

**COUNCIL WORK SESSION
MONDAY, SEPTEMBER 17, 2012**

6:30 P.M. PROMPT

Refreshments will be served

- **DISCUSSION OF ASSESSMENT EQUALIZATION BOARD APPOINTMENTS**

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

- **DISCUSSION OF AGENDA**

- **DISCUSSION OF TREE LIGHTING CEREMONY DATE**

- **EXECUTIVE SESSION – Personnel**

Bedford City Council met in a Work Session at Bedford City Hall on Monday, September 17, 2012 at 6:39 p.m.

Present: Council Members: Mayor Daniel Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizesak, 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, Economic Development Director Mike Mallis. Absent: None.

Mayor Pocek rearranged the agenda to accommodate Mr. Mallis who was present this evening. Mr. Mallis announced the traditional Tree Lighting ceremony would be moved back to its regular date and time. He will be having a meeting with Gina Piertagostine and the others and would inform Council and the Administration of the outcome. Everyone seemed to be very pleased that the ceremony would take place as it had for many years.

Mayor Pocek then started with the agenda discussion topics.

Council had no issues with the September 4, 2012 Work Session minutes or the September 4, 2012 Regular Council minutes.

Ordinance No. 9001-12 was an ordinance amending Ordinance No. 8905-11 making additional appropriations for current expenditures of the City of Bedford, Ohio during the year 2012. Mr. Gambosi referred to his memo to Council. He explained that it was for several pieces of Police Department equipment, a couple grants and a pension fund increase. Council had no questions.

Ordinance No. 9002-12 was an ordinance authorizing the City Manager to enter into a contract with Bid-RX. Mr. Schuman explained Bid-RX was an on-line prescription bidding company that would bid out the cost of prescriptions to various competing agencies for those employees that signed up for this program. There were a few employees that had some very expensive prescriptions that the City hoped would be reduced by using this company. If the employees signed up for this program, it would save the City a lot of money. This program had a 90 day refill policy and the Administration thought it would be best to do a one year trial to evaluate what the savings would be.

Ordinance No. 9003-12 was an ordinance authorizing the City Manager to enter into a contract w/Don Mould's Plantation Inc. for the Bedford Automobile Enhancement Project. Mr. Angelo explained the costs started with a \$215,000 bid which also included a \$150,000 grant, a \$20,000 insurance claim refund and the City's contribution of \$45,000 and this project would be constructed in a few different phases. Mr. Saunders had concerns that some of this project could be torn out during another project that was planned plus there might be a line of sight issue. Mr. Batten and Mr. Pozar wondered if there was going to be anything in the center of the road because it could be a hazard and unsafe. There was concerns regarding using this contractor because of a previous project that was done in the City. Some felt Mr. Mould's didn't do a nice job on his last project.

Ordinance No. 9004-12 was an ordinance authorizing the City Manager to enter into a contract w/Marni Inc. for the Bedford Housing Rehabilitation Program. Mr. Angelo explained there were four NSP homes and four HUD homes that were being brought up to code through this project. These homes would be placed on the market for sale after all the items had been addressed. The program income from the sale of these homes would remain with the City. When an inspection was done recently, there was a few more

code violations found that needed addressed. The homes would be violation free after the repairs were done.

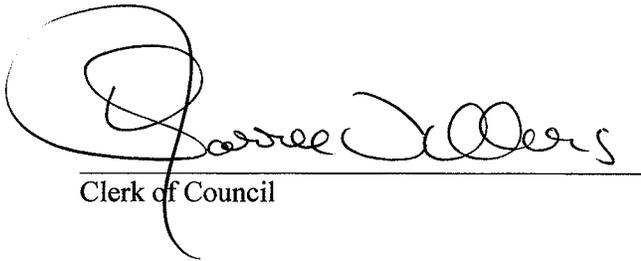
The motion to accept the recommendation of the TIRC Meeting of August 23, 2012 was explained by Mr. Schuman. He said the County was very accommodating because of the economy and things that had occurred over the past year. He thought Council should accept the TIRC's recommendation this evening.

Council briefly discussed the re-appointment for the Civil Service Commission position. They decided to forward this topic to the next meeting because there was nothing pressing at the time.

The Motion to select three residents for the Assessment Equalization Board was an O. R. C. Section 727.15 requirement per Mr. Schuman. The City had received a letter from the Sisters of Charity who did not feel they were required to pay the \$4,051.40 street lighting assessment. Mr. Schuman couldn't understand where they thought they had an educational facility so this issue needed to be heard by the Board. He urged Council to select the members this evening and not prolong the decision. Council agreed to select Jean King, Jean Sapir and James Dell Judd as the new members of this Board.

At 7:15 p.m., Bedford City Council went into an executive session to discuss personnel. Executive Session recessed at 7:57 p.m. so Council could attend the Regular Council Meeting. Council reconvened at 9:00 p.m.

The Work Session adjourned at 9:20 p.m.



Clerk of Council



Mayor – President of Council

REGULAR MEETING

**BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA**

DATE: September 17, 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 September 4, 2012
- b. Approval of Minutes of the Regular Meeting of September 4, 2012

5. REPORTS

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

6. NEW BUSINESS

- a. Ordinance No. 9001-12 amending Ordinance No. 8905-11 making additional appropriations
- b. Ordinance No. 9002-12 authorizing the City Manager to enter into a contract w/BidRX
- c. Ordinance No. 9003-12 authorizing the City Manager to enter into a contract w/Don Mould's Plantation Inc. for the Bedford Automobile Enhancement Project (\$215,000)
- d. Ordinance No. 9004-12 authorizing the City Manager to enter into a contract w/Marni Inc. for the Bedford Housing Rehabilitation Program (\$128,484)
- e. Motion to accept the recommendation of the TIRC Meeting of August 23, 2012
- f. Motion to appoint members to the Assessment Equalization Board (3 appointees)

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 17, 2012

Bedford City Council met in Regular Session at Bedford City Hall on Monday, September 17, 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: Mizesak, Pocek, Pozar, Saunders, Zolata, Batten, Koci. Absent: None.

Motion made by Mizesak and seconded by Pozar to approve the minutes of the Work Session of September 4, 2012. The roll was called. Vote – Yeas: Mizesak, Pocek, Pozar, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Koci to approve the minutes of the Regular Meeting of September 4, 2012. The roll was called. Vote – Yeas: Mizesak, Pocek, Pozar, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

No report from Henry J. Angelo, City Manager.

No report from Ken Schuman, Law Director.

No report from Frank Gambosi, Finance Director.

No report from Councilman Saunders.

Councilman Pozar reminded everyone that on September 17, 1787 the Constitution of the United States was passed which was 225 years ago. There had been 27 amendments to the Constitution over the years. He had concerns with the direction the Constitution was going. He said recently in the State of Ohio there had been some changes to the OPERS, which was the city employees' retirement. The State of Ohio was in the top five (5) worst in funding city employee pensions (excluding teachers). He added California, Illinois, Massachusetts and New Jersey were the other states. Ohio had government employee pension obligations in an excess of \$190 billion promised to government employees with only \$115 billion in the retirement program, meaning a \$75 billion shortfall for upcoming government employee retirements. He stressed there needed to be a reality check for those involved. Council and the Administration had a lot to discuss and consider during budget discussions.

Councilwoman Mizesak thanked everyone for attending the meeting this evening. She requested Clerk Villers to open her birthday present which was a token of appreciation for all she has done for Council in the short amount of time she has been with the City. Ms. Villers thanked Council for the beautiful flowers. Mrs. Mizesak also wished Mr. Batten a Happy Birthday. She pointed out how hard he worked at all the festivals.

Councilwoman Zolata pointed out the Weekend of the Pooka event was "fantastic". She believed with all the events in Bedford, it was making Bedford a destination. A lot of the visitors that attended the Weekend of the Pooka event were from out of town. She thanked Mr. Batten for all his hard work at the numerous events he helped with every year. She announced the Light of Hearts event on October 14th dinner and fall festival. Since the leaves were starting to fall, was there a date set for leaf pickup. Mr. Angelo instructed everyone to rake their large group of leaves to the street and then call the City for pickup. Mrs. Zolata noted that Council had not come to any conclusion regarding the 2013 fireworks.

Councilman Koci thanked everyone for their participation regarding the fantastic Weekend of the Pooka event. He was very pleased with the outcome of this community event; 40% - 50% that attended were from out of town. Visitors complemented how nice the event was along with the appearance of the downtown area.

No report from Councilman Batten.

Mayor Pocek talked about the Battle of Antietam where in one square acre of field 5,000 union soldiers were killed in one hour. This was considered the bloodiest day in American history 150 years ago today. He then congratulated Mr. Pozar on his winning in the golf tournament. Mayor Pocek also read a letter from Shirley Taussig from Hudson, Ohio regarding a family that visited the Bedford Cemetery who complemented the grounds and the great care of the headstones.

ORDINANCE NO. 9001-12, 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 Batten seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days.

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

Motion made by Mizensak and seconded by Pozar to place Ordinance No. 9001-12 on third and final reading and passed.

Mr. Gambosi explained this was for several pieces of Police Department equipment, a couple grants and a pension fund increase.

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

ORDINANCE NO. 9002-12, an ordinance authorizing the City Manager to enter into a contract with Bid-RX and declaring an emergency was read by title only.

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

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

Motion made by Batten seconded by Zolata to place Ordinance No. 9002-12 on third and final reading and passed.

Mr. Schuman explained Bid-RX was an on-line prescription bidding company that would bid out the cost of prescriptions to various competing agencies for those employees that signed up for this program. If the employees signed up for this program, it would save the City a lot of money. Mr. Pozar asked if this type of program could be forwarded to the residents. Mr. Schuman said the Administration was currently in discussions to see if there was a benefit for the residents.

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

ORDINANCE NO. 9003-12, an ordinance authorizing and directing the City Manager to enter into a contract with Don Mould's Plantation Inc., for the Bedford AutoMile Enhancement Project being the lowest, responsive and responsible bidder, and declaring an emergency was read by title only.

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

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

Motion made by Pozar and seconded by Mizesak to place Ordinance No. 9003-12 on third and final reading and passed.

Mr. Angelo explained this topic has been in the works for the past two (2) years. The pictures were displayed during all the Ward Meetings for review. This area would be branded as the Ohio Bedford Historic AutoMile. The bid was for \$215,000 which included a \$150,000 grant, a \$20,000 insurance claim refund and the City would be contributing \$45,000 toward the project. This project would be constructed in different Phases. Mr. Saunders wanted to make sure this project was coordinated with the Rockside Road Project that would be west of Broadway and all site distances would be checked.

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

ORDINANCE NO. 9004-12, an ordinance authorizing and directing the City Manager to enter into a contract with Marni Incorporated for the Housing Rehabilitation Program, being the lowest, responsive and responsible bidder, 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: Mizesak, Pocek, Pozar, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Batten to place Ordinance No. 9004-12 on third and final reading and passed.

Mr. Angelo explained there were four NSP homes and four HUD homes that were being brought up to code through this project. These homes would be placed on the market for sale. The program income from the sale of these homes would remain with the City. The homes would be violation free after the repairs were done. Mrs. Mizesak asked who the other company was that placed a bid. Mr. Angelo replied, Cleveland Restoration at \$178,000+. Mr. Saunders asked if these homes were going to be prioritized. Mr. Angelo wasn't sure of a priority list but there was a timeframe the homes had to be completed.

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

Motion made by Koci and seconded by Batten to accept the recommendation of the TIRC Meeting of August 23, 2012.

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

Motion made by Zolata and seconded by Mizesak to appoint Jean King, Jean Sapir and James Dell Judd to the Assessment Equalization Board.

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

Kathy Williams, 491 Lamson Avenue, said since the NSP and HUD homes were being fixed, has the City Manager hired a new Building Commissioner. Mr. Angelo explained he was down to the final two interviewees. Ms. Williams asked if the candidates were current employees or if they were from outside the city. Mr. Angelo replied the candidates were not current employees.

Sandy Spinks, 265 Grand Boulevard, thanked Mr. Batten, Mr. Saunders and Mrs. Zolata for all their help for the fund raiser. She said Saturday their attendance was 105 people and Sunday 85 people were present. People were commenting what a great event the Weekend of the Pooka was and what a nice place Bedford was. One of her co-workers daughters just moved to Bedford from Shaker Heights and she was impressed with Bedford and thought it was one of the best places she had ever lived.

Marlene Hall, 147 Center Road, asked if the City of Bedford would like to purchase her home because of all the flooding issues they experienced this past summer. The flooding problems started May 21, 2012 to September 4, 2012. The water level had reached 10 inches in her basement. She felt her home had now become a storm water sanitary sewer container in her basement. She stated the flooding was bad in May 2012 but had become worse by September 2012. She wanted to know what the City was going to do about her flooding problems. Mr. Angelo explained there were four different instances where Mrs. Hall had flooding issues and the City responded every time. Two times out of the four responses the City found blockages and removed them. He hoped the second blockage that was found curried their flooding issues. All the lines had been televised from her house through the sanitary sewer, storm sewer and sewer. He could not guarantee any resident that they would never have another flooded basement but he felt her problem should be resolved. Mrs. Hall noted it was going to rain this evening and that was the only time they could determine if the work the City had done was correcting their flooding problem.

Mrs. Hall asked if Mr. Angelo would put the steps the City has taken to address her flooding issues in writing. She stressed nobody would like to live this way. She offered to show the five gallon bucket of sludge her husband shoveled out of their basement. She felt that maybe the service workers were not qualified employees. She asked Mr. Bellar to put whatever they needed to do in writing so they knew what to do. Mr. Angelo reiterated that two out of the four times the City found blockages and removed them. He explained when it rained a lot of rain in a short time, it was called surcharging which was putting 3 gallons into a one gallon bucket and it doesn't work. 90% of the resident's footer drains were tied into the sanitary sewer system. He stressed under certain rainfall situations, the waste water plant can't handle the overflow. Mrs. Hall thought maybe when the new City Hall, Court and Fire Department complex was built in 2003; it wasn't properly designed to drain the water. Mr. Angelo stated the City Hall complex was not the problem; the problem was the two blockages that were found.

Mrs. Hall thought Mr. Angelo really didn't know everything about Bedford and she hoped he could use his 13 years of expertise on sewers to solve their problems. Mr. Angelo stressed since he had been here, he has addressed sewer flooding problems all over Bedford. Mrs. Hall again asked Council/Mr. Angelo to buy her house because she did not want to live there anymore.

Joyce Daunch, 86 Harriman Avenue, thanked Council and everyone for their efforts. She noted the City should expect a complete report from her in the very near future. She stated the attendance had increased since the previous years and the event was drawing people to Bedford. Mrs. Mizsak asked Ms. Daunch to explain the blue fliers that were passed out at the event. Ms. Daunch explained the new program called "Fridays", which was a "free concert" to the public of all different kinds of music from classical, blue

grass, Latin jazz, Irish music to name a few. She noted the Cleveland Federation of Musicians and the City had contributed special funding for these free concerts during the winter months starting October 19, 2012.

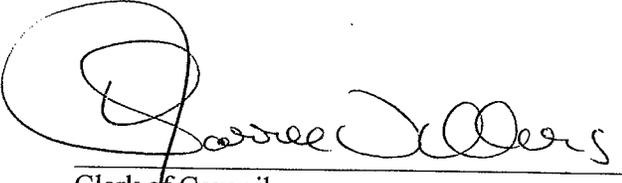
Jim O'Neil, 155 Gould Avenue, called the Service Department for branch pickup. He said the branch pickup was by appointment only and it had been like that for years. He suggested that when the service workers found branches piled on the tree lawn, to go ahead and pick them up but tag the resident's door to inform them of the process to call and make an appointment. A lot of the residents were renters and some of the landlords don't know the process. He referred to the south corner of the Fire Department that had a fungus growing on it. Mr. Angelo explained the City had been experimenting with some different high pressure washes to try and remove the fungus.

Mrs. Zolata explained the numerous flooding problems she has had in her ward for years and years. There were several different types of attempts to fix the problems and then Mr. Angelo suggested the dye testing program in her area. The testing showed some issues which were addressed. Mrs. Hall still had doubt if the service workers were qualified. Council, the Administration and a few residents in the audience felt the City had very qualified workers on its staff.

Mayor Pocek announced Council would reconvene the Work Session Executive Session at 9:00 pm.

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: Mizsak, Pocek, Pozar, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

Meeting adjourned at 8:47 P.M.



Clerk of Council



Mayor – President of Council