

**COUNCIL WORK SESSION
MONDAY, SEPTEMBER 16, 2013**

6:30 P.M. PROMPT

- **DISCUSSION OF AGENDA**
- **DISCUSSION OF FORMER BEDFORD POST OFFICE – Chuck Miller**
- **DISCUSSION OF BUILDING DEPT. UPDATE & DAYCARES – Beverly**
- **DISCUSSION OF HAWTHORNE VALLEY YOUTH COUNCIL**
- **EXECUTIVE SESSION - Personnel**

Bedford City Council met in a work session at Bedford City Hall on Monday, September 16, 2013 at 6:32 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, Law Director Ken Schuman, Clerk of Council Lorree Villers, Economic Development Director Mike Mallis, Building Commissioner Calvin Beverly, Finance Clerk Jon Lindow. Absent: None. Also Present: Joe Mestnik, Chuck Miller.

Mayor Pocek began discussion of the Regular Council Meeting agenda.

The minutes of the Work Session and the Regular Meeting of September 3, 2013 and the Special Work Session Meeting of September 9, 2013 were all approved by Council.

Ordinance No. 9107-13 was an ordinance amending Section 913.02 Water Rates of the Codified Ordinances. Mr. Gambosi explained the monthly minimum charge of Seventeen Dollars and Thirty-Four cents (\$17.34) commencing January 1, 2014. The water in excess of 300 cubic feet used during each month was measured by the water meter reading. So for each cubic foot of the first 100 cubic feet of water in excess of 300 cubic feet, there was a charge of one and eighty-nine one-hundredths cents (\$.0189). For each cubic foot of water in excess of the first 100 cubic feet immediately preceding, there was a charge of two and eighty-four one-hundredths cents (\$.0284) commencing January 1, 2014. Mr. Gambosi pointed out a couple of amendments that needed to be addressed by motion this evening to ensure the ordinance was correct. Council agreed with his requests. Mr. Angelo said this was a way to keep the fund healthy for repairs. He also noted there were also less flooding basements in the City. Mr. Saunders hoped for no more blockages throughout the City.

Ordinance No. 9108-13 was an ordinance contracting with Warren Fire Equipment, Inc. for SCBA in the amount of \$143,564. Mr. Angelo explained the Fire Department applied for a grant which covered most of the costs; the City's out of pocket was approximately \$4,000.

The motion to re-appoint Dennis Kotmel to the Board of Zoning Appeals (BZA) was on the agenda this evening. Mr. Saunders questioned the attendance of the members. Clerk Villers briefly explained the BZA did not meet often but it appeared there were two members that missed 50% of the time.

Chuck Miller was present this evening to present a power point for their building; the former Bedford Post Office in the Historical District. He showed pictures of all the renovations over the years and the final product which was stunning. He highlighted the two new entrances, necessary improvements for the Day Care and additional parking for the use of the proposed new tenant. He explained the building was too large for their current use and they needed to sell and move to a smaller location because of overhead costs. The Day Care that was interested was currently in Bedford and was doing well and they could utilize the building to its capacity. Council thanked Mr. Miller for his power point show and they would discuss his proposal and inform him of their decision. Mr. Miller thanked Council for their consideration. Council discussed the zoning issue because the building was in the Historical District of Bedford. It was determined it was illegal to do "spot zoning"; his request was almost impossible for the City to address unless Council and the Administration decided to change the boundary of the Historical District. Even though Doty & Miller had been a great corporate citizen; Mr. Miller's request was not possible. Mr. Schuman touched on the fact that the City did not have a moratorium on Day Cares in Bedford and the

issue was this request was in the Historical District. Mr. Angelo had hopes the City could assist in marketing this beautiful building. The building was on the market for \$400,000+ and Doty & Miller had made efforts to rent/sell to a professional type firm but they haven't been able to find such a business.

Mrs. Zolata requested an update of the Building Department since the City had hired a new Building Commissioner. She wanted to know what could be done about the issues the Police were having with repeat criminal nuisance calls. Mr. Pozar pointed out there was a difference between criminal nuisance issues with the Police and Building Code violations or properties being declared a nuisance because of an inhabitable or visual issue. Mr. Schuman said he was impressed with the work of Mr. Beverly; residents were being cited and this was a process that took time so Council needed to be patient. He explained Council viewed some of these issues differently than the Judges viewed them; so what was important/terrible to Council was not necessarily as important/terrible to the Judges and it could become frustrating.

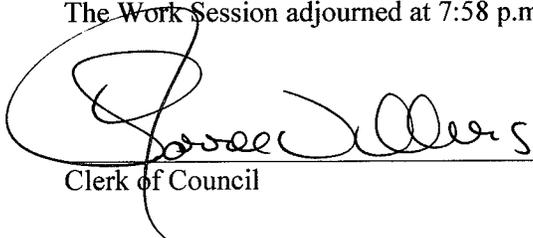
Mr. Angelo explained his view of the importance of the Hawthorne Valley Youth Council. He said the cost was \$415 per student but this was something Council needed to consider possibly at a later date because of the commitment the City had previously made for the Mentoring Program which was about halfway over. He said Oakwood's Clerk of Council Debra Hladky wanted to do a presentation for Bedford's Council. Council agreed to have her attend the October 7, 2013 Work Session and then Council would discuss this topic after Mrs. Hladky's presentation.

Mr. Schuman announced the purchase of two parcels near the old Taylor Chair business. The Administration would be discussing a possible sale to the Metroparks.

Discussion of the Regular Meeting agenda was concluded.

Everyone was in agreement there was no need for the executive session to discuss personnel.

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 16, 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 September 3, 2013
- b. Approval of Minutes of the Regular Meeting of September 3, 2013
- c. Approval of Minutes of the Special Work Session of September 9, 2013

5. **REPORTS**

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

6. **NEW BUSINESS**

- a. Ordinance No. 9107-13 amending Section 913.02 Water Rates of the Codified Ordinances
- b. Ordinance No. 9108-13 contract with Warren Fire Equipment, Inc. for SCBA (\$143,564)
- c. Motion to re-appoint Dennis Kotmel to the Board of Zoning Appeals

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 16, 2013

Bedford City Council met in Regular Session at Bedford City Hall on Monday, September 16, 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: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Absent: None.

Motion made by Pozar and seconded by Mizesak to approve the minutes of the Work Session of September 3, 2013. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Zolata and seconded by Koci to approve the minutes of the Regular Meeting of September 3, 2013. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Pozar to approve the minutes of the Special Work Session of September 9, 2013. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizesak. Nays: None. Motion carried unanimously.

City Manager, Henry Angelo announced the Composting Seminar on Thursday, September 19, 2013 at 7:00 p.m.

No report from Law Director, Ken Schuman.

Finance Director, Frank Gambosi spoke about the Homestead Exemption for 65 years and older or disabled persons. The laws were going to be changing very shortly. There was an application process that needed to be filed by June 2, 2014. The information would be in a future Utility Bill for the residents. The Homestead Department phone number to call was 216-443-7050 for additional information.

Mayor Pocek congratulated everyone that was involved in the Weekend of the Pooka event. He reminded everyone the Elmer Flick Statue Unveiling was September 25, 2013 from noon until 2:00 p.m. The Service Department was doing a great job building the wall. He stated the two major players for this whole event was Mr. Angelo and Ms. Villers. This event was a long time coming. He introduced the new Building Commissioner Calvin Beverly.

No report from Councilman Batten.

Councilman Koci was very pleased with the outcome of the Weekend of the Pooka Celebration of the Arts. It was better than he could have ever hoped for.

Councilwoman Zolata was also was delighted with the Celebration of the Arts event. She pointed out the absentee ballot will not be mailed to the residents; an application had to be submitted to receive it.

Councilwoman Mizesak noted the residents in her area were happy with the road resurfacing project. She told Mr. Angelo there were a couple street lights burnt out at the corner of Ledgewood Drive and West Glendale.

Councilman Pozar asked if the Homestead Exemption forms could be possible for the residents at City Hall. Mr. Gambosi replied, the forms would not available until January 2, 2014. He urged the residents to call the number in order to be added to the list. He understood the forms would be sent to the individuals but he would check to see if he could get extras for City Hall. Mr. Pozar congratulated the land acquisition of the 6.2 acres of the Taylor Road property with three more acres to acquire. He asked how

the West Grace traffic issue had been resolved. Mr. Angelo explained the Police Department had monitored the area and the three worst spots for traffic congestion; there was only one accident only because the person was impatient. He noted there was traffic congestion twice a day. Mr. Mallis added he figured the project would be completed at the end of this week.

Councilman Saunders said he had approximately 24 absentee ballots in his car if anyone wanted one this evening. He mentioned St. Mary's Parish celebrated their one year anniversary of re-opening. The celebration consisted of a spaghetti dinner and a tour for attendees. He noted the parish had been in existence for almost 100 years. He congratulated the Citizen of the Year Albert Peters.

ORDINANCE NO. 9107-13, an ordinance amending Section 913.02 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 Zolata seconded by Batten to amend Ordinance No. 9107-13 to reflect the ordinance Council review during the Work Session. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Mizsak seconded by Zolata to place Ordinance No. **9107-13** on third and final reading and passed.

Mr. Gambosi explained the 4% increase was necessary to keep the fund healthy. A bill of \$50 would average out to a \$2 monthly increase based on the numbers to make ends meet.

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

ORDINANCE NO. 9108-13, an ordinance authorizing and directing the City Manager to enter into a contract with Warren Fire Equipment, Inc. being the lowest, responsive and responsible bidder and declaring an emergency was read by title only.

Motion made by Batten seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Pocek, Pozar, Saunders, Zolata, Batten, Koci, Mizsak. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Ordinance No. **9108-13** on third and final reading and passed.

Mr. Angelo explained this would allow the Fire Department to purchase a Self – Contained Breathing Apparatus. A \$139,000 Grant assisted the City in this purchase; the City's share was approximately \$4,000.

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

Motion made by Koci seconded by Zolata to re-appoint Dennis Kotmel to the Board of Zoning Appeals. The roll was called. Vote – Yeas: Pocek, Pozar, Zolata, Batten, Koci, Mizsak. Nays: Saunders. Motion carried.

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, explained the publicity for the Weekend of the Pooka was covered by WVIZ and WCLV Radio and Facebook; this publicity could not be measured. Her son said the Facebook had 2,885 hits to date. She stressed a lot of positive things happening for Bedford. She thanked everyone for their support for this event.

Sandra Ball, 80 Ellenwood Avenue, pointed out there were residents in her area that were not aware of the boil alert. She asked who was responsible in alerting the residents. Mr. Angelo replied, the Water Department and he was surprised it wasn't handled.

Joe Rzeszut, 121 Cowles Avenue, pointed out the litter around the area of the Lincoln Boulevard, Northfield Road area. He previously sent an email to the schools to make the students aware of their littering.

Debora Mallen, former Mayor of Bedford Heights, 5371 Mardale Avenue, Bedford Heights, said she attended the Weekend of the Pooka event where she observed the sense of community. She looked forward to 2014.

Rickeya Gilliam, 619 Northfield Road, asked for an appeal regarding the child care at this location. She previously spoke to Mayor Pocek and Mr. Beverly regarding an appeal. She obtained additional information from ODJFS regarding the playground area and traffic. She clarified the playground area required 60 square feet per child presently playing in the area; her area allowed 10 children to play at one time. She was only having five students per class so this was more than enough space for the utilization of the children. ODJFS only required a natural fencing; they would be installing fencing around this area. She was willing to provide and post any signage for traffic direction as deemed by the City or Council. She asked for an appeal from the City or Council of the day care being at this location. Mr. Schuman said the issue at 619 Northfield Road had been already been ruled on by Council. Some of the issues were inadequate parking, inadequate play area, and a safety issue because the building was so close to Northfield Road. He said any appeal Mrs. Gilliam would have at this point would have to go before the Common Pleas Court in Cuyahoga County. Mrs. Gilliam asked for a contact person. Mr. Schuman replied, Mrs. Gilliam could do that on her own or she could hire an attorney to file the appeal. Mrs. Gilliam thanked Mr. Schuman. Mr. Schuman thanked Mrs. Gilliam.

Sabrina Future, 15 Charles Street, questioned the children playing basketball in the street on Paul Street. She understood from the children the basketball hoops were taken down. Mr. Schuman explained the basketball hoops remained at the schools and Ellenwood Recreation facility. Residents that lived near the certain areas/neighborhoods complained about the children causing problems; foul language, screaming, yelling, cussing, smoking dope, and doing drugs. Children were not permitted to play in the streets unless it was a certain cul-de-sac. Interstate, Taft and Glendale Parks had their basketball hoops removed; this was a wide spread city problem. Ms. Future asked if this could be discussed again; she did not want the kids playing in the streets. Mrs. Zolata added the reason some of the basketball hoops were taken down was because of young adults causing the problems. The basketballs hoops were taken down after several complaints, neighborhood meetings and at the request of the neighborhood themselves. Ellenwood Recreation Department offered a basketball program. Mayor Pocek noted the younger children were driven away by the older children or young adults. The Greencroft Park was ruined by young adults from Maple Heights.

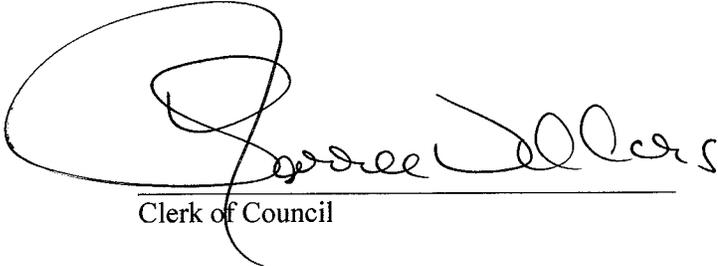
Sandy Spinks, 265 Grand Boulevard, was surprised someone from the School Board was not present to brag about the Bearcats band that was mentioned this morning. She mentioned kudos to Pastor Mike

Dennis. She stressed he was a big asset to Bedford. She was in favor of the youth programs and new programs were in the making.

Mrs. Zolata noted Mayor Pocek was the spearhead of the Weekend of the Pooka – Celebration of the Arts. Mayor Pocek commented there were a lot of people involved but he thought this past weekend was the push everyone was looking for.

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

Meeting adjourned at 8:35P.M.



Joanne Mizesak

Clerk of Council



David S. Pocek

Mayor – President of Council