



WORK SESSION MEETING
MINUTES

BEDFORD CITY COUNCIL
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: MARCH 4, 2024
TIME: 5:30 PM

165 CENTER ROAD BEDFORD, OH 44146

Bedford City Council met in a Work Session at Bedford City Hall on Monday, March 4, 2024, at 5:30 p.m.

Present: Council Members: Stanley Koci, Sandy Spinks, Steve Salvi, Victor Fluharty, Frank Smith, Jeff Asbury, and Tony Longino.

Also present: Clerk of Council Tracy Simons. Administration: City Manager Michael Mallis, Law Director John Montello, Finance Director Jennifer Howland.

DISCUSSION OF AGENDA

Council had no corrections to the Minutes of the Work Session or Regular Meeting of February 20, 2024.

UNFINISHED BUSINESS

Ordinance No. 006-24: Amending Section 911.13: City Manager Mallis stated that this can be placed on Second Reading on February 20, 2024.

NEW BUSINESS

Motion to rename Palmetto Tot Lot after Paula Mizsak: City Manager Mallis stated that this was discussed last year and would like to make a formal motion to rename the Palmetto Tot Lot after Paula Mizsak.

Motion to allow a group home located at 821 Archer Rd.: Councilman Salvi stated that he spoke to the residents near the home and they were not aware of it. He also stated that a number of residents are questioning the activity at the home.

City Manager Mallis stated that the owner lives there and it is not a rental property. There was a call made regarding a dispute with someone in 2019, and that another call was made regarding a dispute with someone in 2021. City Manager stated the City is required to follow fair housing laws and has been challenged in court in the past when prohibiting group homes.

Councilman Salvi stated that there is a lot of activity in and out of this house and that residents are afraid to call the police for fear of retaliation.

Councilman Longino stated that traffic and drug use are totally different.

City Manager Mallis stated that the owner will rent it out as a group home, and whatever the outcome, they will have to follow up with the Building Department and the Building Code.

Councilman Salvi inquired if it is being used as a rental and if they are doing it legally.

Councilman Smith stated to Councilman Salvi that all he's done is make allegations that they are dealing drugs out of the house and I have a problem with you saying that and to state the facts. He also stated that he has a problem with Councilman Salvi, saying that he represents the City and Council, and if the residents have a problem, why don't they call the Police?

Councilman Salvi stated that he is representing the residents as best as he can.

Mayor Koci stated to Councilman Salvi that when he says that he needs to be careful when making allegations in the City it is best to call the City Manager or the Law Director.

Ordinance No. 010-24: Contract with Ohio Plan: City Manager Mallis stated that this is going to replace the Ohio Municipal League Joint Insurance Pool. He also stated that the City spent over \$250,000.00 in the past couple of years for similar coverage. The pool has covered over \$2 million in claims since Bedford has participated.

Ordinance No.011-24: Levy to assess delinquent Water Bills: Mrs. Howland stated that this is done twice a year and that they go through the list of addresses to see what residents are sixty days late and that if they don't pay, it will be put on their tax bill.

DISCUSSION OF WARD MEETING DATES:

City Manager Mallis stated that we had the Ward Meetings a little later in the year.

Mayor Koci stated to have the Ward Meetings as follows:

April 22, 2024 -Wards 1 and 6 at 7:00 P.M.

April 29, 2024 -Wards 3 and 4 at 7:00 P.M.

May 13, 2024 -Wards 2 and 5 at 7:00 P.M.

• **DISCUSSION OF MEDICAL MARIJUANA DISPENSARIES:**

City Manager Mallis stated that he put together a couple of facts and that it is better to be proactive than reactive. He also asked if the City wanted to keep them in the Mixed-Use District and if there should be a radius.

Mayor Koci suggested one per every five-mile radius and wanted to know if that would include Bedford Heights.

City Manager Mallis stated that they can make it strict and, over time, ease up on it.

Mayor Koci started to see what other communities have in regard to them.

DISCUSSION OF PLANNING COMMISSION AND BOARD OF ZONING AND APPEALS:

Mayor Koci stated to send letters to those Planning Commission Members and Board of Zoning and Appeals Members whose terms are expiring to see if they are still in serving on the Board and Commission.

DISCUSSION OF THE BEDFORD HEIGHTS COMMUNITY CENTER

REBATE: City Manager Mallis stated that they did follow up and that the pool is open in Bedford Heights with restricted hours. He also stated that they did discuss having the rebate go up to \$ 75.00

- **EXECUTIVE SESSION**
 - **LITIGATION:**
 - UH HOSPITALS**


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| MOTION: | Motion made by Asbury and seconded by Frank Smith to adjourn into Executive Session at 6:38 P.M. to discuss Litigation: UH Hospitals. |
| MOVER: | Jeff Asbury |
| SECONDER: | Frank Smith |
| RESULT: | Pass [6 TO 0] |
| YEAS: | Koci, Spinks, Salvi, Fluharty, Smith, Longino |

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| MOTION: | Motion made by Longino and seconded by Sandy Spinks to adjourn out of Executive Session at 6:58 P.M. |
| MOVER: | Anthony Longino |
| SECONDER: | Sandy Spinks |
| RESULT: | Pass [6 TO 0] |
| YEAS: | Koci, Spinks, Salvi, Fluharty, Smith, Longino |

The Work Session Meeting adjourned at 6:59 P.M.



 Clerk of Council



 Mayor-President of Council

Council Date: April 1, 2024



REGULAR MEETING BEDFORD CITY COUNCIL DATE: MARCH 04, 2024
MINUTES STATE OF OHIO
 COUNTY OF CUYAHOGA TIME: 7:00 PM
 165 CENTER ROAD BEDFORD, OH 44146

1. **CALL TO ORDER**

Bedford City Council met in a Regular Session at Bedford City Hall on Monday, March 4, 2024. Mayor Koci called the meeting to order at 7:00 P.M.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

a Approval of Minutes of the Work Session of February 20, 2024.

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| MOTION: | Motion made by Asbury and seconded by Frank Smith to approve the minutes of the Work Session of February 20, 2024. |
| MOVER: | Jeff Asbury |
| SECONDER: | Frank Smith |
| RESULT: | Pass [6 TO 0] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury, Longino |
| ABSTAIN: | Salvi |

b Approval of Minutes of the Regular Meeting of February 20, 2024.

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| MOTION: | Motion made by Spinks and seconded by Victor Fluharty to approve the minutes of the Regular Meeting of February 20, 2024. |
| MOVER: | Sandy Spinks |
| SECONDER: | Victor Fluharty |
| RESULT: | Pass [5 TO 0] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury |
| ABSTAIN: | Salvi |

5. **UNFINISHED BUSINESS**

- a **ORDINANCE NO. 006-24: AN ORDINANCE AMENDING SECTION 911.13 ENTITLED "BACKFLOW PROTECTION" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AND DECLARING AN EMERGENCY (1st Rdg.: 2/5/24, 2nd Rdg.: 2/20/24) Was read by title only**

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| MOTION: | Motion made by Asbury and seconded by Tony Longino to suspend the rules requiring the reading of said ordinance/resolution on three different days. |
| MOVER: | Jeff Asbury |
| SECONDER: | Tony Longino |
| RESULT: | Pass [7 TO 0] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino |

City Manager Mallis stated the following:

- This is to update the current ordinance that is in place now.
- The current ordinance was established and adopted in 1994
- These updates will establish requirements for the installation, maintenance, and testing of these devices to ensure that the City's water system is safe and uncontaminated
- This updated ordinance will be in compliance with today's standards, which is important when we do our reporting to the Ohio EPA to go after funds to improve the water system that we own and operate

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| MOTION: | Motion made by Spinks and seconded by Victor Fluharty to approve. |
| MOVER: | Sandy Spinks |
| SECONDER: | Victor Fluharty |
| RESULT: | Pass [7 TO 0] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino |

6. REPORTS

- a. City Manager Mallis stated the following:
 - The Shelley Company and ODOT will tentatively mobilize on March 25th to complete the list of remaining items for the Broadway Project. They will adjust a number of Cleveland Water castings to raise them up along Broadway Ave.
 - The City was awarded a \$150,000.00 grant through Cuyahoga County that will allow for the purchase of two additional police cruisers for the Police Department.
 - The City Engineer was out at a couple of different locations doing inspections on culverts over in the Palmetto Woods area, and we are waiting on the detailed reports. The culvert on Greencroft Rd. needs to be replaced, and we inquired with OPWC for emergency funding for that culvert, but they did not grant the emergency funding. OPWC stated that it was not an emergency. There are a couple of different avenues that we are researching as far as funding for that.
 - With the nice weather, we've had a couple of vehicles broken into in a couple of the Wards, so this is just a friendly reminder to lock your vehicles.
- b. Law Director Montello had no report this evening.

c. Finance Director Howland had no report this evening.

d. Council Reports

Councilman Smith stated the following:

- Family Fun Night will be held on March 6th at the high school from 6:00 p.m. to 8:00 p.m.
- There will be a Job Fair on March 20th, and practice interviews will help with interviewing skills. This is in conjunction with Oakwood Village, Maple Heights, and Bedford Heights.

Councilman Asbury had no report this evening.

Councilman Longino had no report this evening.

Councilwoman Spinks stated the following:

- The Chipper Service will start back the first full week in April
- The trash cans are still being left out after trash pickup.
- Saturday was Dr. Seuss's 120th birthday celebration at the Bedford Historical Society's Museum Community Room.
- Bedford Historical Societies Speaker Series will be this Friday. It will be on the Battle of Pickett's Mills in the Community Room at the Old Church from 7:00 p.m. to 9:00 p.m.
- The Bedford Historical Society's biggest fundraiser, the Reverse Raffle, will be held at the Ellenwood Center on Saturday, March 16th.
- The Strawberry Festival starts on June 2nd with the 60th anniversary of the Car Show from 1:00 p.m. to 5:00 p.m.
- This year, at the Strawberry Festival, you can pre-order strawberry pies and fresh strawberries will be used for the strawberry shortcakes. Also new this year is that the vendors will be selling and making strawberry shortcakes.

Councilman Salvi stated the following:

- The meeting with the Bedford City Schools Superintendent was postponed, and we are hoping to reschedule it sometime this week.
- Residents requested to investigate a six-foot dirt spill on Winslow Rd. and asked City Manager Mallis to send someone out to document the spill; City Manager Mallis did have someone out documenting the spill.
- In talking with some residents in Ward 2, they were unaware that the Planning Commission had approved an application to open up a group home.
- There would have been more residents at the meeting if they had sufficient notice that the City needed to send out a notification to nearby residents who will be affected by homes transformed into group homes.
- Several sewer culverts are being repaired or replaced on Taft and Northfield Rd. Encouraged residents to contact him if they see anything going on in Ward 2

Councilman Fluharty mentioned the pre-order of strawberry pies at the Strawberry Festival.

Angelique Clark, Bedford City School Board Member stated the following:

- The Family Event will be on Wednesday at the High School from 6:30 p.m. to 8:00 p.m. to learn about politics in municipalities.
- On March 20th is the Job Fair at the High School and if you are a small business and want to come and provide interviews to students.
- If you are interested in learning about what is going on with the schools, there is a School Board Meeting on Thursday. This is a great way to find out.

7. NEW BUSINESS

- a MOTION TO RENAME AND DEDICATE PALMETTO TOT LOT AS PAULA MIZSAK PARK.

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| MOTION: | Motion made by Spinks and seconded by Victor Fluharty to approve. |
| MOVER: | Sandy Spinks |
| SECONDER: | Victor Fluharty |
| RESULT: | Pass [7 TO 0] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino |

City Manager Mallis stated that this is to rename the Palmetto TOT Lot as Paula Mizesak Park.

- b MOTION TO ACCEPT THE PLANNING COMMISSION'S DECISION TO ALLOW JAMES WREN TO OPEN A GROUP HOME AT 821 ARCHER RD., IN AN R-1 DISTRICT

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| MOTION: | Motion made by Longino and seconded by Frank Smith to approve. |
| MOVER: | Tony Longino |
| SECONDER: | Frank Smith |
| RESULT: | Pass [6 TO 1] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury, Longino |
| NAYS: | Salvi |

Ms. Whiley stated the following:

- She appeared before the Planning Commission a couple of weeks ago with a plan for a group home for high-functioning adults with autism.
- The house has five bedrooms; four of the bedrooms will be for the clients, and the fifth room will be for an overnight staff member.
- Clients will be from the Ohio Department of Developmental Disabilities, and if approved, we will start the interview process for clients to see who is a good fit for the home.
- The Ohio Department of Developmental Disabilities allows for eight clients in the home, and there would be two clients per bedroom.

- The Department of Developmental Disabilities has a list of clients, and today there are twenty-one people on the site who require homes.
- We've started looking at the licensing, and we are licensed through Medicare and Medicaid in the State of Ohio.
- Her brother and his daughter currently live in the home, and he is looking to turn it into a group home
- We have to get a license through the Department of Developmental Disabilities before we can be classified at all. It would depend on the license that we receive, and we would like to have one for people with developmental disabilities for people 18 years and older.
- We were told at the Planning Commission Meeting that if there are six or more people, the house would have to have sprinklers, and we have been getting information on it.

c **ORDINANCE NO. 010-24: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH OHIO PLAN RISK MANAGEMENT INC. FOR PROPERTY AND LIABILITY INSURANCE COVERAGE FOR THE CITY OF BEDFORD AND DECLARING AN EMERGENCY Was read by title only**

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| MOTION: | Motion made by Spinks and seconded by Victor Fluharty to suspend the rules requiring the reading of said ordinance/resolution on three different days. |
| MOVER: | Sandy Spinks |
| SECONDER: | Victor Fluharty |
| RESULT: | Pass [7 TO 0] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino |

City Manager Mallis stated the following:

- The City has been a member of the Ohio Municipal Joint Insurance Pool for the past 25 to 30 years. The pool is made up of municipalities and villages that combine to get the best rates in liability insurance, property insurance, and vehicle insurance.
- Prior to joining the pool, coverage for this insurance was about half a million dollars, and in the past couple of years, the City's annual payment has been \$250,000.00.
Ohio Municipal Joint Insurance Pool has seen a reduction in municipalities. Along with that, there have been high claims that weren't cost-effective, and the decision was made to disband the pool.
- The City considered other options, and this piece of legislation states that the Administration recommends going with Ohio Plan Risk Management Inc.

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| MOTION: | Motion made by Smith and seconded by Jeff Asbury to approve. |
| MOVER: | Frank Smith |
| SECONDER: | Jeff Asbury |
| RESULT: | Pass [7 TO 0] |

YEAS: Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino

- d. **ORDINANCE NO. 011-24: 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: Motion made by Smith and seconded by Jeff Asbury to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER: Frank Smith
SECONDER: Jeff Asbury
RESULT: Pass [7 TO 0]
YEAS: Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino

Mrs. Howland stated the following:

- This is done twice a year for water bills that are sixty days late, and we will be able to assess these with Council's approval.
- There are forty-one parcels, and they have another thirty days to make a payment. If they don't, it will be assessed to their tax bill.

MOTION: Motion made by Spinks and seconded by Victor Fluharty to approve.
MOVER: Sandy Spinks
SECONDER: Victor Fluharty
RESULT: Pass [7 TO 0]
YEAS: Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino

8. HEARING OF CITIZENS

Marlon Laster, 507 Button Rd., Bedford, OH: stated the following:

- There was another severe accident in front of his house a couple of weeks ago.
- The whole point of coming to Council is to propose legislation that limits the size of vehicles or the time they can park on the part of the driveway by the tree lawn.
- I made several police reports, but I was told that they could not do anything because they were not parked on the grass or across the sidewalk.
- Coming out of my driveway, you can't see the traffic coming off of West Grace St., and you are looking for traffic coming up Button Rd. If none, you start to inch out, then they come.

Mayor Koci stated that we would look into it, see if we can change things, and see what we can do legally from our Law Director and City Manager.

Councilman Salvi suggested that mirrors to help with seeing traffic.

A member of the audience, 97 East Interstate St., Bedford, OH, stated that she heard Xellia was closing.

Mayor Koci stated they are not closing and laying off some people due to a business decision.

City Manager Mallis stated the following:

- Xellia announced that they are laying off around 80 individuals and that this announcement was made at the end of December or early January.
- They will no longer utilize one of the manufacturing lines; they are producing the new bag system that they developed on a separate line.
- Hikma acquired the R&D research and development building behind Xellia and is now approaching 70 skilled research and development positions. The company submits twelve to twenty-five patents to the FDA yearly.
- Xellia is a pharmaceutical manufacturer, and Hikma is a pharmaceutical research and development company.

A member of the audience asked about Lake Shore Electric.

Mayor Koci said they are building a new factory at Tinkers Creek across from the golf course.

A member of the audience inquired about the barber shop and about patchwork going on Northfield Rd.

Mayor Koci stated that the City was doing some patchwork and that it is a state route, not a city street.

Phil Russel-Bay stated the following:

- That he has numerous circumstances occurring at his home
- That the person who showed him his house was done under false pretenses and that he was not treated like a human being

9. ADJOURNMENT

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| MOTION: | Motion made by Fluharty and seconded by Sandy Spinks to adjourn the meeting at 8:02 P.M. |
| MOVER: | Victor Fluharty |
| SECONDER: | Sandy Spinks |
| RESULT: | Pass [7 TO 0] |
| YEAS: | Koci, Spinks, Fluharty, Smith, Asbury, Salvi, Longino |


Clerk of Council


Mayor-President of Council

Date: April 1, 2024