

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

**5:45 P.M. PROMPT**

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**Dinner will be served**

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- **BUDGET HEARING –**
  - **5:45 pm – Service Department**
  - **6:30 pm – Police Department**
  
- **DISCUSSION OF AGENDA**
  
- **DISCUSSION OF STUDENT GOVERNMENT DAY**
  
- **DISCUSSION OF BOARDS & COMMISSIONS RE-APPOINTMENTS**
  - **Civil Service**
  - **Board of Building Standards and Appeals**
  
- **EXECUTIVE SESSION – personnel**

Bedford, Ohio

November 5, 2012

Bedford City Council met in a Work Session at Bedford City Hall on Monday, November 5, 2012 at 5:57 p.m.

Present: Council Members: Mayor Daniel Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Donald Saunders. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Henry J. Angelo, Finance Director Frank Gambosi, Service Director Clint Bellar, Police Chief Greg Duber, Deputy Police Chief Kris Nietert, Law Director Ken Schuman [joined at 7:00 p.m.]. Absent: Greg Pozar, Paula Mizsak.

Service Director Bellar was present this evening to discuss the Service Department's budget. He said the department was managing very well and still providing good service with less people. The new 2012 hires were working out very well. They were qualified, certified and good workers. There was discussion regarding the purchase and storage of winter salt and it was determined the cost of off-site storage was the best way to go because the salt storage had to be in kept indoors due to EPA regulations.

Mr. Angelo pointed out to Council that the City still would not be paying for the ongoing sidewalk repairs due to the tree roots and the residents would have to pay to have the sidewalks fixed.

Mr. Saunders suggested the water/sewer lines be televised soon because of the age of the system. Mr. Bellar agreed it was time to do this again. This item should also be listed in the City's Master Plan. Mr. Bellar mentioned there were grant monies available the last time this had to be done.

There was discussion if the Service Department kept hydrants and parts on hand. Mr. Bellar assured them there were parts on hand. The Water Department was experiencing a lot of shut-offs and some of the employees in the field were also conducting different duties as needed. Mr. Saunders asked if the Building Department was notified when there was water shut-off. Mr. Bellar replied, yes, after a month. Mr. Saunders asked how the WWTP was hold up. Mr. Bellar replied, ok. There was mention regarding possible future purchase of new water meter equipment.

Mr. Koci was not sure if the monthly report was actually needed. The report was not beneficial to Council. It was determined other departments used it for their own tracking purposes.

Mr. Bellar thanked the Administration and Council for the Service Department building and location. It has worked out very well for everyone and the equipment storage.

Council had no further questions for Mr. Bellar and he left at 6:42 pm.

Chief Duber and Deputy Chief Nietert were present this evening to discuss the Police Department's budget.

Chief Duber noted 2012 had been a tough year for the department with the retirement of Lt. Kohn, a military leave and the officers on sick leave for surgeries. Arrests had increased with the department running on less man power and doing more work. Shoplifting had increased to 419 with 228 arrests at Wal-Mart alone. He praised Deputy Chief Nietert of being very in-tune with the budget because of his focus. The future focus was to accomplish the regional dispatching center, community policing in the schools, replace a lot of the old equipment such as computers, laptops and artillery.

Mr. Saunders noted the residents really found NIXLE and Code Red 911 alert system helpful. Chief Duber said NIXLE was cheaper and provided the same service to the residents so when the contract expired, the Code Red 911 system would not be renewed, which would save \$3,000 per year.

Deputy Chief Nietert explained he was investigating new police car costs, problems with the Dodge Charger, costs of SUV's along with the poor service the department was receiving from Ganley. The focus was to get something that was pursuit rated and the 4x4's were not rated as such. Mayor Pocek asked how many cars were being considered. Deputy Chief Nietert replied, three but they had to be pursuit rated. The costs ranged from \$25,000 - \$27,000 for the car and \$25,000 - \$30,000 for a SUV. These purchases would be State bid pricing. It was suggested the Police Department take a look at the new Chevy to see if there was a surrounding city that currently had one and how it would accommodate the officers. There was discussion of the many auto thefts that use to occur on the Automile. Now the thefts had drastically decreased.

There was discussion of how the police training paid for itself over the years because of the quality of police officers that covered the streets in Bedford.

Mr. Batten asked who paid the school crossing guards. It was determined the schools do not pay for these people and not all these people were necessary. There was discussion regarding the auxiliary officers to cover the events. It was clarified the City was paying for one auxiliary and the event organization would have to pay for additional coverage. Mr. Batten wondered if the Police Department still had the robot that was purchased for the department 10-12 years ago. Chief Duber said they still had it but it was not used as intended.

Mr. Koci asked how many hours the car washer worked a week. Deputy Chief Nietert replied, 20 hours a week.

Chief Duber reminded everyone this was his last budget meeting. He would be retiring September 27, 2013 with 33 years of service. He appreciated working with such a great group/team of people over the years. He realized the other day that the past several police chiefs had been previous Bedford residents and maybe this was why they all took pride doing their job. He knew Deputy Chief Nietert would do the same.

Both the Chief and Deputy Chief thanked Council and Mr. Angelo for their time and assistance.

Mayor Pocek started the agenda topics for discussion.

Council had no issues with the October 15, 2012 Work Session minutes, the October 15, 2012 Regular Council minutes or the October 22, 2012 Master Plan Review Committee minutes.

Mayor Pocek said Alma Rhine of the Southeast Clergy Meals on Wheels program would be presented a \$950.00 check during the Council Meeting from the employee dress down day throughout the year. Mr. Angelo would have the honors this evening.

Ordinance No. 9008-12 was an ordinance authorizing the City Manager to purchase 700 Wellmon Street for \$15,000.00. On October 15, 2012, this piece of legislation was read as second reading. Mr. Schuman said since this legislation was going to be read as third reading, it could pass if all five present members voted yes as a 2/3 vote this evening. Council had no issues.

The following pieces of legislation could not be passed as emergency legislation this evening because there were not enough Council members present. Mr. Pozar was on vacation and Mrs. Mizsak was ill.

Resolution No. 2464-12 was a resolution authorizing the City Manager to enter into an agreement for Central Safety Forces Dispatch Center w/Bedford Heights and Maple Heights for the Dispatch Center. Mr. Schuman noted the agreement this evening had some changes from the previous agreement. Mayor Pocek said it was important that the other two cities know that the intention of Bedford Council was to pass this Resolution, however, there were not enough members present to pass the legislation as an emergency measure. It was definite that all of the present Council members were in agreement of his issue.

Ordinance No. 9015-12 was an ordinance for the 2013 Appropriation Budget. Mr. Gambosi noted this piece of legislation needed to be read as a first reading this evening anyway. Council had no questions.

Ordinance No. 9016-12 was an ordinance amending Ordinance No. 8905-11 making additional appropriations. Mr. Gambosi referred to his memo: General Fund increases were for the following reasons: personal services hospitalization (\$250,000 more) and retro pay for AFSCME and police shift differential adjustments, prisoner sustenance, school mentoring program, Impact, and county auditor deductions. Funds 201- 501 increases were for personal services hospitalization, retro pays, adjustment to special assessments on house repairs, fire equipment repairs, recycling magnets, solar testing capping wells, Egbert Road resurface, hospitalization claims and salt. Council had no questions.

Ordinance No. 9017-12 was an ordinance amending Section 1311.29 of the Codified Ordinances. Mr. Schuman explained this was a housekeeping issue. Council had no questions.

Ordinance No. 9018-12 was an ordinance adopting the 2012 replacement pages of the Codified Ordinances. This was the standard ordinance from Walter Drane, the City's codifying agent. Council had no questions.

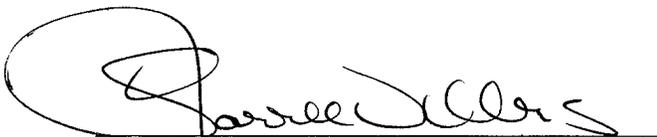
Mayor Pocek asked Council if they had any suggestions for Student Government Day. Clerk Villers had to inform Joe Rock at Chanel and Heather Starn at Bedford High School of the City's participation. Council and Mr. Angelo were all in agreement that Student Government Day should be done the same as last year. They thought it was a good idea to have the schools debate an issue. The issue was to be determined.

Council was still willing to hold off on the Civil Service Commission appointment. Mrs. Mizensak previously submitted Dell Judd as a consideration. Council was still undecided.

Mr. Angelo passed out some information for Council to review from two different builders for senior housing. This wasn't anything Council could determine this evening. Council was not in favor of apartment type dwellings. Mr. Angelo said he would get some additional information for Council for a future discussion.

At 7:45 p.m., Bedford City Council, City Manager Hank Angelo, Law Director Ken Schuman, Finance Director Frank Gambosi, went into an executive session to discuss personnel. The Executive Session recessed at 7:57 p.m.

The Work Session adjourned at 7:58 p.m.

  
Clerk of Council

  
Mayor – President of Council

REGULAR MEETING

BEDFORD CITY COUNCIL  
STATE OF OHIO  
COUNTY OF CUYAHOGA

DATE: November 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 October 15, 2012
- b. Approval of Minutes of the Regular Meeting of October 15, 2012
- c. Approval of Minutes of the Master Plan Review Committee of October 22, 2012

5. **OLD BUSINESS**

- a. Ordinance No. 9008-12 purchase agreement for 700 Wellmon Street (\$15,000.00) (2<sup>nd</sup> Rdg 10-15-12)
- b. Resolution No. 2464-12 authorizing the City Manager to enter into an agreement for Central Safety Forces Dispatch Center w/Bedford Hts & Maple Hts for the Dispatch Center (1<sup>st</sup> Rdg 10-15-12)

6. **PRESENTATIONS**

Meals on Wheels – City Hall Employees Dress Down Donation

7. **REPORTS**

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

8. **NEW BUSINESS**

- a. Ordinance No. 9015-12 City of Bedford 2013 Appropriation Budget (1<sup>st</sup> Rdg 11-5-12)
- b. Ordinance No. 9016-12 amending Ordinance No. 8905-11 making additional appropriations
- c. Ordinance No. 9017-12 amending Section 1311.29 of the Codified Ordinances
- d. Ordinance No. 9018-12 adopting the 2012 replacement pages of the Codified Ordinances

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

November 5, 2012

Bedford City Council met in Regular Session at Bedford City Hall on Monday, November 5, 2012. Mayor Pocek called the meeting to order at 8:01 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Zolata, Batten, Koci, Pocek, Saunders. Absent: Pozar, Mizesak.

Motion made by Koci and seconded by Saunders to excuse Councilwoman Mizesak and Councilman Pozar from this evening's meeting. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Pocek, Saunders. Nays: None. Motion carried unanimously.

Motion made by Koci and seconded by Saunders to approve the minutes of the Work Session of October 15, 2012. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Pocek, Saunders. Nays: None. Motion carried unanimously.

Motion made by Koci and seconded by Zolata to approve the minutes of the Regular Meeting of October 15, 2012. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Pocek, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Koci to approve the minutes of the Master Plan Review Committee of October 22, 2012. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Pocek, Saunders. Nays: None. Motion carried unanimously.

Mr. Angelo presented Ms. Alma Rhine of the Southeast Clergy Meals on Wheels program with a check for \$950.00. The donation was collected throughout the year by employees who participate in casual Fridays. Ms. Rhine thanked the City for the donation and expressed how grateful the organization was to have this wonderful donation.

**ORDINANCE NO. 9008-12**, an ordinance authorizing the City Manager to execute a purchase agreement allowing the City of Bedford to purchase the property at 700 Wellman Street (P.P. NO. 813-29-042) and declaring an emergency placed on first reading October 1, 2012 and second reading October 15, 2012 was read by title only.

Motion made by Zolata seconded by Batten to place Ordinance No. 9008-12 on third and final reading and passed.

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

**RESOLUTION NO. 2464-12**, a resolution authorizing the Mayor to enter into an agreement for the construction of a central safety forces dispatch center to be known as the Southeast Emergency Communication Center (“SECC”) through the Southeast Regional Council of Governments (“SRGC”) in cooperation with the City of Bedford Heights and the City of Maple Heights and declaring an emergency placed on first reading October 15, 2012 was read by title only.

Mayor Pocek noted for the record that it was the intention of Council to pass this Resolution this evening, however, there were not enough members present to pass the legislation as an emergency measure. They had hopes in having a Special Council meeting on November 13, 2012 if there were enough members present to vote. Council had one member on vacation and the other was absent because of an illness.

Motion made by Koci seconded by Saunders to place Resolution No. 2464-12 on second reading.

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

Henry J. Angelo, City Manager noted there was seven inches of rain in the Bedford area because of Hurricane Sandy. He was very pleased to witness the determination, hard work and focus all the departments, the local hospital and residents put forth during this horrific storm. Bedford was very blessed to have this type of cooperation and experience. He talked about the situation today with the jumper that was on the bridge. Again, there was tremendous determination, cooperation from surrounding communities and experience dealing with this type of situation. The end result was the jumper rethought his decision and turned himself over to the police after five hours. While this was all going on, there was a three car accident which required attention. In both situations, nobody got hurt and the Administration and Council were very grateful to have such a great work force that work for the residents.

Ken Schuman, Law Director briefly explained there was a female that was prosecuted this morning and ended up going to jail. After she was put in the holding room, she removed her clothes, started screaming, banging her head on the floor and kicked the Bailiff. It was a disaster, however, she still went to jail. He directed Clerk Villers to inform Mr. Mallis that Ordinance No. 9008-12 passed this evening.

Frank Gambosi, Finance Director spoke about House Bill 601 that he was very concerned about. The State of Ohio was hoping to get uniform tax laws. He stressed this was a very bad idea because of all the numerous different tax cuts the cities were already experiencing. He felt House Bill 601 would also affect the operating losses from the businesses that paid taxes to the City. He said that there were several organizations that have strongly spoken against this issue and he hopes that someone was listening. Mr. Schuman stated if this bill passed, it would be devastating for municipalities. He explained the State kept saying that things between communities needed to be consistent and the bottom line was that it was consistent. Most communities do not allow loss carry forward for very valid economic reasons. Many of the State Representatives comment about how they balance their budgets and they certainly do, on the backs of every municipality that they cut the funding to. The State did not cut their own budget. He stressed this was blatant violation of Home Rule.

Councilman Saunders thanked the hard work of the service department in clearing the streets after First Energy removed the electrical wires from the hurricane damage and leaf removal. He explained if a homeowner's power lines were disconnected from their home during a storm, First Energy would not reconnect the wires until the homeowner arranged to have the meter box and accessories installed. First Energy's responsibility was to restore electricity to the street but not to reconnect the meter box and accessories. As of the report today, there were seven homes without power. He was pleased with the safety forces and the great services they provided.

Councilwoman Zolata was very pleased with all the great services all the departments provided. She asked everyone to participate in the "Lights out for Hunger" program, which welcomed money donations to several food banks for the needy. She urged everyone to vote tomorrow.

Councilman Koci urged everyone to join in the "Lights out for Hunger" and donate the money saved during that time or a general money donation to one of the food banks. The idea was to remember that there were people in this country still going hungry. He requested a "Thank You" note be sent to the State of Michigan for their electrical assistance during the hurricane. He explained the natural progression and how surrounding communities cover each other. Mr. Koci was pleased with the first Fri-dates concert at the old church on the square. He then read the Proclamation for Jewell Smith's 100<sup>th</sup> birthday that was requested to be put in the record. (see attached) He mentioned that Ms. Smith was not the oldest person at her 100<sup>th</sup> birthday party because Jack Wardley the soon to be 101 year old was present. These two went to school together and both graduated in 1931.

Councilman Batten announced the annual Salvation Army dinner fund raiser on Sunday, November 18, 2012 from 5:00 p.m. to 7:00 p.m. He also asked for volunteers to ring the bell for the Salvation Army during the holiday season.

Mayor Pocek and Council appreciated the efforts made by all the departments for their assistance during the hurricane weather. There were prayers and thoughts for the people on the east coast and what they had experienced during the wrath of Hurricane Sandy. Mayor Pocek urged everyone to show up for the Veterans Day memorial at the Veterans Park on Sunday, November 11, 2012 at 11:00 a.m. He spoke about a previous Maine Officer Lou Diamond who was born May 30, 1890 in Bedford. He passed in 1951 and was buried in the Toledo area.

**ORDINANCE NO. 9015-12**, being an ordinance to make appropriations for current expenses and expenditures of the City of Bedford, Ohio during the year 2013 and declaring an emergency was read by title only.

Motion made by Koci seconded by Batten to place Ordinance No. 9015-12 on first reading.

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

**ORDINANCE NO. 9016-12**, 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 Saunders seconded by Zolata to place Ordinance No. 9016-12 on first reading.

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

**ORDINANCE NO. 9017-12**, an ordinance amending Section 1311.29 entitled “General” of the Codified Ordinances of the City of Bedford and declaring an emergency was read by title only.

Motion made by Koci seconded by Batten to place Ordinance No. 9017-12 on first reading.

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

**ORDINANCE NO. 9018-12**, an ordinance providing for adoption of new matter in the Codified Ordinances of Bedford to approve, adopt and enact the 2012 replacement pages to the Codified Ordinances of Bedford, Ohio, hereinafter “Codified Ordinances”, to repeal certain ordinances in conflict with or deemed obsolete and declaring an emergency was read by title only.

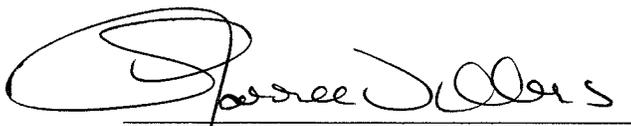
Motion made by Zolata seconded by Saunders to place Ordinance No. 9018-12 on first reading.

The roll was called. Vote – Yeas: Zolata, Batten, Koci, Pocek, Saunders. 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. There no citizen comments this evening.

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

Meeting adjourned at 8:36 P.M.



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Clerk of Council



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Mayor – President of Council