

COUNCIL WORK SESSION

MONDAY, OCTOBER 21, 2013

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**

- **EXECUTIVE SESSION -** Personnel
Personnel – Council only

Bedford, Ohio

October 21, 2013

Bedford City Council met in a work session at Bedford City Hall on Monday, October 21, 2013 at 6:33 p.m.

Present: Council Members: Mayor Daniel Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizesak, Greg Pozar, Don Saunders. Administration: City Manager Henry Angelo, Finance Director Frank Gambosi, Clerk of Council Lorree Villers. Absent: None.

Mayor Pocek rearranged the agenda to conduct the executive session first before discussion of the regular Council agenda.

At 6:35 p.m., Bedford City Council, Ms. Villers and Mr. Gambosi went into an executive session to discuss personnel.

Executive Session adjourned at 7:25 p.m.

Mayor Pocek began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session and the Regular Meeting of October 7, 2013.

Ordinance No. 9116-13 was an ordinance amending Section 913.03 of the Codified Ordinances for sewer rate reduction for senior citizens and permanently disabled. Mr. Gambosi pointed out this was for sewer rates; not water rates. He explained this was a 30% discount for the year 2014 and the program was handled by the income tax department to ensure the applicant's information was correct. There were currently approximately 250 residents in the program with a savings of about \$120 per year. The City charged users of its sewer system reasonable rates designed to cover the costs of operating, maintaining, and improving the sewer system. All the revenues derived from sewer service charges were devoted to the operation, maintenance, and improvement of the sewer system. The sewer rates and sewer service charges were based on water consumption. Presently, each resident's water consumption was measured by the monthly water meter readings and water charges based on such readings were billed and collected each month. Council determined that it is necessary to increase sewer service charges starting January 1, 2014 to cover the projected costs of operating, maintaining and improving its sewer system, or improvements to the sewer system. It was determined this would be discussed again in 2015.

The motion to reconsider the previous decision of Council regarding Rickeya Gilliam for the Child Care Center located at 619 Northfield Road had been discussed at the August 6, 2013 Planning Commission and was before Council on August 19, 2013. On August 19, 2013, Council rejected the Planning Commission's recommendation because they thought it was another location. Now knowing the exact location they were reconsidering their previous motion. The majority of Council was in favor of the Child Care Center and would vote accordingly this evening.

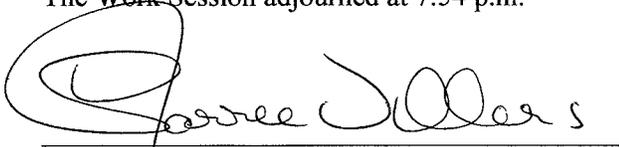
The motion to appoint Frank Zubek to the Arts & Cultural Board had 100% support of Council. Everyone thought he was a perfect fit for the board.

Mr. Angelo asked what were Council's intentions regarding the Hawthorne Valley Youth Council. He reminded Council the cost was \$415 per student but this was something Council needed to consider tonight. The Oakwood's Clerk of Council Debra Hladky needed to know Council's decision because she had a deadline to meet. Council was in favor of supporting two students.

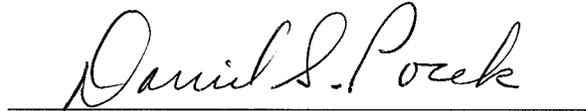
Mayor Pocek reminded everyone the October 28, 2013 Budget Work Session would begin at 6:15 p.m. and the remaining budget discussions would be at 6:00 p.m.

Discussion of the Regular Meeting agenda was concluded.

The Work Session adjourned at 7:54 p.m.



Clerk of Council



Mayor – President of Council

REGULAR MEETING

BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: October 21, 2013

AGENDA

TIME: 8:00 P.M.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

- a. Approval of Minutes of the Work Session of October 7, 2013
- b. Approval of Minutes of the Regular Meeting of October 7, 2013

5. **REPORTS**

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

6. **NEW BUSINESS**

- a. Ordinance No. 9116-13 amending §913.03 rate reduction for senior citizens/permanently disabled
- b. Motion to reconsider the decision of the August 19, 2013 Council decision for Rickeya Gilliam, Child Care Center – 619 Northfield Road, Bedford, OH – Conditional Use (August 6, 2013 Planning Commission)
- c. Motion to appoint Frank Zubek 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 City Council met in Regular Session at Bedford City Hall on Monday, October 21, 2013. 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: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Absent: None.

Motion made by Koci and seconded by Batten to approve the minutes of the Work Session of October 7, 2013. The roll was called. Vote – Yeas: Saunders, Zolata, Batten, Koci, Mizesak, Pocek, Pozar. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Pozar to approve the minutes of the Regular Meeting of October 7, 2013. The roll was called. Vote – Yeas: Saunders, Zolata, Batten, Koci, Mizesak, Pocek, Pozar. Nays: None. Motion carried unanimously.

City Manager, Henry Angelo explained there had been a lot of discussions regarding the closing of Ben Venue of late. Present at a very important meeting was the United States Senator Sherrod Brown accompanied by John Ryan his State Director, United States House of Representative District 11 Congresswoman Marcia Fudge accompanied by John Hairston her District Director and the District Director for Senator Rob Portman Ms. Caryn Candisky who joined the Bedford Administration in a discussion regarding the closing of Ben Venue. The Ben Venue President Mr. George Doyle and his Administration were available for questions along with Frank Gambosi, Finance Director, Mike Mallis, Economic Director, Ken Schumann, Law Director and Tom Day, Clerk of Courts. After the meeting there was a glimmer of hope that there would be another company interested in the Ben Venue location because the Administration understood there were two possible companies interested. The closing of Ben Venue was 22% of the City's income tax and \$1 million associated with the water and sewer funds which did not include the previous \$1.7 million loss of funds from the State of Ohio. Mayor Pocek noted this was the second meeting in the past 10 days. He was relieved to have "friends" in important positions to assist the City Administration in such a delicate matter. He added there were County and State Representatives on board as well. Mr. Gambosi added it was in everyone's best interest to work together in this matter.

On a lighter note, United States Senator Sherrod Brown insisted the Mayor take him to the Elmer Flick statue because he was an avid baseball and Cleveland Indians fan.

No report from Finance Director, Frank Gambosi.

Councilman Batten mentioned the Salvation Army fund raiser on Sunday, November 24, 2013 from 5:00 p.m. to 7:00 p.m. The funds were used for food baskets for the needy families in the Bedford area for Thanksgiving and Christmas. He urged volunteers to step forward to be bell ringers this holiday season from Friday, November 29, 2013 to Tuesday, December 24, 2013 at Bedford's Giant Eagle and Wal-Mart and the Oakwood Village Sam's Club. In 2012, \$23,000 was raised; those funds were spent in Bedford for the Ellenwood Food Program the last Friday of each month.

No report from Stan Koci.

Councilwoman Zolata announced the Light of Hearts Fall Fest was a huge success. She acknowledged Mrs. Pocek in the audience who assisted in the festival and basket creation. She thanked Councilwoman Mizesak for assisting in donation collections. She also thanked the Bedford Administration for all their efforts regarding Ben Venue situation. She informed the public the Building Department was currently working on how the building inspections were going to be enforced and addressed.

Councilwoman Mizesak was very happy to assist in the Light of Hearts Fall Fest. She announced Halloween was on October 31, 2013 from 6:00 p.m. to 8:00 p.m. and urged the drivers to watch for the

younger ones since it was getting darker sooner. The residents in her Ward were very pleased with the road resurfacing and new concrete aprons. She thanked the Fire Department for their excellent services regarding the transport of her husband.

Councilman Pozar felt the message delivered from the Administration was encouraging but it was a band-aid on what was going to be happening over the next few years. One of the issues was the loss of \$1 million in the water and sewer fund. He understood because of this there would be no more Saturday and Sunday "call outs" for sewer work for the residents. If you were one of those residents, please note you would only be able to receive two calls a year. It was unfortunate but this was just one of many items and decisions that the Administration and Council would have to address because of the large loss of revenue. Bedford had already suffered a \$1.7 million cut from the State and the \$2 million from Ben Venue which was used to provide services to the residents was now gone. He stressed this was a very difficult time and there were a lot of difficult decisions that were going to have to be made.

Councilman Saunders asked if there were funds left to address the street joint repairs. Mr. Angelo explained and apologized for not having the answer but he was not able to attend a few meetings of late due to addressing the closing of Ben Venue. Mr. Saunders pointed out the children were walking in the streets arm in arm on Marion, Adams and Ennis Streets plus he also had concern of the younger children not being seen because it was getting darker sooner. He also thanked the Fire Department for the clam bake this year.

ORDINANCE NO. 9116-13, an ordinance amending Section 913.03 of the Codified Ordinances of the City of Bedford as related to sewer rates 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: Saunders, Zolata, Batten, Koci, Mizesak, Pocek, Pozar. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Zolata to place Ordinance No. **9116-13** on third and final reading and passed.

Mr. Gambosi explained this ordinance was for the 30% discount for the senior and disabled residents for the year 2014.

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

Motion made by Koci seconded by Batten to reconsider the decision of the August 19, 2013 Council decision for Rickeya Gilliam, Child Care Center located at 619 Northfield Road, Bedford, Ohio for conditional use. The roll was called. Vote – Yeas: Saunders, Zolata, Batten, Koci, Mizesak, Pozar. Nays: Pocek. Motion carried.

Motion made by Koci seconded by Batten to accept the reconsideration by Council on the August 19, 2013 decision for Rickeya Gilliam, Child Care Center located at 619 Northfield Road, Bedford, Ohio for conditional use. The roll was called. Vote – Yeas: Saunders, Zolata, Batten, Koci, Mizesak, Pozar. Nays: Pocek. Motion carried.

Motion made by Zolata seconded by Mizesak to appoint Frank Zubek to the Arts & Cultural Board. The roll was called. Vote – Yeas: Saunders, Zolata, Batten, Koci, Mizesak, Pocek, Pozar. 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.

Joyce Daunch, 86 Harriman Street, invited everyone to enjoy the evening with Dan Rumunski the storyteller of The Francis Drury Story Performance at Bedford City Hall on Friday, October 25, 2013 starting at 7:30 p.m.

Orlando Rosario, 257 Deborah Lane, pointed out the unevenness of the sidewalk area at the Glendale and Grace Streets railroad tracks. He asked for the status regarding the Slow Children at Play sign that he had previously asked for to be placed in the Deborah and Belle area. He pointed out the rental home behind him was in need of fence repair because their dogs were coming into his yard. This was a concern for him because of his seeing-eye dog's safety. Mr. Angelo explained the City was aware of the issues regarding the railroad tracks: Dominion East Ohio needed to address the issue on Glendale along with the railroad, and on West Grace the railroad needed to address that concern. He would follow up on the Slow Children at Play sign and the fence complaint. Mr. Rosario added the Elmer Flick event was beautiful.

Sabrina Future, 15 Charles Street, voiced her concern about the cost of water in Bedford. She could not afford to pay for three units in her rental property because she was living at this address alone. She had one meter and was paying for 3 units. She had no intentions of renting the other two units. She begged for the Administration to address this issue. Mrs. Zolata offered to talk to Ms. Future after the meeting. Mr. Pozar asked for clarification and understood what she was referring to as far as her having one meter with three separate charges. Mr. Batten shared his concern of the high cost of water and how he was previously charged. A study showed a use of \$1,100 for the one unit but he was charged \$5,500 because there were a total of five units; he felt this was unfair. Mr. Gambosi explained there was a loss from Ben Venue in the water and sewer rates. He suggested Ms. Future contact the Service Department for information/clarification on how to change a rental property so it cannot be used as a rental property; she had one meter but the house was set up for three rentals.

Christina Rightnour, 257 Deborah Lane, mentioned the misuse of the right hand turn lane traveling from Maple Heights into Bedford. Mr. Gambosi corrected her; this specific land was a straight or right hand turn so the traffic was not misusing it.

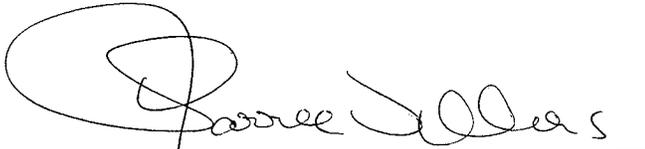
Jeff Duber, 134 Harriman Street, asked if the blowing of the train horns issue was ever going to be resolved. Mr. Angelo explained this was an ongoing issue for the past 12 years which was being addressed by Mr. Mallis. He urged Mr. Duber to contact Mr. Mallis for the lengthy story and the list of issues that had been dealt with. Mr. Duber suggested someone contact the City of Twinsburg on how they dealt with the issue regarding the closing of the Chrysler Plant and the vacant building. Walton Hills would be dealing with a similar issue when the Ford Plant closes. Mayor Pocek understood it was Ben Venue's intention to sell the site and the business together.

Sandy Spinks, 265 Grand Boulevard, noted there were 15 high schools children that darted out into the street as if they were playing some type of game with them near the Dollar General Store on Columbus Road. She noted the car parking issue has moved from Grand Boulevard to Wandle Avenue. Plus, there was an ongoing speeding issue on Grand Boulevard.

Anita Wilson, 41 Natalie Road, thanked Mr. Angelo for the quick response in fixing her driveway. She mentioned a vacant house two yards up from hers that the yard was not being taken care of properly. It was determined this home was owned by the bank.

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

Meeting adjourned at 8:44 P.M.


Clerk of Council


Mayor – President of Council