

**COUNCIL WORK SESSION
MONDAY, MARCH 7, 2011**

6:00 P.M. PROMPT

DINNER WILL BE SERVED

STUDENT GOVERNMENT DAY

- DISCUSSION OF AGENDA
- DISCUSSION OF PROPOSED RESOLUTION OBJECTING TO SENATE BILL 5
- **EXECUTIVE SESSION** – Negotiations

Bedford, Ohio

March 7, 2011

Bedford City Council met in a work session at Bedford City Hall on Monday, March 7, 2011 at 6:00 p.m.

Present: Council Members: Mayor Dan Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizesak, Greg Pozar, Don Saunders. Also Present: Clerk of Council Kathleen Lynch. Administration: City Manager Henry Angelo, Law Director Ken Schuman, Finance Director Frank Gambosi and Fire Chief Dave Nagy.

Mayor Pocek said tonight is Student Government Night with the students from the high school. He stopped in briefly today to visit with them. However, he believes the program has lost its value and truly is not beneficial anymore. There is a lack of interest and organization. Councilman Koci spoke about previous years and what took place when he was a student at the high school. Mayor Pocek suggested they speak with the Superintendent again about this.

Discussion of the Regular Meeting Agenda began.

Mr. Gambosi said Ordinance No. 8808-11 is to assess properties with delinquent water bills in the City. Most of them are vacant properties.

Mr. Angelo said Ordinance No. 8809-11 would amend the previous ordinance passed by Council authorizing the purchase of two Tahoes in the Police Department. This will add the 4X4 option to both vehicles and cost an additional \$4,000.00 per vehicle.

Councilman Batten asked if the additional money would come out of the Police Department's budget. Mr. Angelo said yes. Councilman Batten asked where the money goes when vehicles the City is no longer using are sold. Mr. Angelo said it goes into the general fund. Mr. Gambosi said the additional money will have to be added to the Police Department budget. Mr. Angelo said the process of selling vehicles on Ebay does bring in additional money.

Mr. Angelo said the 4X4 option is better in the City than the Ford Crown Vic. The Crown Vic's cost approximately \$23,000 - \$24,000 which is not that much less than the Tahoe.

Mr. Angelo said Ordinances 8810-11 and 8811-11 are to purchase a new pickup truck for the Recreation Department and a snow plow.

Mr. Schuman said Ordinances 8812-11 and 8813-11 are both assessing properties for criminal activity. The homes are located at 349 W. Grace and 616 W. Glendale.

Mr. Angelo said Ordinances 8814-11 and 8815-11 are for the new ambulance. Chief Nagy said the first ordinance is for the ambulance itself through the State Cooperative Purchasing Program. There are several options that are not available through the State Cooperative Program and that is why a second ordinance is needed.

Chief Nagy said the original estimate for the ambulance was \$230,000.00 but there are several options that are particular to Bedford and therefore several items were cut from the ambulance giving a \$30,000 credit. This brought the cost of the ambulance to approximately \$200,000.00. The options that were not available through the State contract cost approximately an additional \$10,000.00.

The Chief said this ambulance will replace a 1998 ambulance. There are a total of three ambulances at the Fire Department. This allows them to be rotated in and out of service. The ambulance being replaced will be sold and it is expected to return approximately \$20,000.00 from the sale.

Mr. Gambosi said this purchase is part of the bond program the City began this past summer. It is a 10 year bond and will cost \$21,000.00 per year to pay off.

Councilman Pozar asked when the Chief expects to replace the next ambulance. Chief Nagy said there is 2002 squad, but does not anticipate it being replaced for another six to seven years. Mr. Pozar asked Mr. Gambosi if the City has enough cash in the fund to pay cash for the ambulance why was it bonded out. Mr. Gambosi said that fund is needed to pay for other equipment as well. It has an approximate balance of \$300,000.00 and should really be at \$500,000.00. Those funds need to be maintained. Councilman Pozar asked what the cost of the ambulance would be over the 10 years. Mr. Gambosi said about \$400,000.00.

Councilman Pozar asked what the City paid for the last ambulance. Chief Nagy said \$155,000.00. Mr. Pozar asked why the increase was so substantial. The Chief said since then the EPA has come out with more stringent emission standards causing the cost to increase.

Chief Nagy was excused as there was no further discussion on this topic.

Mr. Schuman said Joe Ciuni, the City Engineer, spoke with him about Resolution No. 2441-11. The Governor is planning on reducing DOPWC funds by \$37 million in Cuyahoga County alone. This would affect the Wood Creek project. The resolution asks for changes to be made to the Governor's proposal.

Discussion of the regular meeting agenda concluded.

The next item on the work session agenda was the discussion of a proposed resolution objecting to Senate Bill 5. This item was requested by Councilwoman Mizensak and Councilman Koci. Councilwoman Mizensak said the purpose of the resolution is to show the employees the City supports them. Other cities in the area have already passed similar resolutions.

Councilman Koci was approached by members of ~~the union~~ in the Fire Department. The City of Bedford Fire Department signed the first collective bargaining agreement in the State of Ohio. Senate Bill 5 needs to be changed/tweaked. He said the middle class was built on unions and it has also been shown when unions are strong, the country is strong financially.

Councilwoman Mizensak said it should not be the responsibility of our employees to help balance the state budget.

The Mayor has no problem defending employees' rights, but is not sure the resolution as it reads should be passed.

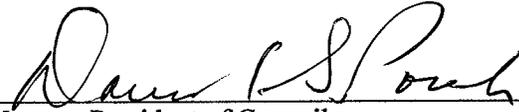
Mr. Schuman said if the bill does pass, city councils will ultimately become the arbitrator, which puts councils in a difficult position.

Councilman Pozar asked if anyone read the entire bill, it is almost 400 pages. If it has not been read, how can a resolution for or against it, be passed. Council was elected to represent the residents of the City, not the employees. Collective bargaining was never voted on by the people, it was imposed. Their job as Council members is to protect and decide how to spend the taxpayers' money. The State of Ohio has serious budget issues, and unions are corrupting government.

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

Work Session was adjourned at 7:35 p.m.


Clerk of Council


Mayor – President of Council

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES

- a. Approval of Minutes of the Work Session of February 21, 2011
- b. Approval of Minutes of the Regular Meeting of February 21, 2011

5. OLD BUSINESS

- a. Ordinance No. 8785-11, authorizing the City Manager to enter into an agreement with Light of Hearts Villa for calendar year 2011 for senior services (\$10,000.00) – 1st reading 01/17/11; tabled 02/07/11

6. PRESENTATION

- a. Presentation of certificates to participants of Student Government Day

7. REPORTS

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

8. NEW BUSINESS

- ~~a.~~ Ordinance No. 8808-11, to levy assessments for delinquent water bills in the City of Bedford
- ~~b.~~ Ordinance No. 8809-11, amending Ordinance No. 8797-11 authorizing the option of 4X4 to be included on the two 2011 Chevrolet Tahoe PPV(\$4,000 per vehicle)
- ~~c.~~ Ordinance No. 8810-11, authorizing the purchase of one (1) 2011 Chevrolet Silverado 2500 HD 4X4 pickup truck from Tim Lally Chevrolet for the Recreation Department (\$23,875.00)
- ~~d.~~ Ordinance No. 8811-11, authorizing the purchase of one (1) Western Pro Plus Model contractor grade snow plow from Carnegie Federal Body, LLC (\$4,795.00)
- ~~e.~~ Ordinance No. 8812-11, certifying to the County Auditor the costs associated with police response to 349 W. Grace
- ~~f.~~ Ordinance No. 8813-11, certifying to the County Auditor the costs associated with police response to 616 W. Glendale
- ~~g.~~ Ordinance No. 8814-11, authorizing the purchase of one (1) 2011 Freightliner Horton custom series ambulance through the State Cooperative Purchasing Program (\$200,119.83)
- ~~h.~~ Ordinance No. 8815-11, authorizing additional options to the 2011 Freightliner Horton custom series ambulance from Horton Emergency Vehicles Company (\$10,758.00)
- ~~i.~~ Resolution No. 2441-11, urging the Ohio Legislature to amend certain provisions of HB 114

9. HEARING OF CITIZENS

10. ADJOURNMENT

Bedford, Ohio

March 7, 2011

Bedford City Council met in regular session at Bedford City Hall on Monday, March 7, 2011. This being Student Government Day, Council's counterparts were running the meeting. Mayor Pocek (Mayor's counterpart Charles Bluford) called the meeting to order at 8:00 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten.

Motion made by Koci seconded by Batten to approve the minutes of the Work Session of February 21, 2011. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Saunders to approve the minutes of the Regular Meeting of February 21, 2011. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8785-11, an ordinance authorizing the City Manager to enter into an agreement with Light of Hearts Villa for calendar year 2011 and declaring an emergency placed on first reading January 17, 2011, tabled February 7, 2011 was read by title only. Motion made by Zolata seconded by Mizesak to remove Ordinance No. 8785-11 from the table. The roll was called. Vote – Yeas: Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: Koci. Motion carried.

Motion made by Zolata seconded by Mizesak to place Ordinance No. 8785-11 on second reading. The roll was called. Vote – Yeas: None. Nays: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Motion failed unanimously.

Law Director: Patrick Wallace said this is a contract the City is working on and will revisit it in the future.

Mayor Pocek, City Manager Angelo and Vice Mayor Koci presented Certificates of Appreciation to the students who participated in Student Government Day in the City of Bedford.

City Manager Angelo: Aleila McCaleb said with the heavy rain and melting snow the City of Bedford experienced 45 flooded basements during the first rainfall of over 2 inches. On Saturday, there were an additional 5 basements flooded. These homes were affected by a plugged sewer main. A city crew was out and unplugged the line. Discussion with the City Engineer and Public Works Director on these issues will be taking place this week.

Law Director: Patrick Wallace said the Ohio Consumers Council is in the process of finalizing their report on the power outage in the City. The City will keep everyone updated.

Finance Director: Christian Hunter said the City of Bedford received a check from PNC Bank in the amount of \$23,618.00. These were rebates to the City for charges placed on our corporate credit card, most for water purchases during the year 2010.

Mayor Pocek: Charles Bluford said tomorrow is City Manager Hank Angelo's 71st birthday, everyone should wish him a very happy birthday. March 15th will mark the first anniversary of the hiring of Mr. Angelo as City Manager, and in his opinion he has done a fine job. On March 28 at 7:00 p.m., the first Ward Meeting will take place for Wards 1 & 2.

Councilman Batten: Maria Diederich said the Bedford Recreation Department and Bedford Service Unit of the Salvation Army provide a food program. The program is at Ellenwood Recreation Center on the last Friday of each month, it is for the needy residents of the City of Bedford. Canned goods, meat products, fresh fruit and vegetables, bread and bakery are given to the residents.

Councilman Koci: Crystal Olberding said good evening and on behalf of Councilman Koci, she would like to thank everyone for being here tonight. It is always a pleasure to have the students from Bedford High School to join us and participate in the local government process. Happy birthday Hank.

Councilwoman Zolata: Chelsea Davis said community meetings will be sponsored for our residents. The meeting for Wards 3 & 4 will be held on April 11, please make every effort to attend. Kudos to the Service Department who worked so hard this past week for the residents that had flooding problems.

Councilwoman Mizensak: Denez Dixon said it is important to say thank you to our city employees who serve, live and play in Bedford every day. In Ward 4, while technically one of the newer parts of the City, it still faces the same issues the rest of the City does; i.e. water main breaks. Thank you to the Water Department for dealing with the cold temperatures and high winds over the past few weeks to take care of the main breaks. These dedicated public servants dealt with the elements and restored services to our residents in a timely fashion. Ward 4 is an all residential ward, but Councilwoman Mizensak has never thought twice about whether or not a snow plow will come through, there are other communities that do not have this type of service. During the snow storm last Friday, our crews hit not only the main streets but the secondary streets as well, thank you to the Service Department for their hard work. One of the departments Mrs. Mizensak deals with the most is the Building Department. The Building Department does a great job of keeping up the properties, ensuring our housing stock looks good and portrays a positive image for our community, thank you to the Building Department. The Police Department keeps up with the quality of life issues in our neighborhoods daily. Over the past few weeks, the issue of juveniles walking in the street and other issues have been prevalent. The Police Department responds quickly and has a strong presence in order to keep up with these issues, thank you to the Police Department. Finally, we cannot forget Bedford's bravest, the Fire Department. They are among the best and most professional in the State of Ohio. With our aging population, they are increasing the calls our rescue squads respond to. The medics responding provide excellent service, and Mrs. Mizensak is proud of that service. Our residents appreciate those employees as does Councilwoman Mizensak. Thank you to all of our city employees.

Councilman Pozar said the Bedford High School Performing Arts will be putting on Guys and Dolls on March 11-13 and March 18-19.

Councilman Saunders: Maureen Duffy said no report.

ORDINANCE NO. 8808-11, an ordinance to levy assessments for delinquent water bills in the City of Bedford, Ohio 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: Koci, Mizensak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously

Motion made by Zolata seconded by Saunders to place Ordinance No. 8808-11 on third and final reading and passed.

Finance Director: Christian Hunter said these assessments are for water that has been shut off on vacated properties.

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

ORDINANCE NO. 8809-11, an ordinance amending Ordinance No. 8797-11 authorizing the option of 4X4 to be included on the two 2011 Chevrolet PPV through the State Cooperative Purchasing Contract from Taylor Chevrolet and 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: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously

Motion made by Zolata seconded by Mizsak to place Ordinance No. 8809-11 on third and final reading and passed.

City Manager: Aleila McCaleb said it is a safety issue for the Police Department.

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

ORDINANCE NO. 8810-11, an ordinance authorizing the purchase of one (1) 2011 Chevrolet Silverado 2500 HD 4X4 pickup truck from Tim Lally Chevrolet 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: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously

Motion made by Batten seconded by Mizsak to place Ordinance No. 8810-11 on third and final reading and passed.

City Manager: Aleila McCaleb said this is a replacement truck for the Recreation Department.

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

ORDINANCE NO. 8811-11, an ordinance authorizing the purchase of one (1) Western Pro Plus Model contractor grade snow plow from Carnegie Federal Body, LLC 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: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously

Motion made by Saunders seconded by Mizsak to place Ordinance No. 8811-11 on third and final reading and passed.

City Manager: Aleila McCaleb said this is a snow plow for the truck being purchased for the Recreation Department.

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

ORDINANCE NO. 8812-11, an ordinance authorizing the City of Bedford to certify to the County Auditor the costs associated with police response to 349 West Grace 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: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously

Motion made by Koci seconded by Batten to place Ordinance No. 8812-11 on third and final reading and passed.

Law Director: Patrick Wallace said after three responses to a particular residence the City assesses any costs associated with further responses.

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

ORDINANCE NO. 8813-11, an ordinance authorizing the City of Bedford to certify to the County Auditor the costs associated with police response to 616 West Glendale as said homeowner is violation of Bedford's Criminal Activity Nuisance ordinance and declaring an emergency was read by title only. Motion made by Mizesak seconded by Koci to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously

Motion made by Saunders seconded by Zolata to place Ordinance No. 8813-11 on third and final reading and passed.

Law Director: Patrick Wallace said this ordinance is similar to the previous ordinance, the property will be assessed for police response.

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

ORDINANCE NO. 8814-11, an ordinance authorizing the purchase of one (1) 2011 Freightliner Horton custom series ambulance through the State Cooperative Purchasing Program and declaring an emergency was read by title only. Motion made by Koci seconded by Batten to place Ordinance No. 8814-11 on first reading. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8815-11, an ordinance authorizing additional options to the 2011 Freightliner Horton custom series ambulance and declaring an emergency was read by title only. Motion made by Batten seconded by Koci to place Ordinance No. 8815-11 on first reading. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2441-11, a resolution urging the Ohio Legislature to amend certain provisions of HB 114 to reinstate the funding for the Ohio Public Works Commission (OPWC), State Capital Improvements Program (SCIP) and Revolving Loan Program (RLP) to their previous levels and declaring an emergency was read by title only. Motion made by Saunders seconded by Mizesak to adopt Resolution No. 2441-11. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously

Mayor Pocek said the Clerk of Council has a statement to make.

Kathleen Lynch said as of March 24, 2011 she will be resigning from the City of Bedford. She thanked Council and everyone she has worked with during the last 14 years.

Mayor Pocek wished Kathleen well in her new job. Members of Council also wished her luck.

Mayor Pocek: Charles Bluford said that would conclude the business portion of the meeting and asked if anyone in the audience had any comments.

Tim Tench, 286 Marion, wished Kathleen good luck on her new adventure.

Deb Kozak, 17500 Egbert, is a member of the Bedford School Board. She thanked the students for being a part of Student Government Day and learning about leadership. Ms. Kozak thanked Council for taking the time to participate as well. Heather Starn from the high school coordinates this program and deserves to be applauded on a job well done. She wished Kathleen good luck.

Mike Olberding, 695 McKinley, said the students did a good job. His question to Council is about Meadowbrook, is there anything going on to start filling in the empty stores.

Mr. Angelo said the City is trying to work with the developer at Meadowbrook. He has hired an assistant to come on board at his company. It has been very difficult, the problem is the cost the owner is charging and is reluctant to lower those costs. Mr. Mallis, Mr. Schuman and he have been trying to work something out to fill those stores.

Donald Navratil, 907 High, asked who is responsible for the sanitary sewer lines. He had a backup the other day for the first time of raw sewage. After three gallons of bleach and more it was cleaned up. He asked if the sewers are inspected and maintained to make sure this doesn't happen, and if so why did it happen this time.

Mr. Angelo said his property was one of the five affected by the sewer plug up. There is no way to account for the plug and our workers were not able to see what the plug up was. It can be any number of things, such as debris or even grease balls.

Mr. Navratil asked if the lines are inspected for those types of things. Mr. Angelo said the last time the City sewer lines were televised was about four or five years ago. The City is talking about having that done again. With personnel being down, it continues to be difficult to stay ahead of these things.

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

Meeting adjourned at 8:39 P. M.


Clerk of Council


Mayor – President of Council