

**COUNCIL WORK SESSION
MONDAY, APRIL 5, 2010**

5:45 P.M. PROMPT

DINNER AT 5:45 P.M.

- DISCUSSION OF AGENDA ✓
- NEW FIRST ENERGY REPRESENTATIVE – Terry Killeen ✓
- STUDENT GOVERNMENT DAY ✓
3-24 5-10 1-2 ✓
- WARD MEETING DATES – April 26, May 10 and May 24 ✓
- DISCUSSION WITH BUILDING COMMISSIONER – Phil Seyboldt ✓
- MINISTER'S CIVILITY TASK FORCE – Mayor & City Manager ✓
- STORMWATER IMPACT FEES – City Manager ✓
- PARKING/MERCHANTS IN DOWNTOWN – City Manager
- **EXECUTIVE SESSION** – Sewer District Litigation

Bedford, Ohio

April 5, 2010

Bedford City Council met in a work session at Bedford City Hall on Monday, April 5, 2010 at 5:45 p.m.

Present: Council Members: Mayor Dan Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizsak, Greg Pozar, Don Saunders. Also Present: Clerk of Council Kathleen Lynch. Administration: City Manager Henry Angelo, Finance Director Frank Gambosi, Assistant Law Director John Montello and Building Commissioner Phil Seyboldt. Other: First Energy Representative Terry Killeen. Absent: Ken Schuman.

Mayor Pocek began the Work Session with discussion of the Regular Meeting Agenda.

Mr. Montello said Ordinance No. 8584-10 is in regards to a home at 264 Columbus Road. The Police Department responded numerous times and the homeowner was notified any further Police response would result in payment for the Police response time. The amount owed was \$212.98 and the homeowner was given 30 days to remit payment. The homeowner failed to do this so the next step is to assess the property.

Councilwoman Zolata asked the City Manager if he could look into the property at 33 W. Interstate. The Police have responded to that residence numerous times and she would like to know if this ordinance would apply there.

Ordinance No. 8585-10 is for the purchase of the residence at 166 Woodrow. This is part of the Neighborhood Stabilization grant the City received. Mr. Seyboldt said the home is in very bad condition. The grant was for homes specifically in the Presidential area of Bedford.

Mr. Montello said Ordinance No. 8586-10 was also a purchase of a residence through this grant, but the name on the title had to be changed and therefore the previous Ordinance had to be amended.

The Mayor said Ordinance Nos. 8587-10 and 8588-10 were both for homes the City already owns. The first is to install an alarm system, the second for further repairs at 324 Paul Street.

Discussion of the Regular Meeting Agenda was concluded.

At this time, Terry Killeen, the City's new First Energy Representative gave a brief presentation to Council. Mr. Killeen has 22 years with First Energy and has worked in various departments. He will be representing a total of 14 different cities. He told Council the best way for a resident to report an outage is to call 1-888-Lights.

Mr. Killeen took questions from Council on various items.

The next item on the Work Session Agenda was Student Government Day. Mayor Pocek said the format over the past few years is not what it should be. It should be about the students' and not a platform for other political issues. The topic discussed by the Mayor of Oakwood went right over the students heads. He has spoken to School Board Member Tim Tench on this and has told him if it continues this way, he does not want to participate.

The Mayor said the idea of rotating between the four different communities that make up the School District has been discussed. Mr. Tench said they were considering doing two communities every other year. There is an obvious lack of interest from the students. This program used to be for Juniors and Seniors and now there are Freshman participating. Mayor Pocek said it should be a part of the Government class, not an extracurricular.

Councilman Pozar does not like the idea of the rotation every other year. This was a good program and needs to continue to bring constant awareness to the students. It is a direct reflection of the High School and changes need to be done at that level in order for it to be fixed.

Council discussed sending a letter to the members of the School Board about their concerns. It will be discussed further and decided at a later date.

The dates for the Ward Meetings was the next item on the Work Session Agenda. Discussion took place on what wards would be on what days. It was determined that Monday, April 26 would be Wards 3 and 4; Monday, May 10 would be Wards 5 and 6; and Monday, May 24 would be Wards 1 and 2.

Building Commissioner Phil Seyboldt gave a presentation on the Neighborhood Stabilization Program grant the City of Bedford received. He presented Council and the Administration with a report on the four houses the City has purchased through this grant and the repairs that will be done.

Mr. Seyboldt discussed how the City will take the \$500,000 grant and use it for the purchase and repairs of these four homes. The money made from selling the homes can then be used for more homes in the Presidential District. The City can continue to use the funds it makes from selling these houses until there is no money left. The money cannot be used for any other reason. Mr. Seyboldt said the same purchasing parameters the City has been using are still in place for these homes.

Mr. Seyboldt discussed the report he gave Council, for every item that needs to be repaired there will be two bids received.

Councilwoman Zolata asked if other wards would be able to use the money that the City makes off the sale of these homes. Mr. Seyboldt said no, it has to be used in that specific area.

The next item on the Work Session Agenda was the Minister's Civility Task Force. Mayor Pocek said Councilwoman Zolata has attended all of the meetings. The Mayor had a meeting with all the area Ministers and shared with him a book on civility. There is a problem with those under the age of 40 in this Country on this topic. Quality of life is a top priority of this Council and reaching out to the Ministers in the area has been successful thus far.

Mr. Angelo suggested having Doug Bouquist, the Pastor at the Bedford Nazarene, come in to a Work Session to explain exactly what they are doing. They are in the beginning stages of many programs and they hope to go into the schools. They have also reached out to the Bedford Police Department and Chief Duber will be speaking with them. A date will be set up for Pastor Bouquist to come in and speak to Council

Mr. Angelo discussed the next item on the Agenda, the stormwater impact fees. Mr. Angelo said the Northeast Ohio Sewer District will be imposing a fee to the residents of Bedford, and all communities in Cuyahoga County, soon. His concern is to make sure the residents of Bedford know this is not a fee issued by Council. Mr. Angelo and Mr. Ciuni having been discussing this topic and the proper way to have it billed.

Mr. Angelo said the Northeast Ohio Sewer District is willing to come out and talk to the residents about this and the reason for it. Discussion of having a representative at the Ward Meetings or a Public Hearing were discussed. Mr. Angelo will look into both of these matters and get back to Council for a decision on how to proceed.

Mr. Angelo discussed parking in the downtown area. He has spoken to most of the merchants and the need for them to not park out front past the two hour point. Mr. Angelo is working with the Police Department on this issue. The two hour parking will be kept. Mr. Angelo will keep Council informed on what takes place.

The last item discussed was added by Mr. Angelo. The item was the youth program through the County. The County will allow Bedford to hire 10 to 15 young adults to work during the summer. They have to meet certain financial restrictions but the County would pay them. They would let the City hire them, and will look for Bedford residents to do this. Some that already have worked for the City in the past may qualify under this program. They would work 20 hours per week and are not permitted to use any power or heavy equipment. Mr. Angelo asked Council if he could proceed with this program. All of Council was in agreement.

At this time, Bedford City Council and Administration went into an executive session to discuss Sewer District Litigation.

Work Session was adjourned at 7:50 p.m.


Clerk of Council


Mayor – President of Council

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL - all

4. APPROVAL OF MINUTES

- a. Approval of Minutes of the Work Session of March 15, 2010 - abstain Pocek ST M → all
- b. Approval of Minutes of the Regular Meeting of March 15, 2010 ↓ BT Z → all

5. REPORTS

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

6. NEW BUSINESS

- a. Ordinance No. 8584-10, certifying to the County Auditor costs associated with Police response to 264 Columbus Road
- b. Ordinance No. 8585-10, authorizing the City Manager to execute a purchase agreement with Terry and Melissa Byrne for the purchase of the residence at 166 Woodrow (\$40,000.00)
- c. Ordinance No. 8586-10, amending Ordinance No. 8577-10 authorizing the purchase of the residence at 831 Lincoln Blvd.
- d. Ordinance No. 8587-10, authorizing the City Manager to enter into a contract with Digital Home Systems, Inc. for alarm monitoring service at 775 Lincoln Blvd. (\$455.00)
- e. Ordinance No. 8588-10, authorizing the City Manager to enter into a contract with Do It All Paul for various repairs at 324 Paul (\$950.00)

7. HEARING OF CITIZENS

8. ADJOURNMENT K + M →

Bedford, Ohio

April 5, 2010

Bedford City Council met in regular session at Bedford City Hall on Monday, April 5, 2010. Mayor Pocek called the meeting to order at 8:03 P. M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Zolata, Batten, Koci, Mizsak, Pocek, Pozar, Saunders.

Motion made by Saunders seconded by Mizsak to approve the minutes of the Work Session of March 15, 2010. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Mizsak, Pozar, Saunders. Nays: None. Abstain: Pocek. Motion carried.

Motion made by Batten seconded by Zolata to approve the minutes of the Regular Meeting of March 15, 2010. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Mizsak, Pozar, Saunders. Nays: None. Abstain: Pocek. Motion carried.

The City Manager said the City is in the process of evaluating the computer software and hardware systems throughout the City. It is the hope to streamline and update all of that information. Mr. Angelo asked Council if they had any concerns to bring them to him. There is an on-site evaluation that has already begun.

Mr. Angelo said energy conservation is also being reviewed throughout our City buildings. The net result will be energy savings. This is all being done with a \$140,000 grant.

Mr. Angelo said a drive through of the City was completed with the City Engineer and the Service Director. They made a very comprehensive list of streets that need to be repaired, but whether or not the City has the funds to do those streets is questionable. There is a wish list, a need list and what the City can afford list.

Mayor Pocek said Mr. Schuman is on vacation with his family but Assistant Law Director John Montello is here in his place.

No report from the Assistant Law Director.

The Finance Director said the Tax Department will be open this Saturday, April 10 from 9:00 a.m. to 1:00 p.m. The online system is also doing very well this year. Last year approximately 1,200 used the online system and it is expected that 1,500 will use it this year. Mr. Gambosi is already starting next year's budget and finishing up last year's audit. The City completed the Worker's Compensation audit and now the audit is on the regular financials.

Mayor Pocek said the Ward Meetings have been set: Monday, April 16 for Wards 3 and 4; Monday, May 10 for Wards 5 and 6; and Monday, May 24 for Wards 1 and 2.

The Mayor said it has been a pleasant week for weather, the trees are budding. It is time to start looking around your yards, the City is hoping to promote a clean-up day.

Mayor Pocek extended condolences to a member of the audience, Kathy Williams, on the loss of her mother.

Councilwoman Mizsak also passed along her condolences to Kathy Williams. She thanked everyone for coming to the meeting tonight.

Councilwoman Zolata hoped everyone had a nice Easter. The weather cooperated. The Recreation Department, as usual, put on a lovely Easter egg hunt. The clean-up day will be on an as needed basis. If there are any properties in your neighborhoods that need special attention, please contact your Council person.

Mrs. Zolata asked the City Manager about a vicious dog attack that happened in her Ward. There is an ordinance in place, so again if the residents see anything please call the proper authorities.

The City used to have a sidewalk program, but with the budget it is no longer available. However, if there are sidewalks that need to be fixed that should be reported as well.

Mayor Pocek said the City met with the County and the resurfacing of Rockside Road will begin in July. Their goal is to do all of Bedford this year. It is long overdue.

Councilman Batten thought they were only going to do from Broadway to Warrensville. Mayor Pocek said the County felt they could probably do all of it depending on the weather.

Mr. Angelo said Joe Ciuni, the City Engineer, had met with the County and indicated to him that the County did in fact state they were going to try and do all of Bedford this year.

ORDINANCE NO. 8584-10, an ordinance authorizing the City of Bedford to certify to the County Auditor the costs associated with Police response to 264 Columbus Road 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: Zolata, Batten, Koci, Mizesak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizesak to place Ordinance No. 8584-10 on third and final reading and passed.

Mr. Montello said when the City receives numerous calls out to a property there is a warning letter sent first indicating if there are any further calls then they will be charged for the Police response. If they do not pay the costs they can then be assessed to the property.

Councilman Saunders said the landlord has finally had the tenants move out of this property.

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

ORDINANCE NO. 8585-10, an ordinance authorizing the City Manager to execute a purchase agreement with Terry and Melissa Byrne in the form attached hereto and incorporated herein for the purchase of the residence at 166 Woodrow Avenue, Bedford, Ohio (Permanent Parcel Number 813-13-051) 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: Zolata, Batten, Koci, Mizesak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Koci to place Ordinance No. 8585-10 on third and final reading and passed.

Mr. Angelo said this property is a part of the Neighborhood Stabilization grant, there is no cost to the City of Bedford, or the general fund. The City is working very diligently to make sure there are stabilized neighborhoods. This home will be rehabbed and sold.

Mayor Pocek said it is part of a \$500,000 grant received. The area of the Presidential District qualified for this money.

Councilman Saunders said this house has had one of the most complaints over the years. It has been let to run down for some years now. This is a welcome relief to the neighborhood.

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

ORDINANCE NO. 8586-10, an ordinance amending Ordinance No. 8577-10 authorizing the City Manager to execute a purchase agreement with Wells Fargo Bank, NA, Trustee in the form attached hereto and incorporated herein for the purchase of the residence at 831 Lincoln Boulevard, Bedford, Ohio (Permanent Parcel Number 813-18-025) 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: Zolata, Batten, Koci, Mizesak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Zolata to place Ordinance No. 8586-10 on third and final reading and passed.

Mr. Angelo said this home is also part of the \$500,000 Neighborhood Stabilization grant.

Mr. Gambosi said the parcels and properties being purchased had to be purchased by April 1, 2010 to get the grant going. The City was able to obtain those properties and now that the purchase side is done there will be rehabilitation. The funds the City makes from the sale of these homes can be used for another home in this neighborhood until the money runs out.

Mayor Pocek said local contractors will be utilized like we have been using and the purchasing procedures have stayed the same.

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

ORDINANCE NO. 8587-10, an ordinance authorizing the City Manager to enter into a contract with Digital Home Systems, Inc. for alarm monitoring service at the residence at 775 Lincoln Boulevard in the City of Bedford 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: Zolata, Batten, Koci, Mizesak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. 8587-10 on third and final reading and passed.

Mr. Angelo said this is part of the housing program, the idea is to protect the home while the City is repairing it.

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

ORDINANCE NO. 8588-10, an ordinance authorizing the City Manager to enter into a contract with Do It All Paul to make various repairs to the residence at 324 Paul Street in the City of Bedford and declaring an emergency was read by title only. Motion made by Zolata seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Zolata, Batten, Koci, Mizensak, Pocek, Pozar, Saunders. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Zolata to place Ordinance No. 8588-10 on third and final reading and passed.

Mr. Angelo said this home had some ice damage done and needed to be repaired.

Mayor Pocek said the City's housing program offers to hold 10% of the purchase price in abeyance for five years and if the person stays in the home for five years the 10% is forgiven. The Federal Reserve Bank came out to the City of Bedford last summer and interviewed our staff about this program and raved about it. The Federal Reserve Bank is talking about adopting this throughout the Country. The Mayor's son was looking at a home to purchase, he was told the Federal Reserve instituted a new program giving a \$5,000 grant if he stays in the home for five years.

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

Kathy Williams, 491 Lamson, asked about the vicious dog ordinance. Now that Spring is here there are a lot of people walking their dogs and they go down Lamson to go to Ellenwood. There are a good amount of pit bulls, she asked what the ordinance was and if the pit bulls are to be muzzled.

Mr. Montello is not completely familiar with the ordinance.

Councilman Batten said it is required to have them muzzled and leashed. Ms. Williams asked how this can be enforced.

Mayor Pocek said the City Manager and Police Chief have been informed by Council to address this because there has been a proliferation of pit bulls in the City within the last six months.

Mr. Montello said Judge Junkin had ordered a few dogs destroyed in the past because of the owner's lack of cooperation.

Ms. Williams asked if she sees a pit bull not properly restrained does she call the Police Department. Mr. Angelo said yes, call both the Police Department and him. He has spoken to Chief Duber and he will make sure the dispatchers know if there is a call about a vicious dog they will be out there.

Mr. Angelo said if the owner has the dog on a leash and muzzle he is obeying the law.

Ms. Williams asked other than pit bulls, what other breeds are considered vicious. Mr. Angelo does not know all of them but will find out and call her.

Councilwoman Mizensak said the City does have an Animal Board that was put together for this reason. There is an insurance policy also required for these dogs. If you notice an owner is not following the rules of the ordinance please take down the address if you know it.

Ms. Williams asked if the City has required the owners to get insurance for these dogs. Mrs. Mizesak said yes there is an ordinance requiring it.

Mayor Pock said this issue has come to the forefront more so in the last six months. The City Manager has not had the opportunity to get all of the information yet. This problem will be addressed.

Mr. Angelo asked Ms. Williams to call him tomorrow, in the meantime he will get more information on this matter.

Councilman Batten asked the City Manager if this will be in the City's newsletter that is coming out. Mr. Angelo said yes it will.

Phil Williams, 150 Best, asked what type of contract the City has with Maple Heights in the Fire Department, does every time Maple Heights goes on a call Bedford goes too?

Mr. Montello read from the Minutes of the March 1, 2010 meeting what Mr. Schuman said about this agreement. The ladder truck will be housed at Maple Heights Fire Station Number 1 on Warrensville Center Road and the engine will be housed at the Bedford Fire Department. For every fire alarm in the City of Bedford there are 5 firefighters responding, with this new scenario there will be 9 firefighters responding. For all working fire calls at this time there are 8 firefighters that respond, with this agreement there will now be 13 firefighters responding. Chief Nagy also entered into an agreement for all working fires in the City of Bedford, the Village of Oakwood would send 4 firefighters. The City has essentially gone from 8 firefighters to 17 firefighters on all working fires. Mr. Schuman said in the minutes that a lot of hard work was done by Chief Nagy. This is all at a total cost of zero to both the City of Bedford and the City of Maple Heights.

Mr. Williams said this is jeopardizing our City when they do go into Maple Heights. He understands mutual aid but believes the City is losing money going on all these calls.

Mr. Montello said the idea is to save money because if not both cities would have to purchase these large pieces of equipment, such as the ladder truck, on their own. The ladder trucks are approximately \$1.5 million to replace.

Mr. Angelo said the City of Bedford is getting the benefit of the ladder truck without having to pay for it at this point. At a future date there will be a cost to the City of Bedford because the ladder truck will have to be replaced but the City won't have to pay the full bill.

When Mr. Angelo met with Chief Nagy, the Chief was elated because what he is doing for the City of Bedford is having more firefighters at a working fire. Two squads are reporting on every alarm. Both cities benefit.

Mr. Williams asked if this was jeopardizing our City at all. Mr. Angelo said no. Chief Nagy has a protocol set up if there is a time some of our firefighters are in Maple Heights. This was initiated by the Chief.

Jeanne Sapor, Branch Manager of the Southeast Branch of the Cuyahoga County Library, passed out a program of events being held at the Library in the coming weeks. She gave a brief description of the events.

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

Meeting adjourned at 8:35 P.M.


Clerk of Council


Mayor – President of Council