Ordinance No. 8983-12 was an ordinance declaring the property and structures located at 21 Mapledale Avenue (P.P. 812-27-022) a nuisance, ordering action.

Ordinance No. 8984-12 was an ordinance declaring the property and structures located at 291 Columbus Road (P.P. 811-38-013) a nuisance, ordering action.

Ordinance No. 8985-12 was an ordinance declaring the property and structures located at 295 Columbus Road (P.P. 811-38-012) a nuisance, ordering action.

Mr. Angelo touched briefly on the condition of each of the homes. Council was aware of the issues. Mr. Schuman said the property owners had received violations notices and the issues had not been fixed, so this allowed the Building Department to move forward in either a demolition or to force the bank to fix up the home.

Mr. Pozar said the 21 Mapledale Avenue home had a \$70,000 note and it was going to take a lot of money to even fix it up.

Ordinance No. 8986-12 was an ordinance authorizing the City Manager to enter into a contract with Ohio Council 8 and Local 2007 American Federation of State, County and Municipal Employees, AFL-CIO, adopting the terms of the attached contract and ordering them into effect. - (3/1/12 to 3/1/15)

Mr. Schuman explained this contract had been negotiated for the last 8-10 weeks. There was a temporary agreement that was subject to Council's approval tonight and to the union's approval on Wednesday, August 22, 2012 where the union would be voting. The main changes were: wage increases for the next

three (3) years of 1 ¼%, 2% and 1%. In January 2013, each employee would pay a portion of their health insurance; Family coverage was \$130 per month and single coverage was \$52 per month that was determined by an arbitrator. Mr. Pozar pointed out the great work Mr. Angelo, Mr. Gambosi and Mr. Schuman did during the negotiation process. Council was content with the outcome.

Ordinance No. 8987-12 was an ordinance authorizing the City Manager to enter into a contract w/PAETEC-Windstream for telephone/internet services. Mr. Angelo stressed the City really needed to change providers because of the poor customer service from AT&T the City had received in the past three (3) years. AT&T did not provide a representative to handle any issues the City had and their follow up was far and few. The proposed fees would cover: Access (local/long distance) - \$945.36, Voice - \$1,063.45, Data (Internet) - \$567.38, Equipment \$110.74 totaling \$2,686.93 per month. This would be a savings of \$800 per month with better customer service.

Ordinance No. 8988-12 was an ordinance authorizing the City Manager to enter into a contract w/Cuyahoga County for resurfacing Egbert Road. Mr. Angelo explained the amount of \$30,000 was awarded to the City by the County for the Egbert Road resurfacing project. He noted there was a 500 foot stretch that was not included in this project that would be addressed later on. Mr. Schuman explained most of the road was located in Walton Hills. The engineer at the Village of Walton Hills did not contact Bedford when they were applying for these monies.

Ordinance No. 8989-12 was an ordinance authorizing the City to certify to the County Auditor costs associated with Police response 91 Solon Road Apt. #6 a nuisance. Everyone was aware this was the normal procedure.

Ordinance No. 8990-12 was an ordinance authorizing the City to certify to the County Auditor costs associated with Police response 45 East Grace Street a nuisance. Everyone was aware this was the normal procedure.

Ordinance No. 8991-12 was an ordinance authorizing change orders for additional work for Terrace Construction Company, Inc. for the Grand/Franklin/Magnolia Waterline Project. Reference Ordinance No. 8875-11 and Ordinance No.8970-12 (2nd request \$10,679.23) Council asked if this was the last change order. Mr. Angelo assured them there would not be any other costs involved with this project.

Ordinance No. 8992-12 was an ordinance authorizing the City Manager to enter into an extension agreement with Ciuni & Panichi, Inc., certified public accountants, for the performance of the 2012 City of Bedford audit. (Reference Ordinance No. 8256-08) - Mr. Gambosi noted this was a one year extension agreement with Ciuni & Panichi, Inc. The City had contracted with this firm for eight (8) years. There was a chance that the Auditor of State might come in next year. He thought the agreement was a good price.

Ordinance No. 8993-12 was an ordinance authorizing the City Manager to enter into a contract w/Don Mould's Plantation, Inc for the Bedford Automobile Enhancement Project (Phase 1 – not to exceed \$195,000) – Mr. Angelo explained that Mike Mallis had received a call and the cost had increase \$45,000. He asked Council to defeat this ordinance this evening. He was not comfortable with the increase. Council agreed to fail this ordinance even though there was a \$150,000 grant involved. This issue would be addressed at another time.

Motion to approve the July 24, 2012 Board of Zoning Appeal's decision regarding the extension of time to begin construction for Bedford Precision Products (Approved by BZA June 28, 2011/accepted by Council July 11, 2011) – Mr. Koci was curious as to what the project was. Mr. Angelo briefly explained what had happened and all Bedford Precision Products was requesting was an extension of time per the Building Code.

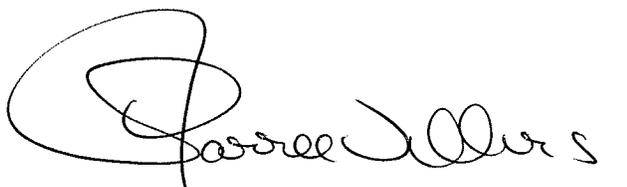
Council did not have any issues regarding the re-appointments or the new appointment this evening for the following: re-appoint of Harvey Dzomba to the Planning Commission, re-appoint of Kristi Glasier to the Board of Zoning Appeals, re-appoint of John Schultis to the Tree Board, re-appoint of Roman Boldyreff to the Tree Board, re-appoint of Robert Schroeter to the Civil Service Commission and the new appointment of Sandy Spinks to the Arts & Cultural Board.

Mr. Gambosi explained the process of signing up for the BidRx prescription program. He stressed if all the employees participate, it could save the City a lot of money. He said there would have to be some training involved to the employees so they fully understood how the online ordering worked. This would be a minor task for such a huge savings.

Mayor Pock explained the involvement of Larry Morrow and Russ Masetta from Nature Stone in raising funds approximately \$35,000 to \$40,000 for the Elmer Flick statue. Currently, the Historical Society had \$7,999 saved for the statue. The focus was to have everything done by August 2013 so the Cleveland Indians could be a part of the Bedford Day's celebration. He noted that 2013 would be Elmer Flick's 50th anniversary into the Hall of Fame and a perfect time for this incredible event.

Discussion of the regular Work Session agenda was concluded.

The Work Session adjourned at 7:55 p.m.


Clerk of Council


Mayor – President of Council

REGULAR MEETING

BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: August 20, 2012

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 July 16, 2012
- b. Approval of Minutes of the Regular Meeting of July 16, 2012

5. REPORTS

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

6. NEW BUSINESS

- a. Resolution No. 2461-12 approving the adoption of the Office of Emergency Management
- b. Ordinance No. 8978-12 amending Ordinance No. 8905-11 making additional appropriations
- c. Ordinance No. 8979-12 to levy assessments for delinquent water bills in the City of Bedford
- d. Ordinance No. 8980-12 amend Ord. No. 8949-12 & Ord. No. 8975-12 authorizing the City to certify to the County Auditor costs associated with Police response at 305 Avery Avenue aka 769 Avery Avenue a nuisance
- e. Ordinance No. 8981-12 amending Ordinance No. 8779-10 providing a contract w/GPD for engineering services
- f. Ordinance No. 8982-12 declaring property located at 112 Egbert Road a nuisance
- g. Ordinance No. 8983-12 declaring property located at 21 Mapledale Avenue a nuisance
- h. Ordinance No. 8984-12 declaring property located at 291 Columbus Road a nuisance
- i. Ordinance No. 8985-12 declaring property located at 295 Columbus Road a nuisance
- j. Ordinance No. 8986-12 authorizing the City Manager to enter into a collective bargaining agreement with the Bedford Ohio Council & Local 2007 AFL-CIO (3/1/12 to 3/1/15)
- k. Ordinance No. 8987-12 authorizing the City Manager to enter into a contract w/PAETEC-Windstream for telephone/internet services (\$2,686.93)
- l. Ordinance No. 8988-12 authorizing the City Manager to enter into a contract w/Cuyahoga County for resurfacing Egbert Road
- m. Ordinance No. 8989-12 authorizing the City to certify to the County Auditor costs associated with Police response 91 Solon Road Apt. #6 a nuisance
- n. Ordinance No. 8990-12 authorizing the City to certify to the County Auditor costs associated with Police response 45 East Grace Street a nuisance
- o. Ordinance No. 8991-12 authorizing change orders for Terrace Construction Company, Inc. for the Grand/Franklin/Magnolia Waterline Project (2nd request \$10,679.23)
- p. Ordinance No. 8992-12 amending Ordinance 8256-08 authorizing the City Manager to enter into an extension agreement with Ciuni & Panichi
- q. Ordinance No. 8993-12 authorizing the City Manager to enter into a contract w/Don Mould's Plantation, Inc for the Bedford Automobile Enhancement Project (Phase 1)
- r. Motion to approve the July 24, 2012 Board of Zoning Appeal's decision regarding the extension of time to begin construction for Bedford Precision Products (Approved by BZA June 28, 2011/accepted by Council July 11, 2011)
- s. Motion to re-appoint Harvey Dzomba to the Planning Commission
- t. Motion to re-appoint Kristi Glasier to the Board of Zoning Appeals
- u. Motion to re-appoint John Schultis to the Tree Board
- v. Motion to re-appoint Roman Boldyreff to the Tree Board

- w. Motion to re-appoint Robert Schroeter to the Civil Service Commission
- x. Motion to appoint Sandy Spinks to the Arts & Cultural Board

7. **HEARING OF CITIZENS**

8. **ADJOURNMENT**

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

Bedford, Ohio

August 20, 2012

Bedford City Council met in Regular Session at Bedford City Hall on Monday, August 20, 2012. Mayor Pocek called the meeting to order at 8:00 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Batten, Koci, Mizensak, Pocek, Pozar, Saunders, Zolata. Absent: None.

Motion made by Batten and seconded by Koci to approve the minutes of the Work Session of July 16, 2012. The roll was called. Vote – Yeas: Batten, Koci, Mizensak, Pocek, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to approve the minutes of the Regular Meeting of July 16, 2012. The roll was called. Vote – Yeas: Batten, Koci, Mizensak, Pocek, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

No report from Henry J. Angelo, City Manager.

No report from Ken Schuman, Law Director.

Frank Gambosi, Finance Director noted the Tax Department's subpoena program has worked very well which the Tax Department will continue to do until the end of 2012.

Councilman Saunders referred to the recent flag retirement that was held on the City square. Troop 447, Troop 69 plus Police Department and military men were present to retire the flags properly by cutting them into strips reciting the meaning of every strip and the final step of burning the flag. He thanked Ernie Walker for his many years of service. Mr. Walker announced after the ceremony that he was resigning due to health reasons. Mr. Saunders reminded everyone that Mr. Walker was the resident that recently was acknowledged by Council because he had actually died from a heart attack and Bedford's EMS revived him.

Councilman Pozar noted there was a regional situation that exists that was affecting Bedford's traditions, customs and the way Bedford attitudinally operated during the summer months. He announced there was going to be a meeting held Tuesday, August 21, 2012 at Ellenwood Recreation Center Gym at 7:00 p.m. This meeting would allow the residents the opportunity to express their thoughts and opinions regarding the continuation of the City's fireworks display. He urged everyone to attend. This meeting would help Council's decision on how Council would proceed.

Councilwoman Mizensak pointed out that school was now in session so everyone needed to pay extra attention to the children to assure their safety. She stressed our children were very important to us so call the police if necessary.

Councilwoman Zolata was delighted to announce the reopening of St. Mary's Church. She explained the church was a very significant presence in her ward and Bedford. The rededication was on August 15, 2012.

Councilman Koci said the new Pastor was a dynamic man and a great addition to Bedford. He was interested in connecting him with the other area churches. The new Pastor wanted the residents to get involved with the events throughout Bedford. He announced the Weekend of the Pooka was coming up September 14th – 16th, 2012. He listed several things that would be available for all ages.

Councilman Batten asked Mr. Angelo the current status of Grand Boulevard. Mr. Angelo explained the grass in the tree lawns was being cut because it was going to be removed and reseeded. The project should be completed in September 2012. Mr. Batten explained during the Lion's Festival a visitor had suffered injuries due to the non-working lights. Mr. Angelo said all the lights were repaired and/or

replaced except for the one light that CEI owned. His office was following up on the light issue. He also noted the piece of sidewalk that the visitor tripped on was being addressed so there wouldn't be any more mishaps.

Mayor Pocek said it was very important for Council to have dialog with the residents on the fireworks issue. He urged everyone to come and to bring their neighbors. He referred to the 4' x 8' Elmer Flick plaque that was currently in Council Chambers. He told a brief story about how Elmer Flick became a baseball player. He announced the site for the statue and plaque that was going to be erected was at the train depot behind the City square. Nature Stone President, Russ Masetta and the Marketing Director Larry Morrow were working very hard to generate monies to finish the statue by August 2013. The focus was to have a Bedford Day's which would include the Cleveland Indians in the celebration of the dedication of the Elmer Flick statue. Mr. Angelo suggested a baseball diamond be at the base of the statue so Nature Stone would donate the product for the diamond. The statue and plaque would be monitored from City Hall by a security camera in the dispatch office.

RESOLUTION NO. 2461-12, a resolution approving the adoption of the Office of Emergency Management for Cuyahoga County, Ohio and declaring an emergency was read by title only.

Motion made by Koci and seconded by Zolata for passage of Resolution No. 2461-12.

Mr. Angelo explained this was a well-known program that provided training and educational programs that served 59 counties.

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

ORDINANCE NO. 8978-12, an ordinance amending Ordinance No. 8905-11 making additional appropriations for current expenditures of the City of Bedford, Ohio during the year 2012 and declaring an emergency was read by title only.

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

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

Motion made by Mizensak and seconded by Pozar to place Ordinance No. 8978-12 on third and final reading and passed.

Mr. Gambosi explained this ordinance mostly dealt with the changes regarding the hospitalization program. The City was self-insured and the claims were very high in 2012. This was the fifth time in 22 years that the claims had increased. The other items on the legislation pertained to a refund for taxes for the City and the deductible for insurance claim that would be budgeted. There was a lightning strike in the area that affected one of the City's plants.

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

ORDINANCE NO. 8979-12, an ordinance to levy assessments for delinquent water bills in the City of Bedford, Ohio and declaring an emergency was read by title only.

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

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

Motion made by Batten and seconded by Zolata to place Ordinance No. 8979-12 on third and final reading and passed.

Mr. Gambosi explained this item was addressed twice a year which allowed the City to levy assessments for delinquent water bills.

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

ORDINANCE NO. 8980-12, an ordinance amending Ordinance No. 8949-12 and Ordinance No. 8975-12 authorizing the City of Bedford to certify to the County Fiscal Officer the costs associated with police response to 305 Avery Avenue aka 769 Avery Boulevard (P.P. 813-16-019) as said homeowner is in violation of Bedford's criminal activity nuisance ordinance and declaring an emergency was read by title only.

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

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

Motion made by Batten and seconded by Saunders to place Ordinance No. 8980-12 on third and final reading and passed.

Mr. Schuman explained the two mentioned ordinances needed to be amended because the County did not list the address the same as the Police Department, even though the P.P. 813-16-019 was the same. The County requested the City amend the two ordinances to reflect the 769 Avery Boulevard address so they could move forward with their filing of the paperwork.

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

ORDINANCE NO. 8981-12, an ordinance amending Ordinance No. 8779-10 providing for a contract with GPD Group for engineering services within the City of Bedford 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: Batten, Koci, Mizensak, Pocek, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Pozar and seconded by Mizensak to place Ordinance No. 8981-12 on third and final reading and passed.

Mr. Angelo explained this was the City's engineering group. The last contract was signed in 2009 for any type of increases. The increase for this contract was slightly over 2%.

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

ORDINANCE NO. 8982-12, an ordinance declaring the property and structures located at 112 Egbert Road (P.P. 814-04-008) a nuisance, ordering action and declaring an emergency was read by title only.

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

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

Motion made by Saunders and seconded by Pozar to place Ordinance No. 8982-12 on third and final reading and passed.

Mr. Schuman noted this ordinance and the next three (3) were nuisance ordinances because of the poor shape of the property. The property owners had received violations notices and the issues had not been fixed, so this allowed the Building Department to move forward in either a demolition or to force the bank to fix up the home.

Mr. Angelo explained this was part of the process in dealing with the vacant or foreclosed homes in Bedford. Not all four (4) of these homes would be torn down but the City wanted the responsible parties to step forward to take responsibility.

Mr. Pozar referred to the 21 Mapledale address and he understood that both residents on either side hoped the bank would not respond and the home would be torn down. He pointed out that the mortgage was approximately \$70,000.00. He thought the property needed about that much in improvements and after it was all said and done would only be worth about \$50,000. He stated for the record that when and if these homes were torn down, the empty property would be offered to the adjacent homeowners at a reasonable rate instead of the land bank. Mr. Angelo remembered doing this for other residents.

Mrs. Zolata stated the property owner at 112 Egbert had received several certified letters after he walked away from the home. She asked who owned the property. Mr. Angelo replied, the bank currently owned the home. They both agreed the home was salvageable.

Mr. Saunders noted all the empty homes along Columbus Road and wondered if the Administration had considered doing the same type thing to these homes. Mr. Angelo replied, no because the City was trying to get the county to pick up the costs associated with five (5) homes in the City. He explained the problem was the City had to front the money and then get reimbursed. So after this phase was done, there would be another group of homes selected for the same type of process. Mr. Saunders and Mr. Angelo agreed a whole stretch of Columbus needed considered.

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

ORDINANCE NO. 8983-12, an ordinance declaring the property and structures located 21 Mapledale Avenue (P.P. 812-27-022) a nuisance, ordering action and declaring an emergency was read by title only.

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: Batten, Koci, Mizensak, Pocek, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Batten and seconded by Zolata to place Ordinance No. 8983-12 on third and final reading and passed.

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

ORDINANCE NO. 8984-12, an ordinance declaring the property and structures located at 291 Columbus Road (P.P. 811-38-013) a nuisance, ordering action and declaring an emergency was read by title only.

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

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

Motion made by Saunders and seconded by Mizensak to place Ordinance No. 8984-12 on third and final reading and passed.

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

ORDINANCE NO. 8985-12, an ordinance declaring the property and structures located at 295 Columbus Road (P.P. 811-38-012) a nuisance, ordering action 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 on three different days.

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

Motion made by Saunders and seconded by Zolata to place Ordinance No. 8985-12 on third and final reading and passed.

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

ORDINANCE NO. 8986-12, an ordinance authorizing the City Manager to enter into a contract with Ohio Council 8 and Local 2007 American Federation of State, County and Municipal Employees, AFL-CIO, adopting the terms of the attached contract and ordering them into effect and declaring an emergency was read by title only.

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

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

Motion made by Saunders and seconded by Mizsak to place Ordinance No. 8986-12 on third and final reading and passed.

Mr. Schuman explained this contract had been negotiated for the last 8-10 weeks. There was a temporary agreement that was subject to Council's approval tonight and to the union's approval on Wednesday, August 22, 2012 where the union would be voting. The main changes were: wage increases for the next three (3) years of 1 ¼%, 2% and 1%. In January 2013, each employee would pay a portion of their health insurance; Family coverage was \$130 per month and single coverage was \$52 per month that was determined by an arbitrator. Mr. Pozar pointed out the great work Mr. Angelo, Mr. Gambosi and Mr. Schuman did during the negotiation process. He thought the increases were 75% less than what they normally would have been a couple years ago even though he was not happy about any increases during these tough times. He thought the increases were realistic and the other concessions were made by the administration being able to communicate the facts of life to the union and the board. Mayor Pocek thought Mr. Pozar's comments were well stated.

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

ORDINANCE NO. 8987-12, an ordinance authorizing the City Manager to enter into an agreement with PAETEC, a Windstream Company, and declaring an emergency was read by title only.

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

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

Motion made by Saunders and seconded by Pozar to place Ordinance No. 8987-12 on third and final reading and passed.

Mr. Angelo explained the City has had AT&T for the last three (3) years. The savings would be approximately \$800 per month. One of the main benefits was there would be a representative assigned to the City for customer service. AT&T did not have a representative available for customer service. Mr. Schuman previously made a legal ruling that Councilwoman Mizsak had to recuse herself because her daughter was an employee at PAETEC. He pointed out the City Manager mentioned this company was the lowest bid of four (4).

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

ORDINANCE NO. 8988-12, an ordinance enacted by the City of Bedford, Cuyahoga County, Ohio hereinafter referred to as the Municipality, in the matter of the hereinafter described improvement and requesting the cooperation of the County of Cuyahoga by its Board of County, hereinafter referred to as the County and declaring an emergency was read by title only.

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

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

Motion made by Pozar and seconded by Koci to place Ordinance No. 8988-12 on third and final reading and passed.

Mr. Angelo explained the amount of \$30,000 was awarded to the City by the County for the Egbert Road resurfacing project. He noted there was a 500 foot stretch that was not included in this project that would be addressed at another time. Mr. Schuman explained most of the road was located in Walton Hills. The engineer at the Village of Walton Hills did not contact Bedford to let us know that they were applying for these monies.

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

ORDINANCE NO. 8989-12, an ordinance authorizing the City of Bedford to certify to the County Fiscal Officer the costs associated with police response to 91 Solon Road Apt #6 as said homeowner is in violation of Bedford's criminal activity nuisance ordinance and declaring an emergency was read by title only.

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

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

Motion made by Pozar and seconded by Saunders to place Ordinance No. 8989-12 on third and final reading and passed.

Mr. Schuman noted this ordinance and the next ordinance had police responses to both locations. The property owners were responsible to pay police costs associated with all the calls. The costs were not paid so the costs would be certified and applied to the tax duplicate and collected at the appropriate time. Mr. Pozar asked if this was the most aggressive measure that the City could take regarding the amount of calls that were logged for 45 East Grace because of the type of nuisance and the individuals involved. Mr. Schuman replied yes, as far as civilly, even though there had been numerous arrests. Mrs. Zolata felt this action was a good thing that the City did. It made the property owner responsible for the police costs associated with their property whether it was rented or owner occupied. With this type of ordinance on the books it may make the property owner think twice before paying for another police response.

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

ORDINANCE NO. 8990-12, an ordinance authorizing the City of Bedford to certify to the County Fiscal Officer the costs associated with police response to 45 East Grace Street as said homeowner is in

violation of Bedford's criminal activity nuisance ordinance and declaring an emergency was read by title only.

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: Batten, Koci, Mizesak, Pocek, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Pozar and seconded by Koci to place Ordinance No. 8990-12 on third and final reading and passed.

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

ORDINANCE NO. 8991-12, an ordinance authorizing change order #2 for additional work for the Grand Boulevard, Franklin Avenue and Magnolia Avenue waterline replacement OPWC Project and declaring an emergency 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: Batten, Koci, Mizesak, Pocek, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Pozar to place Ordinance No. 8991-12 on third and final reading and passed.

Mr. Angelo explained this was a second request for \$10,679 for Grand Boulevard because of additional work. The residents were very happy with the new changes.

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

ORDINANCE NO. 8992-12, an ordinance authorizing the City of Bedford to enter into an extension agreement with Ciuni & Panichi, Inc., Certified Public Accountants, for the performance of the 2012 City of Bedford audit and declaring an emergency was read by title only.

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

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

Motion made by Pozar and seconded by Mizesak to place Ordinance No. 8992-12 on third and final reading and passed.

Mr. Gambosi noted this was a one year extension agreement with Ciuni & Panichi, Inc. The City had contracted with this firm for eight (8) years. There was a chance that the Auditor of State might come in next year and they have the final approval. Mayor Pocek explained the auditing process.

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

ORDINANCE NO. 8993-12, an ordinance authorizing and directing the City Manager to enter into a contract with Don Mould's Plantation Inc., for the Bedford Automobile Enhancement Project being the lowest, responsive and responsible bidder, and declaring an emergency was read by title only.

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

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

Motion made by Saunders and seconded by Koci to place Ordinance No. 8993-12 on third and final reading and passed.

Mr. Angelo explained the ordinance was prepared with the best intentions of moving forward but after the ordinance was written and put on the agenda, Mr. Mallis received a phone call this afternoon that the previous price was going to be increased by \$45,000. It was best to fail the ordinance even though this was a \$150,000 grant.

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

Motion made by Saunders seconded by Zolata to approve the July 24, 2012 Board of Zoning Appeal's decision regarding the extension of time to begin construction for Bedford Precision Products (Approved by BZA June 28, 2011/accepted by Council July 11, 2011).

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

Motion made by Pozar seconded by Mizensak to re-appoint Harvey Dzomba to the Planning Commission.

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

Motion made by Saunders seconded by Koci to re-appoint Kristi Glasier to the Board of Zoning Appeals.

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

Motion made by Koci seconded by Batten to re-appoint John Schultis to the Tree Board.

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

Motion made by Pozar seconded by Mizensak to re-appoint Roman Boldyreff to the Tree Board.

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

Motion made by Koci seconded by Saunders to re-appoint Robert Schroeter to the Civil Service Commission.

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

Motion made by Koci seconded by Zolata to appoint Sandy Spinks to the Arts & Cultural Board.

The roll was called. Vote – Yeas: Batten, Koci, Mizesak, Pocek, Pozar, Saunders, Zolata. 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 comments.

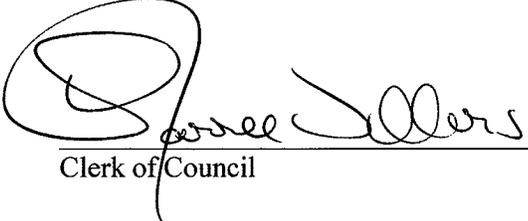
Kathy Williams, 491 Lamson Avenue, said in 2011 she had mentioned the poor condition of the house and yard located at 475 Lamson Avenue. The owner moved to Michigan over a year ago. There was a car with outdated license plates in the drive, the trash was still piled on the front porch, and the back yard was disgusting allowing animals to nest. Mr. Angelo said he would look in to it again.

Jean Sapir, Southeast Branch Cuyahoga County Public Library, 70 Columbus Road, listed several fall events: Entrepreneur Boot camp (part 2) on September 22, 2012, ACT Prep on September 13, 2012 at 6:00 p.m. The library will be open during the Weekend of the Pooka. She urged everyone to make a flag for the event.

Jean King, 267 Bexley Drive, asked what the status was for the Master Plan Review Committee. Clerk Villers explained there were several interested people wanting to participate on the Board. She would be presenting a list of names to Council for review in October. Ms. King noticed a for sale sign posted at the Doty & Miller building. Mayor Pocek assured her that Doty & Miller were staying in Bedford and they were providing a site plan for the Elmer Flick site. Ms. King pointed out there were people running the stop signs near her home located on Southwick Drive and Gould Avenue plus Bexley Drive and Grand Park Circle. Mr. Angelo said he would pass on the information to the Police Department.

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

Meeting adjourned at 9:00 P.M.


Clerk of Council


Mayor – President of Council