

**COUNCIL WORK SESSION  
MONDAY, MARCH 5, 2012**

**6:30 P.M. PROMPT**

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- **DISCUSSION OF AGENDA -**
- **DISCUSSION OF CITY MARKETING PLAN –**
- **EXECUTIVE SESSION - Personnel**

Bedford, Ohio

March 5, 2012

Bedford City Council met in a Work Session at Bedford City Hall on Monday, March 5, 2012 at 6:35 p.m.

Present: Council Members: Mayor Daniel Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizensak, Greg Pozar, Donald Saunders. Also Present: Clerk of Council Lorree Villers. Administration: City Manager, Henry J. Angelo, Law Director Ken Schuman. Absent: Finance Director Frank Gambosi.

Mayor Pocek began discussion of the Regular Council Meeting agenda.

Ordinance No. 8933-12 was an ordinance authorizing the City Manager to enter into a lease with option to purchase agreement with MRLM, LLC for the property located at 600 Solon Road, Bedford, Ohio (P.P. No. 814-30-003). Mr. Schuman explained this was going to be a compost type operation. He said there had been several discussions regarding this lease but they agreed on a 36 month lease at the monthly lease rate of \$1,000 per month with a final purchase price of \$225,000. The property was appraised at \$235,000. Mr. Angelo was very impressed with their other facility because it was very clean and organized but he did not know if this operation was going to be handled the same. He added there would be 6-10 jobs at this facility. Mr. Koci asked if this was going to be a retail type business. The thought was they might sell mulch.

Ordinance No. 8934-12 was an ordinance establishing rental rates for the Ellenwood Recreation Center, amending Ordinance No. 7579-03 passed February 2, 2004. Mr. Lewis had previously explained these rates had not been increased since 1989 and it was time to bring the fees in line with the costs. He had informed Council these increases would be in line with the surrounding communities. Mr. Angelo said he was in the process of addressing all types of fees and would be discussing them with Council in the future. Council agreed this would be read this evening as a second reading.

Ordinance No. 8936-12 was an ordinance setting the schedule of fees for sale of cemetery plots and services rendered at the Bedford City Cemetery, amending Ordinance No. 7580-04 passed January 20, 2004. Mr. Angelo said that Bob Duber had previously checked with the surrounding communities and even with the increases, the costs would be lower than other communities. Council agreed this would be read this evening as a second reading.

Ordinance No. 8937-12 was an ordinance authorizing the City Manager to enter into a contact with North Coast Two-Way Radio, Inc. for Police Department narrow-banding radio equipment. Mr. Angelo explained the next two ordinances were mandated by the FCC with a deadline date of January 1, 2013. This ordinance was for the Police Department at \$22,100 and was lower than State bid pricing.

Ordinance No. 8938-12 was an ordinance authorizing the purchase of narrow-banding radio equipment through the State Cooperative Purchasing Program for the Fire and Service Department. Mr. Angelo referred to the Ordinance No. 8937-12 and explained the only difference besides the price was these two departments were being purchased through the State Cooperative Purchasing Program.

Ordinance No. 8939-12 was an ordinance to levy assessments for delinquent water bills in the City of Bedford, Ohio. Mr. Schuman noted this was a housekeeping issue that was done every six months. Council mentioned several vacant homes they were aware of on the list. They noticed there were several homes that had the same dollar amount of \$291.98 and figured these homes were billed the same because of the way the billing was done at \$48 per month for a six month period. Mr. Pozar asked if he should

abstain during the vote because he was purchasing the home located at 117 Greycliff Drive. Mr. Schuman did not see an issue if Mr. Pozar wanted to vote.

Ordinance No. 8940-12 was an ordinance amending Ordinance No. 8923-12 passed February 21, 2012 as subsequently amended and amending Chapter 151 of the Codified Ordinances of the City of Bedford. Mr. Angelo explained he had a few more amendments to the pay ordinance which was from a dollar amount to minimum wage (MIN), so the ordinance would not have to be changed every time minimum wage increased. Mrs. Zolata questioned Page 2, Level X, the Administrative Secretary section. Clerk Villers understood the reason for the change came from Frank Gambosi and Kim Jaworski because in Ordinance No. 8923-12 the "Juvenile Diversion Officer" position no longer existed, so they were requesting that title be removed in this piece of legislation. Mr. Schuman assured Council the position was not necessary in the Pay Ordinance.

Ordinance No. 8941-12 was an ordinance authorizing the purchase of one (1) 2012 Chevrolet 2500 Express Cargo Van for the Waste Water Department from Tim Lally Chevrolet. Mr. Angelo explained the van would be utilized in the Waste Water Department. The price reflected a fleet bid price, incentives and fees in the amount of \$17,982.

Ordinance No. 8942-12 was an ordinance authorizing the City Manager to enter into an agreement with Maximum Solutions Inc. Mr. Angelo said he and several people reviewed all the available options extensively and he felt this was the best deal even though it was expensive. Council had hoped this would eliminate a lot of problems as there had been some in the past.

Mr. Angelo wanted to bring a few items of interest to Council's attention:

- 1) Solon had spent \$111,000 to \$207,000 over the past few years for deer culling. He said the Metro Parks would not hunt outside the park system and they were only eliminating 44 does this year. Mr. Saunders thought there should be a lot more eliminated.
- 2) Some of the employees were going to participate in a monthly fund raiser charity of their choice at a \$5 fee for another jean dress down day, so if Council wondered why some of the employees were in jeans, that was why.
- 3) The 24" sewer pipe break was not fixed. The City contacted the EPA as soon as it was discovered there was a lot of human waste that was dumping into Wood Creek. It was going to be an expensive repair of approximately \$70,000+. He believed the CORE would be involved too.
- 4) Clerk Villers reviewed the Student Government Day agenda with Council. She explained there were going to be 15 Chanel and 12 Bedford High Students in attendance. The tours were 30 minutes long starting at the Court, Police and then Fire Departments. After the tours, there was an hour long mock council meeting where it would be Chanel against Bedford High students discussing/debating Culling of the Deer. Everyone hoped the interest and participation would be better this year than in the past.

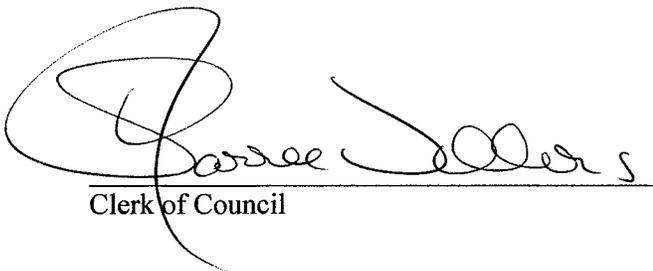
Mayor Pock stressed it was time to focus on the City Marketing Plan. It had been ten years in the making and nothing had been decided upon. He noted Bedford was a unique community and it had 27 waterfalls in the Metro Park. Mr. Koci thought it was best to contact Impact Group Public Relations/Marketing Communications, Inc. again to see what approach needed to be taken for the best advertisements. Mrs. Mizesak pointed out again that the Viaduct Park needed cleaned up. Mrs. Zolata suggested signage would be an improvement too. Council was in agreement that something needed to be done this year and this topic would need more detailed discussions. Mr. Koci had previously talked to Larry Morrow, former well known radio announcer, and Mr. Morrow suggested the City not do radio communication. Mr. Pozar

wondered how much money the City was willing to spend. Council agreed it took money to get money so they might have to ask Mr. Gambosi to find sufficient funds. Mr. Saunders noted it would be best to sell the homes to actual homeowners and not to landlords as rentals.

Discussion of the regular Work Session agenda was concluded.

At 7:36 p.m., Bedford City Council, City Manager Henry J. Angelo, Law Director Ken Schuman, went into an executive session to discuss personnel. The Executive Session recessed at 7:57 p.m. but it would reconvene after the Regular Council meeting.

At 9:00 p.m. the Executive Session reconvened. The Work Session Executive Session adjourned at 10:00 p.m.



Cassie Williams  
Clerk of Council



David S. Pouch  
Mayor – President of Council

**REGULAR MEETING**

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

**DATE: March 5, 2012**

**AGENDA**

**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 February 21, 2012
- b. Approval of Minutes of the Regular Meeting of February 21, 2012

**5. OLD BUSINESS**

- a. Ordinance No. 8933-12 authorizing the City Manager to enter into a Lease Agreement w/MRLM, LLC for the property at 600 Solon Road (1<sup>st</sup> Rdg 2/6/12 – 2<sup>nd</sup> Rdg 2/21/12)
- b. Ordinance No. 8934-12 amending Ordinance No. 7579-03 Rental Rates for Ellenwood Recreation Center (1<sup>st</sup> Rdg 2/21/12)
- c. Ordinance No. 8936-12 amending Ordinance No. 7580-04 Fees for Sale of Cemetery Plots and Services (1<sup>st</sup> Rdg 2/21/12)

**6. SWEARING IN CEREMONY**

- *Deputy Chief in the Police Department- Kris Nietert*

**7. REPORTS**

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

**8. NEW BUSINESS**

- a. Ordinance No. 8937-12 authorizing the City Manager to enter into a contract w/North Coast Two-Way Radio (\$22,100.69)
- b. Ordinance No. 8938-12 authorizing purchase of narrow-banding radios for Service and Fire through the State Cooperative Purchasing Program (\$19,355.60)
- c. Ordinance No. 8939-12 to levy assessments for delinquent water bills in the City of Bedford
- d. Ordinance No. 8940-12 amending Ordinance No. 8923-12 and Chapter 151 of the Codified Ordinances pertaining to Pay Ranges
- e. Ordinance No. 8941-12 authorizing the City Manager to purchase a Waste Water van from Tim Lally (\$17,982)
- f. Ordinance No. 8942-12 authorizing the City Manager to enter into a contract w/Maximum Solutions Inc. for Recreation Department computer upgrades (\$18,999)

**9. HEARING OF CITIZENS**

**10. ADJOURNMENT**

**PLEASE TURN OFF ALL CELL PHONES BEFORE COUNCIL MEETING**  
**(Council minutes and agenda posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))**

Bedford, Ohio

March 5, 2012

Bedford City Council met in Regular Session at Bedford City Hall on Monday, March 5, 2012. Mayor Pocek called the meeting to order at 8:04 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Zolata, Batten, Koci, Mizensak, Pocek, Pozar, Saunders. Absent: None.

Motion made by Zolata and seconded by Batten to approve the minutes of the Work Session of February 21, 2012. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Mizensak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Pozar to approve the minutes of the Regular Meeting of February 21, 2012. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Mizensak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8933-12**, an ordinance authorizing the City Manager to enter into a lease with option to purchase agreement with MRLM, LLC for the property located at 600 Solon Road Bedford, Ohio (P.P. No. 814-30-003) and declaring an emergency placed on first reading February 6, 2012 and second reading February 21, 2012 was read by title only.

Motion made by Batten and seconded by Zolata to place Ordinance No. 8933-12 on third and final reading and passed.

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

**ORDINANCE NO. 8934-12**, an ordinance establishing rental rates for the Ellenwood Recreation Center, amending Ordinance No. 7579-03 passed February 2, 2004 as subsequently amended and declaring an emergency placed on first reading February 21, 2012 was read by title only.

Motion made by Saunders seconded by Pozar to place Ordinance No. 8934-12 on second reading.

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

**ORDINANCE NO. 8936-12**, an ordinance setting the schedule of fees for sale of cemetery plots and services rendered at the Bedford City Cemetery, amending Ordinance No. 7580-04 passed January 20, 2004 as subsequently amended and declaring an emergency placed on first reading February 21, 2012 was read by title only.

Motion made by Pozar seconded by Saunders to place Ordinance No. 8936-12 on second reading.

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

At this time Mayor Pocek turned the floor over to Mr. Angelo and Chief Duber for the swearing-in of Kris Nietert as the new Deputy Chief in the Police Department. Mr. Angelo stated this was the first time the City of Bedford has had a Deputy Chief position in the Police Department. He felt Chief Duber made a perfect selection for this position. He was proud to say as far as the standard was set for those that follow, it was going to be a high standard to meet. He asked Mr. Kris Nietert to raise his right hand and repeat the Oath of Office. Deputy Chief Nietert thanked the City for the opportunity. He introduced his family, friends and the police officers in attendance. Chief Duber was grateful the Administration, Council and Civil Service considered his request of the new Deputy Chief position which he thought was

long overdue. He thought Deputy Chief Nietert was the right choice for this position. He welcomed him and was looking forward to working with him.

No report from Henry J. Angelo, City Manager.

No report from Ken Schuman, Law Director.

No report from Frank Gambosi, Finance Director.

Councilman Saunders said it was nice to see a patrol car following the snow plow writing parking tickets to those parked in the street over the snowy weekend. He noted there was only one lane for safe travel and it was a safety hazard that these cars were parked in the street.

No report from Councilman Pozar.

Councilwoman Mizensak said her end of town was quiet because of the deer culling. She offered her support and prayers to the Chardon community because of the February 27, 2012 tragedy.

Councilwoman Zolata also expressed on behalf of the City, support and prayers to the Chardon community. She understood Mayor Pocek's son, Todd Pocek was one of the responders to this incident. She thanked Mr. Angelo for arranging the clean-up of Ben Venue employee's cigarette butts on the corner of William Street and Northfield Road. The City had asked Ben Venue to clean-up this area but they have not responded for at least two years. It took the diversion children four (4) hours to clean-up that area. She congratulated Deputy Chief Nietert on his promotion.

Councilman Koci was concerned for the safety of the children because they were starting to walk in the streets again instead of using the sidewalks.

No report from Councilman Batten.

Mayor Pocek explained Mr. Bender had under gone heart surgery. Mr. Bender was one of the residents that attended almost every Council meeting. He was doing well. Mayor Pocek pointed out the two year anniversary of Mr. Angelo was March 8, 2010. It had been a fast two years.

Mayor Pocek announced that the Work Session Executive Session would reconvene after the Regular Council meeting this evening.

**ORDINANCE NO. 8937-12**, an ordinance authorizing the City Manager to enter into a contact with North Coast Two-Way Radio, Inc. for Police Department narrow-banding radio equipment 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: Zolata, Batten, Koci, Mizensak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizensak and seconded by Saunders to place Ordinance No. 8937-12 on third and final reading and passed.

Mr. Angelo explained Ordinances Nos. 8937-12 and No. 8938-12 was mandated by the FCC and the radios had to be in place by January 1, 2013. This purchase was for the Police Department.

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

**ORDINANCE NO. 8938-12**, an ordinance authorizing the purchase of narrow-banding radio equipment through the State Cooperative Purchasing Program for the Fire and Service Departments 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: Zolata, Batten, Koci, Mizesak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 8938-12 on third and final reading and passed.

Mr. Angelo noted this was for the Service and Fire Departments and would be a State bid purchase. Mayor Pocek mentioned the February 27, 2012 Chardon School shooting incident and explained the importance of the centralizing of dispatch so other departments could respond in a more timely manner.

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

**ORDINANCE NO. 8939-12**, 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 Batten to suspend the rule requiring the reading of said ordinance on three different days.

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

Motion made by Saunders and seconded by Mizesak to place Ordinance No. 8939-12 on third and final reading and passed.

Mr. Schuman noted this was mainly a housekeeping issue every six months. He added these fees would be placed on the tax duplicate so the City could recover its money.

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

**ORDINANCE NO. 8940-12**, an ordinance amending Ordinance No. 8923-12 passed February 21, 2012 as subsequently amended and amending Chapter 151 of the Codified Ordinances of the City of Bedford 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: Zolata, Batten, Koci, Mizensak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizensak and seconded by Pozar to place Ordinance No. 8940-12 on third and final reading and passed.

Mr. Angelo noted the amendments were minor changes that started a few positions at minimum wage.

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

**ORDINANCE NO. 8941-12**, an ordinance authorizing the purchase of one (1) 2012 Chevrolet 2500 Express Cargo Van for the Waste Water Department from Tim Lally Chevrolet 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: Zolata, Batten, Koci, Mizensak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Koci and seconded by Batten to place Ordinance No. 8941-12 on third and final reading and passed.

Mr. Angelo explained the final cost was lower than State Cooperative Program pricing and the van was purchased locally for \$17,900. Mr. Pozar referred to the Valley Ford and Truck quote and pointed out the suggested manufacture's retail was approximately \$28,000 so he felt it was a good buy.

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

**ORDINANCE NO. 8942-12**, an ordinance authorizing the City Manager to enter into an agreement with Maximum Solutions Inc. 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: Zolata, Batten, Koci, Mizensak, Pocek, Saunders. Nays: Pozar. Motion carried.

Motion made by Mizensak and seconded by Saunders to place Ordinance No. 8942-12 on third and final reading and passed.

Mr. Angelo explained after reviewing over seven other city's programs, he felt this was the best program available for the cost and program functions. He noted this topic had been reviewed extensively. Mr. Saunders hoped this new program would alleviate some of the past problems. Mr. Pozar's concerns were that the program costs were approximately \$615 per month for maintenance and training, \$4,500 for Facility Scheduling, \$4,500 for Activity Registration. He wasn't sure with the qualified staff if it was necessary to purchase all of the program functions. The costs were high in his opinion. Mr. Angelo agreed but after extensive research, the price was in the ballpark. He added the program would allow credit card

payments in the future. Mr. Pozar asked what "POS" meant. Mr. Angelo replied, Point of Sale interface. Mr. Pozar noted the cost was \$1,500 to accept credit card purchases, another \$1,500 to register the credit card plus an additional \$4,500 for the POS, totaling \$8,000 to register people. Mr. Angelo assured him the program was a lot more than registering customers. Mr. Pozar understood the need but he thought the costs were too much. Mr. Angelo said all the appropriate departments and Simplex-IT was included in the discussions.

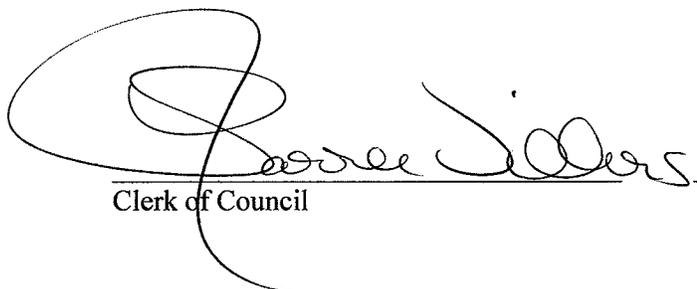
The roll was called. Vote – Yeas: Zolata, Batten, Koci, Mizensak, Pocek, Saunders. Nays: Pozar. Motion carried.

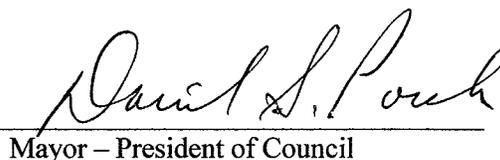
Mayor Pocek said that would conclude the business portion of the meeting and asked if anyone in the audience had any concerns.

Lou Sirna, of Sirna's Bar on 795 Broadway Avenue, had concerns regarding the light costs and the large amount of lights that were not working that the City paid for. Mr. Angelo explained the City paid a rental fee of \$30 per pole and the only lights the City paid the wattage on were the decorative street light poles in downtown Bedford. Mr. Sirna noted the City was charged whether the light was on or off. He stated from the bottom of Egbert Road hill across the bridge to Old Egbert Road there were 10+ lights not working. Mr. Angelo noted when Mr. Pozar brought it to his attention; he immediately contacted the electric company. His experience with the electric company was that they do not respond and it was very hard to address business without communication. The Police Officers were in the process of doing an inventory of the non-working lights. In the past, the City was charged for a number of poles that the City did not know even existed. Mr. Sirna thought if areas were well lit, it would eliminate crimes. He said he had reported this issue to the Police Department in December 2011. Mr. Angelo was not aware of this report. He appreciated Mr. Sirna's concerns. Mr. Pozar pointed out the City paid for a program to inventory trees for maintenance but the lighting post issue costs the City money. He felt the light pole inventory was important. Mr. Angelo stated the City paid over \$300,000+ per year for pole lights and \$350,000 for electric costs.

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

Meeting adjourned at 8:40 P.M.

  
Clerk of Council

  
Mayor – President of Council