

**COUNCIL WORK SESSION
TUESDAY, SEPTEMBER 4, 2012**

6:15 P.M. PROMPT

Refreshments will be served

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF BOARDS & COMMISSIONS RE-APPOINTMENTS**
 - **Civil Service**

- **DISCUSSION OF AUGUST 21, 2012 MEETING REGARDING FIREWORKS**

- **DISCUSSION OF ARTS BOARD'S "FRIDAY PROGRAMS" - STAN KOCI**

- **EXECUTIVE SESSION – Personnel**

Bedford City Council met in a Work Session at Bedford City Hall on Monday, September 4, 2012 at 6:18 p.m.

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

Mayor Pocek began discussion of the Regular Council Meeting agenda.

Council had no issues with the August 20, 2012 Work Session minutes, the August 20, 2012 Regular Council minutes or the August 21, 2012 Special Council minutes.

Resolution No. 2462-12 was a resolution accepting the amounts and rates as determined by the tax budget. Mr. Gambosi briefly explained this was an annual action of Council. He noted there needed to be an amendment to the resolution because the General Fund needed to read 2.28 and the G. O. Bond Retirement Fund needed to read 1.00. Mr. Schuman and Council did not have a problem with the amendment request.

Ordinance No. 8994-12 was an ordinance adopting the Solid Waste Management Plan for Cuyahoga County Solid Waste Management District. Mr. Angelo briefly explained this was something the City needed to adopt and it would affect anything that was currently in place.

Ordinance No. 8995-12 was an ordinance authorizing the City Manager to enter into a contract with Simplex-IT for \$8,417.00. Mr. Angelo referenced the memo that was attached to the packet and asked Council if they had any questions.

Ordinance No. 8996-12 was an ordinance to levy assessments for grass cutting in the City of Bedford. There was some discussion that there might be a few properties that were on the list that shouldn't be. Mr. Gambosi explained there had to be a reason and documentation; otherwise the properties would not be on the list. It was determined that Mr. Gambosi would look further into the properties in question and inform Council of his findings.

Ordinance No. 8997-12 was an ordinance authorizing the City to certify to the County Auditor costs associated with Police response at 172 John Street. Council was very aware of this property because of the many police related calls. This location was a repeat offender.

Ordinance No. 8998-12 was an ordinance deleting Section 1341.22 of the Codified Ordinances of the City of Bedford. Mr. Schuman explained this topic was listed in two areas. He suggested the removal of Section 1341.22 "Charges for Cutting Weeds" (Ord. 6950-97 passed July 7, 1997). Section 1305.16, "Fee Schedule", (d) Exterior Site Work – Residential & Commercial, letter N., addressed the issue. Council was in agreement. Mrs. Zolata said she has some complaints about the city planting the trees in the tree lawn and the trees were damaging the sidewalk and the resident had to pay to fix the sidewalk. Residents felt the city should be responsible for the repairs because they were city owned trees. Mr. Angelo was very clear that the city was not going to pay for sidewalk repairs. Mr. Schuman said he would check the Codified Ordinances and advise Council as to how it was written.

Ordinance No. 8999-12 was an ordinance authorizing additional work for the cabling fiber project for \$1,021.40. Mr. Schuman explained this ordinance was in conjunction with Ordinance No. 8927-12. There was need for additional work at the service garage and recreation center.

Ordinance No. 9000-12 was an ordinance authorizing the City Manager to enter into a contract with SSECO for \$13,225.00. Mr. Angelo explained this was an upgrade to the fuel system. This system would assure the department vehicles would not run low on fuel.

Council briefly discussed the re-appointment for the Civil Service Commission position. They decided to forward this topic to the next meeting.

Mrs. Zolata, Mr. Angelo and Mr. Saunders briefly left the meeting to talk to a few residents that came to City Hall to complain about their flooded basements after today's 2.72" rain fall. While they were in the hall, the remaining members discussed the August 21, 2012 Special Work Session regarding the fireworks. Council still had mixed feelings about the children/young adults that were traveling from city to city just causing problems. They were all in agreement this topic needed additional discussion and consideration. Council and the Administration needed to make a decision during the budget discussions and finalize their decision before December 31, 2012. They talked about all the suggestions the residents had made at the August 21, 2012 meeting.

After the others returned to the meeting, Mr. Koci explained the focus of the Art's Board "Friday Programs". The Board found out some of the things they wanted to do require payment in advance. They thought if the City could create a line item with some funds in it, they could be more proactive and secure some activities. After a brief discussion, Council thought it was a good idea and decided to put \$5,000 in a line item to be used accordingly.

The executive session that was on the agenda was not necessary for this evening.

Discussion of the regular Work Session agenda was concluded.

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: September 4, 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 August 20, 2012
- b. Approval of Minutes of the Regular Meeting of August 20, 2012
- c. Approval of Minutes of the Special Work Session of August 21, 2012

5. REPORTS

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

6. NEW BUSINESS

- a. Resolution No. 2462-12 accepting the amounts and rates as determined by the tax budget
- b. Ordinance No. 8994-12 adopting the Solid Waste Management Plan for Cuyahoga County Solid Waste Management District
- c. Ordinance No. 8995-12 authorizing the City Manager to enter into a contract with Simplex-IT (\$8,417.00)
- d. Ordinance No. 8996-12 to levy assessments for grass cutting in the City of Bedford
- e. Ordinance No. 8997-12 authorizing the City to certify to the County Auditor costs associated with Police response 172 John Street a nuisance
- f. Ordinance No. 8998-12 deleting Section 1341.22 of the Codified Ordinances of the City of Bedford
- g. Ordinance No. 8999-12 authorizing additional work for the cabling fiber project (\$1,021.40)
- h. Ordinance No. 9000-12 authorizing the City Manager to enter into a contract with SSECO (\$13,225.00)

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

September 4, 2012

Bedford City Council met in Regular Session at Bedford City Hall on Tuesday, September 4, 2012. Mayor Pocek called the meeting to order at 8:02 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 Koci and seconded by Batten to approve the minutes of the Work Session of August 20, 2012. The roll was called. Vote – Yeas: Koci, Mizensak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Mizensak seconded by Pozar to approve the minutes of the Regular Meeting of August 20, 2012. The roll was called. Vote – Yeas: Koci, Mizensak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

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

Henry J. Angelo, City Manager referred to the heavy rains the Bedford area experienced today. He reported to date there were nine homes that had flooded basements. He thought the dye testing that had been previously done paid off somewhat because there was no heavy concentration in any one area. He stated there were two crews out addressing the flooding problems and he would have a count.

No report from Ken Schuman, Law Director.

No report from Frank Gambosi, Finance Director.

Councilman Batten invited everyone to the Octoberfest that was taking place this weekend. He listed several things that were scheduled for this event. He hoped the rain would hold off so the parade wouldn't be rained out.

Councilman Koci urged everyone to attend the Octoberfest. He announced the concert that will be held for the Weekend of the Pooka on September 14, 2012. The tickets were \$20.

Councilwoman Zolata noted Mr. Hamilton passed away recently. She was excited about the Weekend of the Pooka event. She was relieved the dye testing had paid off for the flooding issues.

Councilwoman Mizensak asked if the code that related to dogs having to be on a leash could be printed the utility bill flyer. There were some issues in her ward where people were walking their dogs without a leash. Mr. Angelo stressed the residents need to call the non-emergency in dispatch to get these types of things on record. He had no problem putting the code in the utility bill as a reminder.

Councilman Pozar sent on behalf of Council his condolences to the Hamilton family. Mr. Hamilton was an icon in Bedford. He pointed out that Social Security was now being called the Federal Benefit Payment. Social Security was not a "benefit" but rather earned income. The Federal Government should stop stealing from the people of the United States. Mr. Pozar also touched on the discussions that Council and the Administration were having regarding the fireworks. He compared the Recreation Department's one week expenditures to the cost of the fireworks. He felt the fireworks were traditionally meaningful. The final decision of whether the fireworks would continue would not be a financial one because on the large scale of things, it was insignificant and the value outweighed the costs. He announced Friday, September 7, 2012 was Patriot Night, which was being celebrated in conjunction with the football game.

There would be free admission for former or current military, police or fire members.

Councilman Saunders pointed out the children were walking in the streets on their way home from school. He stressed this was a very serious issue because people were not paying attention as they should.

Mayor Pocek stated the Octoberfest was a very good event so he urged everyone to attend.

RESOLUTION NO. 2462-12, a resolution accepting amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and declaring an emergency was read by title only.

Motion made by Batten and seconded by Koci to amend Resolution 2462-12 to read in Schedule A, General Fund at 2.28 and G. O. Bond Retirement Fund at 1.00.

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

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

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

Mr. Gambosi clarified this amount was the same as in 2011 per the levies approved by the public.

Motion made by Zolata and seconded by Koci to place Resolution No. 2462-12 on third and final reading and passed.

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

ORDINANCE NO. 8994-12, an ordinance to adopt the Solid Waste Management Plan for the Cuyahoga County Solid Waste Management District and declaring an emergency was read by title only.

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

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

Motion made by Mizesak and seconded by Saunders to place Ordinance No. 8994-12 on third and final reading and passed.

Mr. Angelo explained this was an agreement with the County. Bedford accepts the County's Plan and the County accepts the way Bedford disposes its solid waste. There were not costs involved and was basically a formality.

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

ORDINANCE NO. 8995-12, an ordinance authorizing the City Manager to enter into a contract with Simplex-IT 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: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. 8995-12 on third and final reading and passed.

Mr. Angelo explained this expenditure would be to upgrade the computer switches. The switches were originally installed in 2003. Mr. Saunders asked if the five cameras listed in the Exhibit were existing cameras or new cameras. Mr. Angelo stated there were currently 56 cameras throughout City Hall and this would be five additional cameras. This would allow access for the front offices to view the cameras. Currently dispatch was the only location that could view the cameras.

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

ORDINANCE NO. 8996-12, an ordinance to levy assessments for grass cutting on various lots in the City of Bedford, Ohio during the year 2012 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: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizsak to place Ordinance No. 8996-12 on third and final reading and passed.

Mr. Angelo said this was for grass cutting violators. He explained this was not a way for the City to make money but rather for the City not wanting to become landscapers and cut grass.

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

ORDINANCE NO. 8997-12, an ordinance authorizing the City of Bedford to certify to the County Fiscal Officer the costs associated with police response to 172 John 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 Saunders seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days.

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

Motion made by Zolata and seconded by Batten to place Ordinance No. 8997-12 on third and final reading and passed.

Mr. Angelo said this was a repeat offender. Mayor Pocek thought sooner or later the City needed to take further action against the repeat offender. Mr. Schuman stated this was the only action Council could take. The offenses were prosecuted in Court.

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

ORDINANCE NO. 8998-12, an ordinance repealing Section 1341.22 of the Codified Ordinances of the City of Bedford 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: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Pozar to place Ordinance No. 8998-12 on third and final reading and passed.

Mr. Schuman explained there were two provisions that dealt with the cutting of weeds, which were in conflict with each other so the incorrect one was being repealed.

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

ORDINANCE NO. 8999-12, an ordinance authorizing additional work for the Cabling Fiber Project and declaring an emergency was read by title only.

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

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

Motion made by Koci and seconded by Batten to place Ordinance No. 8999-12 on third and final reading and passed.

Mr. Gambosi explained this would allow the cabling to be connected to the racks. This portion of the project was not in the original proposal.

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

ORDINANCE NO. 9000-12, an ordinance authorizing the City Manager to enter into an agreement with SSECO 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: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Mr. Angelo explained this would upgrade the gasoline pump. He noted the current system was a very good one but it was in need of being updated.

Motion made by Zolata and seconded by Koci to place Ordinance No. 9000-12 on third and final reading and passed.

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

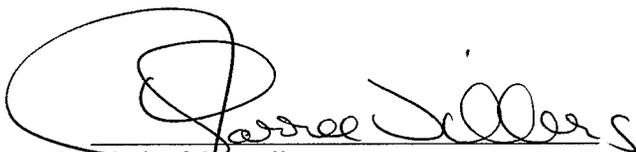
Phil Williams, 150 Best Street, stated his neighbor located at 146 Best Street needed to clean his gutters. He was trying to get these gutters cleaned out for two years because the water overflow was affecting his property and foundation. Mr. Williams had pictures for the Administration to review.

Joyce Daunch, 86 Harriman Street, alerted everyone that there was limited seating for the Weekend of the Pooka concert on September 14, 2012. She listed several things the public could enjoy at the Weekend of the Pooka.

Paul Green, 105 Eldred Avenue, pointed out that some of the elderly residents were not able to cut their grass. Mr. Angelo explained the city was currently working on a new program for those who couldn't or weren't able to attend to their yard. He urged residents to give addresses of the people that were having issues cutting their grass. Mr. Green asked if there was lawnmower available for those who don't have one. Mr. Angelo replied, no. Mr. Green asked the City to consider a bathing suit wringer at the pool. Mr. Green suggested benches be installed in the bathroom changing areas. Mr. Angelo thought that was a good point. Mr. Green thought the military should be able to join the pool for free. Mr. Pozar thought all military should take priority in the community. He also thought any military (combat veteran) should assist the elderly in their grass cutting. Mr. Green asked if the Administration and Council was satisfied with J & J Refuse. Council replied, yes. Mrs. Zolata asked if Mr. Green had any issues with the rubbish service. Mr. Green replied no he worked for J & J Refuse. Mrs. Mizsak offered Mr. Green a free ticket to the Patriot Night's football game.

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

Meeting adjourned at 8:42 P.M.



Janelle Williams
Clerk of Council



David S. Pocek
Mayor – President of Council