

**COUNCIL WORK SESSION
MONDAY, MARCH 18, 2013**

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF INFRASTRUCTURE – Marilyn Zolata**
- **DISCUSSION OF MASTER PLAN**
- **EXECUTIVE SESSION – personnel**

Bedford, Ohio

March 18, 2013

Bedford City Council met in a Work Session at Bedford City Hall on Monday, March 18, 2013 at 6:32 p.m.

Present: Council Members: Mayor Daniel Pocek, Warner Batten, Stan Koci, Donald Saunders, Paula Mizzak, Marilyn Zolata, Greg Pozar. Also Present: Clerk of Council Lorree Villers. Administration: City Manager Henry Angelo, Finance Director Frank Gambosi, Law Director Ken Schuman, Service Director Clint Bellar, Water Department Superintendent Terry Devlin, City Manager Assistant Michelle Hollo. Absent: None.

Mr. Bellar introduced Terry Devlin, the new Water Department Superintendent. Mr. Devlin lived in Hiram, OH and previously had 6 ½ years with the City of Aurora. He came qualified with a Class 2 Ohio EPA Water Distribution license, a commercial backflow certification and he was a good team player. Mr. Angelo and Mr. Bellar noted there were many qualified applicants and the Administration was confident they made the right choice. Mr. Devlin was pleased to be in his new position.

Mayor Pocek started the agenda topics for discussion.

Mayor Pocek asked if anyone had any questions regarding the March 4, 2013 Work Session minutes, the March 4, 2013 Regular Council minutes. Council did not have any corrections.

Ordinance No. 9052-13 was an ordinance amending Ordinance No. 8940-12 Pay Range for the Purchasing Clerk. This ordinance was read as a first reading on March 4, 2013 to allow Mr. Angelo an opportunity to explain his thoughts on the matter at this meeting.

Mayor Pocek stated the reason this issue was delayed was because some felt Mr. Angelo should have the opportunity to explain why he would rather hire a new employee. He understood some of the Administration and Council felt it should be given to Mrs. Parina on a 60 day trial basis to see if the workload could be performed rather than hiring a new 20 hour per week part-time employee. Mrs. Parina would be expected to perform her 40 hour normal workload in addition to the 20 hours Purchasing Clerk position in a normal 40 hour work week.

Mr. Schuman noted the past focus of the Administration and Council was to save money because of all the financial cuts the City had experienced over the years. He thought this would be a cost savings to the City. He also felt it was worth a 60 day trial period for Mrs. Parina. He said Mrs. Hollo, Mrs. Parina and Ms. Villers were all utilized by Mr. Mallis and himself on an as needed basis as their secretaries.

Mr. Angelo said he asked Mrs. Hollo to attend this evening's work session in case anyone had any questions/concerns about this position because she was the supervisor for this position. Mrs. Hollo explained the position was cut to 20 hours a week at the decreased starting rate of \$12 - \$14 per hour to save money with no benefits, holiday or vacation. This position had its steady times; yet very busy times plus portions of the job were very tedious with data entry. The previous Purchasing Clerk did not have paid "vacation" so she only missed about one week out of the year. Mrs. Morgan used her flex hours to accommodate Doctor and personal appointments. Lately, Mrs. Hollo had been working with Mrs. Smith to ensure the duties were being performed because Mrs. Smith was more knowledgeable on some of the duties than she. When the previous Purchasing Clerk took time off, Mrs. Hollo did not do the duties from start to finish; there were several duties that needed to be completed upon her return. Mrs. Hollo said she usually performed these duties accumulating overtime/comp hours. She added the AFSCME union did not have any issues with Mrs. Smith performing or assisting in non-union duties during the selection process for a new Purchasing Clerk. It

was discussed that Mrs. Hollo and Ms. Villers coordinate their time off, as each was responsible for backing up each other's position. If Mrs. Parina was to assume this position, there could be problems with scheduling vacation time, comp time and personal days. Mrs. Hollo had six (6) weeks of vacation, three (3) personal days and accumulated comp time, Mrs. Parina had four (4) weeks of vacation, three (3) personal days and comp time and Ms. Villers had two (2) weeks of vacation, three (3) personal days and numerous hours of comp time.

There was discussion of the costs associated with hiring a new part-time clerk, paying one employee an additional \$6,000 per year or two other employees a total of \$12,000 per year if they were to get paid the same rate. Mr. Angelo pointed out after his hiring, he focused and accomplished pay scale equality with some of the employees. He also took into consideration the comments he had recently heard of Council's concerns with the possible poor/bad "office moral". Council and the Administration agreed the current staff were capable of performing their duties and learning additional duties but there was a limit to overwhelming an employee. It was obvious this employee would be either accumulating comp time and/or overtime compensation. Another thought was that there would be no backup for this position and the person performing those duties would be overwhelmed upon return. Mr. Gambosi made it clear that the Finance Department secretarial duties would be his main focus; then the Purchasing Clerk duties. It was obvious the employees involved were capable of learning new duties but it was best to hire a new employee, train an employee in the Finance Department for the Purchasing Clerk backup to relieve Mrs. Hollo. Additional compensation would only be paid for the hours actually worked to back up the Purchasing Clerk. It was noted the union "plus rate" in Bedford was lower than other cities plus another thing to consider was the reclassification of a union position if this position was to be divided.

Mr. Pozar questioned the duties involved and who was handling the interviewing process. Mrs. Hollo listed a few things that she did but there were other duties and steps that Mrs. Smith performed. Mr. Angelo said Mrs. Hollo was assisting him during the interviewing process.

It was decided Mrs. Hollo and Mrs. Smith would both train the new part-time employee and the Finance Department backup employee since they both had different knowledge of the position. Mr. Angelo was instructed to move forward with the hiring process to fill this position. Mr. Angelo appreciated Council's support.

The Swearing-In ceremony this evening were three (3) Fire-medics from the Fire Department: Patrick Velotta, Jr., Michael Scabbo and Jerry Mitchell. Mr. Schuman pointed out it was odd to swear in three (3) people the same night so it was important to clarify the seniority ranking of these new fire-medics for the record. The seniority would be as they were listed on the agenda.

Ordinance No. 9057-13 was an ordinance amending Ordinance No. 9015-12 making additional appropriations. Mr. Gambosi listed several changes that were necessary as housekeeping measures (see attached memo). Mr. Pozar questioned Fund No. 701 and No. 702 a total amount of \$280,000. He asked if this payment could be made monthly/quarterly or if it had to be made as a \$280,000 lump sum. Mr. Gambosi explained this was a State mandate in which they wanted the payment early. He said there was an option of paying this amount over the next three (3) years but it would be a tracking problem because of the way the quarters were set up. Mr. Pozar was not in support of paying the total amount if it could be paid over time. He requested Mr. Gambosi find out if this could be paid otherwise.

Mrs. Zolata requested the infrastructure topic to be placed on the agenda this evening. She felt it was time to address several streets, curbs and sidewalks. Mr. Angelo explained he recently had discussions with Mr. Bellar, Mr. Schuman, Mr. Gambosi and Mr. Ciuni, GPD Group. Council and the Administration noted the poor quality of work and some of the issues the City had dealt with regarding some of the new street repaving around town. It was mentioned that the engineer and inspector should be of two different companies to ensure

quality work. If a street did not currently have curbs; new curbs were not going to be installed. Mr. Saunders explained and suggested parabolic grinding to help water runoff, storm drain effectiveness and curb height.

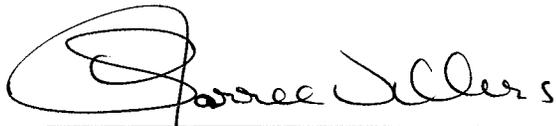
The Master Plan Review Committee suggestions Council would start reviewing over the next couple months. Clerk Villers would create an informational sheet of the suggests from this committee.

There was a brief discussion of the 10 year anniversary City Hall open house event. It was determined it would be held on a Saturday but no date was decided. There was a short discussion whether the tribute bands were going to be available during the festivals, however, nothing was determined. Mr. Pozar was at a loss of words that the traditional firework celebration could be replaced with the thought of tribute bands.

At 7:54 p.m., Bedford City Council, City Manager Henry Angelo, Law Director Ken Schuman went into an executive session to discuss personnel.

At 7:58 p.m., Council adjourned the executive session.

The Work Session adjourned at 7:59 p.m.


Clerk of Council


Mayor – President of Council

REGULAR MEETING

BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: March 18, 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 March 4, 2013
 - b. Approval of Minutes of the Regular Meeting of March 4, 2013

5. **OLD BUSINESS**
 - a. Ordinance No. 9052-13 amending Ordinance No. 8940-12 Pay Range – Purchasing Clerk (1st Rdg 3/4/13)

6. **SWEARING IN CEREMONY**
 - *Fire-medics in the Fire Department - Patrick Velotta Jr., Michael Scabbo, Jerry Mitchell*

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

8. **NEW BUSINESS**
 - a. Ordinance No. 9057-13 amending Ordinance No. 9015-12 making additional appropriations

9. **HEARING OF CITIZENS**

10. **ADJOURNMENT**

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

Bedford, Ohio

March 18, 2013

Bedford City Council met in Regular Session at Bedford City Hall on Monday, March 18, 2013. 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: Batten, Koci, Mizensak, Pocek, Pozar, Saunders, Zolata. Absent: None.

Motion made by Koci and seconded by Saunders to approve the minutes of the Work Session of March 4, 2013. The roll was called. Vote – Yeas: Batten, Koci, Mizensak, Pocek, Saunders, Zolata Nays: None. Abstain: Pozar. Motion carried.

Motion made by Mizensak seconded by Batten to approve the minutes of the Regular Meeting of March 4, 2013. The roll was called. Vote – Yeas: Batten, Koci, Mizensak, Pocek, Saunders, Zolata. Nays: None. Abstain: Pozar. Motion carried.

ORDINANCE NO. 9052-13, an ordinance amending Ordinance No. 8940-12 passed March 5, 2012 as subsequently amended and declaring an emergency placed on first reading on March 4, 2013 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, Pozar, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizensak to place Ordinance No. **9052-13** on third and final reading and passed.

Mr. Angelo explained the change was for an entry level part-time employee at an hourly rate of \$12-\$14 per hour with a reduction of hours for this position. This was a cost savings feature.

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

Before the Swearing-In ceremony this evening, Mr. Schuman explained that normally the City of Bedford did not swear-in more than one person per meeting, however, for the purposes of seniority clarification the new fire-medics would be sworn in according to their seniority as Patrick Velotta Jr., Michael Scabbo and Jerry Mitchell.

City Manager Henry Angelo and Fire Chief Dave Nagy introduced the new fire-medics in the Fire Department – Patrick Velotta Jr., Michael Scabbo and Jerry Mitchell to be sworn in this evening. Mr. Angelo welcomed everyone to the occasion and then he swore-in, according to their seniority, as Patrick Velotta Jr., Michael Scabbo and Jerry Mitchell. Each new fire-medice introduced their family and friends in the audience. Refreshments were served immediately after the ceremony in the Fire Department.

City Manager, Henry Angelo explained there were several accidents today which kept the Fire and Police Departments very busy. The Fire Department assisted Maple Heights and Bedford Heights that had 18 accidents today. He commended all departments on their busy day.

No report from Law Director, Ken Schuman.

No report from Finance Director, Frank Gambosi.

All of Council congratulated and welcomed the three new fire-medics to the force.

No report from Councilman Batten.

Councilman Koci said it always did his heart good to witness his "brothers in arms" being sworn-in.

Councilwoman Zolata noted the past FriDates concert was successful. The church was a full house.

Councilwoman Mizensak noted Ward 4 was doing well at the moment.

Councilman Pozar asked how the Federal Health Care laws were going to affect the City's employees. Mr. Angelo explained any employee that worked 30 hours was now going to be considered a "full-time" employee with benefits. The current employees were now being cut back to 29 hours per week. Seasonal employees fell under a 120 day block situation/ruling that could work 40 hours a week. The bad thing was the non-seasonal employees that had been here for a number of years had to have their hours cut to 29 hours per week. He added the City would face penalties if these employees worked over the allotted hours. Mr. Pozar questioned how the magistrates were exempted from the ruling. Mr. Gambosi noted the magistrates fell under a "special class" situation. Mr. Angelo and Mr. Pozar agreed this situation was only going to get worse.

Mr. Pozar stated the Meadowbrook shopping area had received several citations from the City. The Fire Department ordered barricades to be taken down around the empty KFC building. He felt the request was received and it fell upon a deaf ear. He asked if the determination had been made as to who owns the property. Mr. Schuman and Mr. Angelo explained there were approximately 40 shell corporations but the bottom line was Mr. Goudreau owned the property. The City was in the process of attempting to set up a meeting with Mr. Goudreau to discuss these issues. Mr. Schuman anticipated the City would end up in court with Mr. Goudreau. Mr. Pozar commented Mr. Goudreau, the City's good corporate resident/good community resident, had snubbed his nose at the City when it came to enforcement and was actually picking a fight. Mr. Schuman and Mr. Angelo agreed with Mr. Pozar. Mr. Angelo clarified the City's Administration attempted to work with Mr. Goudreau in filling the vacant store fronts. It was unfortunate of the condition of the buildings. Mr. Schuman added the City of Bedford has had issues with Mr. Goudreau for many years. This transcends two Law Directors and four City Managers over the years. Mr. Schuman noted that Mr. Goudreau had more money than the City of Bedford which made him very hard to deal with. He felt anyone would probably say the City of Bedford was the easiest City in Cuyahoga County to do business with. Bedford was receptive to everybody and aggressive with economic incentives when needed. He did not believe there was a corporate tenant that had a complaint against the City. Mr. Goudreau was impossible to work with and his reputation was noted that he was impossible to work with in the business community. He knew of some businesses that were willing to move to Bedford but after they found out that Mr. Goudreau owned the property, they refused to do business with Mr. Goudreau. He agreed with Mr. Pozar that Mr. Goudreau did snub his nose at the Fire Department's fire code issues. There were also one and one half pages of Building Code issues. It would be a long drawn out battle with Mr. Goudreau if it ends up in court. Mr. Pozar thanked Mr. Angelo and Mr. Schuman for their candor because visitors and residents notice the empty store fronts and the impression was, why the City doesn't do something. It was not the City's place to demand that property owners rent their units and it certainly wasn't for the lack of trying that those specific buildings remained empty. It was a matter of economic times. Inquiring corporate business owners were welcomed personally by the City Manager and Finance Director. The first phase of discussions were personally with the Administration and if there was something that needed addressed, then it was scheduled to come before the appropriate Boards or Commissions. The Meadowbrook area had become the biggest eyesore of vacant units. He stated it was not for the lack of trying on the City's behalf that this shopping area remains the way it does. Mayor Pock added Meadowbrook could be a viable institution for business if Mr. Goudreau would allow

tenants in these vacant store fronts and if he would just cooperate. Mr. Goudreau was impossible to deal with.

Councilman Saunders said it was nice to see the Fire Department back at full staff because of the past several years of budget cuts. He spoke about the grant that was obtained to allow two of the fire-medics a position for two years. He hoped after the grant expired in two years, the Fire Department would be able to keep the department at full staff. Bedford had an aging population and the fire-medics performed a great job not only for Bedford, but for Maple Heights and Bedford Heights since the services were shared to some degree. He mentioned the Rockside Road and Turney Road street project that was going to impair traffic to some degree for most of the summer. This pavement was 25 years old; it was a much needed improvement. He asked how many deer were culled in the 2012 Metroparks project. Mr. Angelo had not yet received the information from the Metroparks. Mr. Saunders questioned the "look back" period regarding employee health care. Mr. Schuman noted the "look back" period had not been determined but he understood it was going to be 12 month "look back" for an average of 30 hours per month starting January 2014.

Mayor Pocek announced the City sponsored NLC prescription card had done very well. The City currently had saved the residents \$30,000 with 800 families on an average of a 34% savings. He urged the residents to send a letter to John Barnes, Ohio House of Representative, regarding the opposition of HB 5. He was pleased to announce the fantastic donation from the Automile that would be used to construct Bedford's own Baseball Hall of Famer Elmer Flick who lived in Bedford from 1875 – 1970. There were only three in the State of Ohio who were in the Baseball Hall of Fame. Thanks to the Automile's donation, those funds would pay for half of the project so it was time to work on the remaining donations.

ORDINANCE NO. 9057-13, an ordinance amending Ordinance No. 9015-12 making additional appropriations for current 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 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 seconded by Mizsak to place Ordinance No. **9057-13** on third and final reading and passed.

Mr. Gambosi explained most of the changes were appropriations that were not spent in 2012 that were rolled over into 2013. This document encompasses a lot of grants funds, donations from 2012 that was accounted for in 2013. He explained that he re-appropriates the leftover funds from 2012 in March of 2013 to use the funds for its intended proper purpose.

Mr. Pozar referred to the Work Session discussion this evening in regards to the accelerated payment to the Police and Fire Departments Pension Board funds in the amount of \$280,000 from the General Fund as stated in Mr. Gambosi's memo to Council. He asked what fund the \$280,000 was itemized on Ordinance No. 9057-13. Mr. Gambosi replied it was on Page 3, General fund - transfers out the last two items: Fund No. 701, Police Pension-Personal Services in the amount of \$130,000.00 and Fund No. 702, Fire Pension-Personal Services in the amount of \$150,000.00. He added he was going to try to pay over the next three (3) years a third over the time period if the City was allowed to pay or the City would have to "catch up" (pay) all at once. The Pensions need the money so it was requested that these payments be paid monthly instead of quarterly, which moved up the payment schedule. Mr. Pozar referred to Mr. Gambosi's Council memo where Mr. Gambosi stated the City would lose \$280,000 from the General

Fund. He thought if the commitment was for a monthly payment throughout the year for a certain amount of employees and the City spread out or accelerated the payment, then how could the City lose because the City was obligated anyhow. Mr. Gambosi explained it was a cash flow situation where the City would have four quarterly payments which would be actually five payments. In the fifth quarterly payment of 2012 would be carried into 2013, which was being requested in the availability to have the funds over a three (3) year period that quarter paid would have 1/3 of the amount of \$280,000 meant the City would be obligated to pay approximately \$100,000 per year for the next three (3) years in regards to the pension payment. Mr. Pozar stated for the record that he intended to support Ordinance No. 9057-13; however, he requested Mr. Gambosi not pay, if possible, the lump sum up front rather than spread the payments out.

The roll was called. Vote – Yeas: Batten, Koci, Mizsak, 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 concerns.

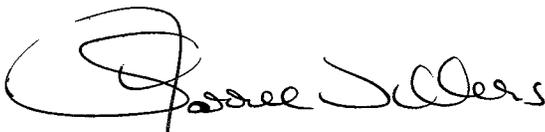
Jean Sapir, Southeast Cuyahoga County Public Library, 70 Columbus Road, spoke about one of their exciting events with Ian Adams, photographer and author of the book *Author Tea* on April 13, 2013 at 2:00 p.m.

Joyce Daunch, 86 Harriman Street, reported another successful FriDates program with Irish music from Ceud Mile Failte. The next event was The Most Southern Blues Band which played Argentine Latin, pop and blues. Over 50% of the attendees were from outside of Bedford and the church was packed. May 10, 2013 would start the new season.

Jean King, 267 Bexley Drive, stated for the record her neighbor at 261 Bexley was being evicted on March 29, 2013. She has lived in Bedford for 17 years and had watched this specific home decline over the last 15 years which was a travesty, along with many of the other homes in Bedford. With the poor condition of this home, she felt a bulldozer should knock it down. She knew the City was working on the Building Codes violations but it was sad to see these homes deteriorate.

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

Meeting adjourned at 8:37 P.M.


Clerk of Council


Mayor – President of Council