

**COUNCIL WORK SESSION  
MONDAY, MARCH 1, 2010**

**6:00 P.M. PROMPT**

\*\*\*\*\*

**DINNER AT 6:00 P.M.**

\*\*\*\*\*

- / DISCUSSION OF AGENDA
- / DISCUSSION OF LADDER TRUCK
- / DISCUSSION OF PAGAN FESTIVAL
- DISCUSSION OF FOOD PROGRAM – Recreation Director Randy Lewis
- / DISCUSSION OF VACANT TAX - put on 3/15/10 Agenda
- / PLANNED PARENTHOOD
- / STUDENT GOVERNMENT DAY - No reschedule
- EXECUTIVE SESSION – Personnel

Bedford, Ohio

March 1, 2010

Bedford City Council met in a work session at Bedford City Hall on Monday, March 1, 2010 at 6:05 p.m.

Present: Council Members: Mayor Dan Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizensak, Don Saunders. Also Present: Clerk of Council Kathleen Lynch. Administration: Acting City Manager/Law Director Ken Schuman, Finance Director Frank Gambosi, Recreation Director Randy Lewis and Senior Coordinator Tim Anderson. Absent: Greg Pozar.

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

Mr. Schuman said Ordinance No. 8570-10 is for the City to purchase the residence located at 741 Washington Street. The money used for this is part of the \$500,000 Neighborhood Stabilization Program funds the City received from the County. Mr. Schuman said the County is impressed with how the City has already been rehabilitating our housing stock that they may offer an additional \$500,000 to us.

The Mayor said the City really needs to advertise this program more, it is unfortunate that we do not have a paper to help with this.

Mr. Schuman said Ordinance No. 8571-10 is a repair at 9 West Interstate.

Resolution No. 2416-10 is for the Recreation Department to apply for the Parks and Playgrounds Grant through the Cuyahoga County Department of Development. They received the grant last year and redid the playground at Ellenwood. This year they are applying to do the playground at either Lincoln/Cowles, Palmetto or Interstate.

Discussion of the Regular Meeting Agenda was concluded.

The next item on the Work Session Agenda was the Fire Department ladder truck. Mr. Schuman said Council had been presented with a regionalization agreement with Bedford, Bedford Heights, Warrensville Heights and Maple Heights by Chief Nagy. Both Bedford Heights and Warrensville Heights have dropped out of this agreement. However, Chief Nagy and the Maple Heights Chief have come up with a new agreement with our two cities. This agreement will not change how the Fire Department currently functions. 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.

Mr. Schuman said for every fire alarm in the City of Bedford now, there are five 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. Mr. Schuman said in addition to those 13 firefighters, Chief Nagy has also entered into an agreement for our working fires that Oakwood would send 4 firefighters. The City has essentially gone from 8 firefighters to 17 firefighters on all working fires.

Mr. Schuman said a lot of hard work has been done by Chief Nagy. Mr. Schuman and Chief Nagy have met with the numerous communities and this is all at a total cost to the City of Bedford of zero. This is a scenario that is extremely beneficial and the Chief has done a tremendous job on it.

All of Council was in agreement to proceed with the agreement developed by Chief Nagy and Maple Heights.

The next item to be discussed was the Pagan Pride Festival. Mr. Schuman said the Pagan community has petitioned to use the Square on August 28, 2010 from 11:00 a.m. to 11:00 p.m. They do have their 501.3c form and will have to donate all proceeds to established charities, as do all those that use the Square. Mr. Schuman had Chief Duber ask the FBI about the group and the report indicated they are a peaceful group. They will not be able to sell alcohol at the event and are required to have 2 uniformed Police Officers in addition to the Auxiliaries at the event the entire time. Mr. Schuman wanted to bring it to Council's attention. The Square is for public use and unable to be limited.

Mr. Schuman then began the discussion of vacant tax and handed out various papers in regard to this topic. The City is not able to impose a vacant tax but could impose a vacant fee on both retail and residential vacancies. There are sample ordinances in the packet he distributed. Mr. Schuman said many cities that have established this, have since repealed it. It is a better idea for retail, but not for residential. However, the small business owners in the City are working hard to rent their properties during these difficult economic times. The information he gave them is research.

Mayor Pocek asked the members of Council if they would like to review the information Mr. Schuman gave them and continue the discussion at the Work Session on March 15. All members of Council were in agreement to continue the discussion.

Mr. Schuman said the next item on the Agenda was Planned Parenthood. He and Mr. Seyboldt have met for hours on this issue. He has looked over the decree that was established in 1996 and with the HIPPA laws the medical information that Councilman Pozar was inquiring about is unable to be given to the City. The County does not do the inspections, it is the State. The State said those records would be ready for the City in about two weeks. The City has not collected the registration fee that Planned Parenthood should be paying. He has gone through all of the requirements that the decree outlines and Mr. Seyboldt will be following through with this. Mr. Schuman said there has never been an issue at Planned Parenthood to date.

Student Government Day was cancelled for today because of the snow day Friday and the fact that there were only 5 permission slips turned in. It was agreed that the shadow day would not be rescheduled but that they would still attend the banquet on Monday, March 22.

Mr. Schuman said the Recreation Department was successful in obtaining funding for the Playground Program to offer lunch for those that meet certain financial criteria. Mr. Lewis discussed this process.

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

Work Session was adjourned at 7:05 p.m.

  
Clerk of Council

  
Mayor – President of Council

1. CALL TO ORDER - 8:01 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL - absent Pozar - BTK - all

4. APPROVAL OF MINUTES

- a. Approval of Minutes of the Work Session of February 15, 2010 - KTS → abstain (M)
- b. Approval of Minutes of the Regular Meeting of February 15, 2010 - ZTS → abstain (M)

5. REPORTS

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

6. NEW BUSINESS

- a. Ordinance No. 8570-10, authorizing the City Manager to execute a purchase agreement with Bruce N. Laing for the purchase of the residence at 741 Washington Street (\$21,600.00)
- b. Ordinance No. 8571-10, authorizing the City Manager to enter into a contract with Dawnco, Inc. for various repairs at 9 W. Interstate (\$433.75)
- c. Resolution No. 2416-10, authorizing the City Manager to file an application with the Cuyahoga County Department of Development for the Parks and Playgrounds Grant

7. HEARING OF CITIZENS

8. ADJOURNMENT - KJ M → all

**PLEASE TURN OFF ALL CELL PHONES BEFORE COUNCIL MEETING**  
(council minutes and agenda posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))

Bedford, Ohio

March 1, 2010

Bedford City Council met in regular session at Bedford City Hall on Monday, March 1, 2010. 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: Mizesak, Pocek, Saunders, Zolata, Batten, Koci. Absent: Pozar.

Motion made by Batten seconded by Koci to excuse the absence of Councilman Pozar. The roll was called. Vote – Yeas: Mizesak, Pocek, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

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

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

Mr. Schuman said the City has attempted to do a regionalization of our ladder truck in the Fire Department, which is a very expensive piece of apparatus. The City was trying to work out an arrangement between Bedford, Bedford Heights, Warrensville Heights and Maple Heights. These four cities would have shared one ladder truck to prevent each city from buying a ladder truck in the future. The fact of the matter is that cities of Bedford Heights and Warrensville Heights dropped out of this agreement for various reasons.

Mr. Schuman said Bedford and Maple Heights have decided to proceed with the ladder truck regionalization between our two communities. The ladder truck will be housed at Maple Heights Fire Station Number 1 on Warrensville Center Road. For every fire alarm in the City of Bedford now there are five firefighters responding. With this new scenario, there will be 9 firefighters responding. For all working fire calls at this time there are 9 firefighters that respond. With this agreement, there will now be 13 firefighters responding. Mr. Schuman said in addition to those 13 firefighters, Chief Nagy has also entered into an agreement for our working fires that Oakwood would send 4 firefighters. The City has essentially gone from 9 firefighters to 17 firefighters on all working fires.

Mr. Schuman said a lot of hard work has been done by Chief Nagy. Mr. Schuman and Chief Nagy have met with the numerous communities and this is all at a total cost to the City of Bedford of zero. This is a scenario that is extremely beneficial and the Chief has done a tremendous job on it. Mr. Schuman commended the Fire Chief and Mayor of Maple Heights, it is very effective for both communities. Obviously the benefit to Maple Heights is they will have an additional 3 firefighters to all of their calls. Mr. Schuman is very excited about this new agreement and very proud of Chief Nagy.

Mr. Schuman said this is his last Council meeting as the Acting City Manager. It is one of those things he hates to give up because he enjoys doing it. As always, this Council is so truly effective. Tonight is prime example, in Work Session they resolved between 7 and 8 issues that would take most cities six to seven months to resolve. This Council usually gets them done in one to two meetings. It has been a privilege working for them as City Manager, as it always has been. They make it so easy to work for the residents. Mr. Schuman would never want to live or work anywhere else than Bedford. It is a perfect community. It speaks volumes of the community that the levy was passed at 71% during these economic times. Several residents thanked him for serving in the capacity as Acting City Manager, it is a great feeling to have people do that.

Mr. Schuman thanked Council for the job they allowed him to do for almost a year. He believes they made an excellent choice with the individual they chose. Mr. Angelo has a great deal of municipal experience. It is unfortunate the rumors that are perpetrated on the blogs about him. The City of Bedford will move forward. He thanked Council for all of their support.

Mr. Gambosi congratulated Mr. Schuman on a job well done. A couple of items in the Tax Department, first the system had to be taken down for awhile but it is fixed and working fine at this time. He apologized to those that tried to get on it and had problems. Mr. Gambosi said the Tax Department will be open a couple of Saturdays before the 15<sup>th</sup> of April. However, with Holy Saturday in the middle there, they will be closed for the Easter weekend. The hours are 9:00 a.m. to 1:00 p.m. The online system is being used a lot this year.

Councilman Koci offered his condolences to Councilwoman Mizesak on the passing of her father. It takes courage to be here tonight. The Arts and Cultural Board has been working with Baldwin Wallace College, there is a political science class that is going to work with the Board to do a survey of the City regarding the arts. They will also help work the Weekend of the Pookah event coming up in September. They will be contacting people by phone. If anyone is interested in doing the survey, please see Joyce Daunch and give them your phone number. The arts can be a very positive force in the City, in particular to use it as an economic development tool. The City of Bedford wants to become a destination for the arts. If anybody wants to become a member of the Arts Council, which is a volunteer group to help with various events and projects.

Councilwoman Zolata also offered her condolences to Councilwoman Mizesak. She said the big complaint is the snow not being taken care of on sidewalks and driveways. It is impossible to walk right now in the City. She asked if the Police could take better notice of this, especially with businesses. There are many children that walk. This is causing people to have to walk on the streets, it has been a bad winter but there is an ordinance in the City to do this.

Mrs. Zolata said the Historical Society is having their Reverse Raffle on Saturday, March 6 at Catered Elegance, it is called an Evening in Trinidad. Either she or the Clerk of Council have tickets.

Councilwoman Mizesak thanked everyone for their kind words. She had an understanding with her father while she took care of him for the last three and a half years that Mondays were her nights for Council. Tonight he knows she is here. Councilwoman Mizesak thanked the Fire Department, the 911 Dispatcher and the one Police Officer that helped during the last week. Her father loved the Safety Forces for all they did.

Councilman Saunders offered his condolences to Councilwoman Mizesak as well. He thanked all the City workers, who over these last several weeks have had to do all the work in this inclement weather. The snow just keeps piling up, making it difficult.

Councilman Saunders has declared himself as a candidate for County Council in District 9. He will be on the Democratic ballot for District 9 in September. There are three other women that have entered the race in this district.

The Mayor offered his and his wife's condolences to Councilwoman Mizesak. The Mayor said there should be some interesting and exciting news within a month to share with you in regards to the Arts and Cultural Board as well as Senior Citizens.

Motion made by Mizesak seconded by Saunders to add items D and E, appointments to the Board of Building and Standards Appeals, to the Agenda. The roll was called. Vote – Yeas: Mizesak, Pocek, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 8570-10**, an ordinance authorizing the City Manager to execute a purchase agreement with Bruce N. Laing in the form attached hereto and incorporated by reference herein for the purchase of the residence at 741 Washington Street, Bedford, Ohio (Permanent Parcel Number 813-12-010) 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: Mizsak, Pocek, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

Motion made by Mizsak seconded by Saunders to place Ordinance No. 8570-10 on third and final reading and passed.

Mr. Schuman said this is a house the City is purchasing with the \$500,000 grant from Cuyahoga County to rehabilitate homes that are in poor condition. This is a part of the Neighborhood Stabilization Program, and Cuyahoga County is very impressed with what the City of Bedford has done with the housing stock. They are contemplating giving the City an additional \$500,000 for this program. The Building Commissioner oversees the program and works with Mr. Gambosi a great deal and they are both to be commended for their work on this program

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

**ORDINANCE NO. 8571-10**, an ordinance authorizing the City Manager to enter into a contract with Dawncoco, Inc. to make various repairs to the residence at 9 West Interstate in the City of Bedford 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: Mizsak, Pocek, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizsak to place Ordinance No. 8571-10 on third and final reading and passed.

Mr. Schuman said this is a repair to one of the houses in our stock. It is a minor amount.

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

**RESOLUTION NO. 2416-10**, a resolution authorizing the City Manager to file an application with the Cuyahoga County Department of Development for the Parks and Playground Grant and declaring an emergency was read by title only. Motion made by Zolata seconded by Koci to adopt Resolution No. 2416-10.

Mr. Schuman said this is a grant that our Recreation Department obtained last year for \$35,000 and were able to put in a new playground at Ellenwood. This year the City will apply for another \$35,000 to replace either the playground at Lincoln/Cowles, Palmetto or Interstate.

The Recreation Department has a summer program for children for about 8 weeks. It is all day and there are various activities and field trips. This year Mr. Lewis and Mr. Anderson were successful in obtaining a grant that would provide free lunches for children that meet certain financial criteria. Mr. Anderson said a vast majority will qualify for this. They should be commended for their hard work.

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

Motion made by Koci seconded by Zolata to appoint David Lynch to the Board of Building Standards and Appeals. The roll was called. Vote – Yeas: Mizesak, Pocek, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

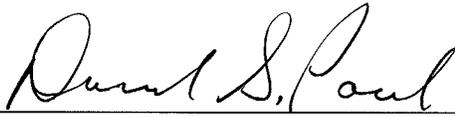
Motion made by Saunders seconded by Mizesak to appoint Victoria Stemple to the Board of Buildings and Standards Appeals. The roll was called. Vote – Yeas: Mizesak, Pocek, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

Mayor Pocek said that concluded the business portion of the meeting and asked if anyone in the audience had any comments.

There being no reply, motion made by Koci seconded by Mizesak to adjourn. The roll was called. Vote – Yeas: Mizesak, Pocek, Saunders, Zolata, Batten, Koci. Nays: None. Motion carried unanimously.

Meeting adjourned at 8:31 P.M.

  
Clerk of Council

  
Mayor – President of Council